

The Flaw In The System (Story)

Jim Thompson



calibre 1.7.0

‘The Flaw in the System’

JIM THOMPSON

CRIME: *Conman*

PLACE: *Unnamed American city*

YEAR: *Early 'sixties*

BRIEFING: The confidence trickster has been a notorious if colourful figure in criminal history for several centuries. Few more so than Victorian England's

Charles Peace, a scourge of the police for twenty years, and a master of disguise with a glib tongue, nimble fingers and a habit of always being one step ahead of the law. He committed two murders which finally led to his capture and hanging in 1879. He was followed by 'Mad Fred' Deeming who conned hundreds of victims in Australia and South Africa, returned to his native England and, after committing six murders in the course of his frauds, was executed in 1892. In the US, Raymond Fernandez and Martha Beck earned the epithet of 'The Lonely Hearts Killers' plus the reputation of being 'America's most hated killers' for conning lonely middle-aged women out of their money

and murdering at least twenty. The couple were executed at Sing Sing Prison in 1951.

AUTHOR: Jim Thompson (1906-77) was an author of paperback originals and an occasional Hollywood scriptwriter who remained unheralded during his lifetime, but has now received posthumous acclaim for his work-in-particular his darkly accurate pictures of smalltime con artists, congenital liars and occasional killers. At the forefront of his brilliant but meagre output-mostly written in 1953 and 1954, with a handful

more in the early 'sixties-is *'The Grifters'* (1963), about three con artists making their picaresque progress across western USA. In 1990, the book was adapted for the screen by Donald Westlake, directed by Stephen Frears and superbly acted by Anjelica Huston, John Cusack and Annette Bening to earn the accolade of cult movie. This success further enhanced Thompson's reputation as well as demonstrating to a worldwide audience that here was a master of the American *noir* thriller. Among the other Jim Thompson titles which have been brought to the screen are *'The Killer Inside Me'* (1952), filmed in 1975 with Stacy Keach; *'A Hell of a Woman'* (1954), made in 1979 with Marie

Trintignant; and *'The Kill Off'* (1954), a 1989 feature with Loretta Gross that several critics have claimed shows Thompson's nihilism at its most objective. Summing up his contribution to crime fiction, critic Nigel Algar wrote recently, 'Jim Thompson did not so much transcend the genre of mystery fiction as shatter its conventions.' The conman in *'The Flaw in the System'* is unlike any other to be found in the pages of crime fiction: an artist who practises his deceptions in a way that is as simple as it is puzzling - but which, in turn, makes him all the more dangerous to his victims...

THE STORY:

I watched him as he came up the mezzanine steps to the Credit Department, studying his worn suit, his frayed necktie, his scuffed shoes.

Knowing, even as I waved him to a new-account booth-with the very first question I asked him-that he was strictly on the sour side. And feeling a kind

of surly happiness in the knowledge.

For an instalment house-a dollar-down-the-rest-of-your-life outfit-we didn't catch many sour ones. They knew they couldn't beat us-how can you fast-talk a machine?-so they left us alone. But here was this guy, an N.G. from the word go, with a hundred and seventy-five bucks in sales slips! I wondered what the hell

was wrong with our clerks,
why they hadn't sent him up
for an OK in the beginning
instead of wasting their time
on him.

I looked up from the slips,
sharply, all set to read him off.
I looked into his eyes-the
warmest, friendliest eyes I had
ever seen, in the kindest face
I had ever seen. And all I
could think of was that
somehow, in some way

acceptable to the home office, I had to let him have the stuff. I spoke to him, asked a question, in a tone that was almost pleading and apologetic. He shook his head.

‘No,’ he said pleasantly. ‘I cannot make a fifty per cent down payment. The fact of the matter is, I cannot make any down payment at all.’

‘Well,’ I said regretfully, ‘I’m

awfully sorry, sir, but I don't think-'

I broke off, unable to tell him, however politely, that the deal was no soap. I had a feeling that if the friendly warmth in those eyes died out, something very necessary to me would die with it.

So I filled out a sales contract-just writing down the answers he gave me without comment

or further discussion. When I was through, I made a few telephone calls and then I took the contract in to Dan Murrow's office. Dan was our credit manager.

He scanned the contract swiftly, mumbling to himself: 'One seventy five with no d.p. Unemployed. N.G. from credit bureau. N.G. from two other accounts. No property. Hotel-resident-no permanent

address. No-get outta here!’
Dan yelled suddenly. ‘What
are you bothering me with this
for?’

‘I’m sorry,’ I said. ‘Handle it
for me, will you, Dan?’

‘What the hell’s there to
handle?’ he snarled. ‘What’s
wrong with you?’ But he
snatched up the contract and
headed outside. I stayed
where I was, listening.

I heard Dan say, ‘Now, look, mister. I don’t know what you’re trying to pull, see, but-‘ And then his voice changed. Suddenly it became the same way mine had been, soft and humble and apologetic. Begging for the good will of a man who was not only a total stranger, but an out-and-out deadbeat to boot.

Well...

The guy left. Dan came back into his office, gave me a thousand-watt glare, and jerked his thumb towards the door. He didn't say anything. It didn't look like a good time for me to say anything, so I went back to my desk and made out a duplicate on the contract.

All our records were made in duplicate, the dupes going to the home-office store and to

Mr Dorrance, the head credit manager. Mr Dorrance trusted no one. He left nothing to chance. As long as you did exactly as you were instructed to do, you were all right. If you didn't-well, however sharp and tough you were, Dorrance was a lot sharper and a lot tougher. He had his eyes on you all the time, and he made sure you knew it.

It was a good system. You

might get sore at the whole blasted world, or you might get to where you just didn't give a damn, or you might even quit. But the system rocked right along, permitting no errors, working perfectly.

At least, it always had worked perfectly until now.

Dan Murrow didn't speak to me the rest of the afternoon. But by quitting time he had

straightened out a little, and we went to a place for a few beers. He was still kind of on the belligerent side. Sheepishly belligerent. He knew the account was sour-that it just couldn't be anything else-but he tried to pretend it wasn't.

‘A hundred and seventy-five bucks,’ he said. ‘With our mark-up, that’s around ninety dollars profit. What kind of credit manager would I be if I

chased away that kind of dough?’

‘Yeah,’ I said. ‘I guess that’s right.’

‘So maybe he’s a toughie,’ Murrow went on. ‘We got a legal department, ain’t we? We’ve got collectors-boys that know how to make the tough ones soft. Sooner or later we’ll catch that cookie on a job, and when we do...’

His voice trailed away. He looked at me, his eyes strangely bewildered.

Obviously we weren't going to catch the guy on a job. We weren't going to catch him with any attachable assets. This would be the way he made his living-by gypping stores and hocking or selling the merchandise. And there wasn't a thing we could do about it.

It wasn't fraud, because there'd been no misrepresentation. He was a deadbeat, but legally speaking he wasn't a crook.

His first payment fell due on the following Saturday.

Naturally he didn't meet it, so Murrow put a collector on to him. The collector reported back that the guy had skipped town. Whether he was lying or not, I don't know. Murrow

had an idea he was, but he couldn't see that it mattered much.

'If we collect,' he said, *'if-which we can't-it wouldn't help us any with Dorrance. We broke the rules, see? Like drawing to an inside straight, only ten times worse. Maybe a miracle might happen and we'd fill the straight. But it's still all wrong. We could pay this account ourselves, but Dorrance wouldn't like it one jot better.'*

We sweated out the weekend, wondering what Dorrance would do and knowing that whatever it was, it wouldn't be nice.

Late Monday afternoon Murrow came to the door of his office and motioned for me to come inside. He looked a little pale. His hand shook as he closed the door behind me.

‘Dorrance,’ I said.

‘Yeah. His secretary, I mean.’ Murrow grinned sickishly, trying to make his voice sound satirical. ‘Mr Dorrance wants a full report on that very peculiar account,’ he recited. ‘A detailed report, setting forth any reasons we have-*if* we have any-for opening such an account.’

‘Yeah?’ I said. ‘Well...’

‘We got to think of something, Joe.’ He leaned across the desk, desperately.

‘Some way we got to get ourselves off the hook. It means our jobs if we don’t. It might mean even more than that.

Yeah,’ he nodded, as I looked at him startled. ‘We had no good reason to OK that guy, so could be we had a bad one. But then again maybe we were in cahoots with him, splitting the take.’

‘Well...’ I spread my hands helplessly.

‘Let’s start at the beginning,’ Murrow said. ‘Why did you do what you did, anyway? Why didn’t you just turn this character down yourself instead of passing him on to me?’

‘I-well, I just didn’t want to,’ I said. ‘It wasn’t as if he was compelling me, or hypnotising me, or anything like that. And it wasn’t because I felt sorry for him. It was just-well, it doesn’t make any sense-it sounds crazy now. But-but-‘

‘I know,’ Murrow murmured. And then he brought himself up sharp. ‘Go on and spill it! Maybe we can come up with something.’

‘Well,’ I hesitated. ‘It was like I had to do it to prove something. That I was a person-a human being, not just part of a system. That there wasn’t any system big enough to keep me from making a mistake, just like there wasn’t any big

enough to keep me from doing the right thing. So-well, I guess that's why I did it. Because it was the only way, it seemed, that this guy would go on liking me. And I was afraid that if he ever stopped liking me, I-I just wouldn't be any more. I'd have moved off into a world I could never come back from.'

Murrow looked at me silently. After a moment he let out a scornful grunt-rather, he tried to. 'Brother!' he snorted. 'Are you a big help!'

'How about you?' I said. 'Why didn't you give him a turndown?'

'Never mind about me!' he snapped.

‘Because I’m stupid, that’s why. Because I got so many dumb clucks working for me, I’m getting dumb myself... Well, you got anything else to say?’

I shook my head. ‘Nothing that would make any sense.’

‘Let’s have it,’ Murrow said wearily. ‘You haven’t been making any sense, so why should you begin now?’

‘I was just wondering,’ I said. ‘I mean, I wasn’t wondering exactly, but-He stuck two other stores in town besides ours. He could have made a clean sweep, yet he only took two. But those two are the

same kind of outfits we are.'

'So?' Murrow frowned. 'So he plays the instalment houses. What about it?'

'Not just the instalment houses. A certain type of instalment house,' I said. 'The hard-boiled kind. The iron-clad system houses. Places where every contingency is provided for by the system, where the human element is ruled out... The system says no sales to the unemployed. No sales to transients. It says that if a risk looks very bad, we must insist on a down payment that practically covers the wholesale cost of the merchandise. It allows for no exceptions under any circumstances. It doesn't allow us to

think or feel-to do anything but apply our own special yardstick and throw out anyone who doesn't measure up to each and every one of the rules. Why, one of the saints themselves could walk in here and if he didn't-

‘Chop it off,’ Murrow said. ‘Get to the point.’

‘I’ve already got to it,’ I said. ‘This guy knows exactly how we operate-yet he chooses us. He deliberately makes things tough on himself. Why did he do it? If he was just after the merchandise. If, I mean, he was doing it just for himself instead of-uh-‘

‘Yeah?’ Murrow said grimly. ‘Yeah?’

‘Nothing.’ I turned towards the door. ‘I guess I’d better be getting back to work.’

I had just sat down at my desk when Murrow came out. He asked me for a description of the guy, adding roughly that at least I could help him that much.

‘Well...’ I tried to remember. ‘He seemed awfully friendly. Really friendly and kind, you know. The way he smiled at me, it was like he’d known me for a long time-as if he knew me better than I knew myself.’

‘Nuts!’ Murrow yelled. ‘Do you or don’t

you remember what he looked like?’

‘What about you?’ I said. ‘You talked to him longer than I did.’

Murrow wheeled around, stamped into his office and slammed the door shut behind him.

Naturally he didn’t send any report to Dorrance-how could he? There was nothing to report. And there was nothing we could do but wait until Dorrance called again... demanding an explanation for the unexplainable.

But Dorrance didn’t call.

A week passed.

Two weeks.

And there wasn't a single peep from the home store.

I suggested to Murrow hopefully that maybe there had been a slipup, that the matter had got buried somewhere and was now in the process of being forgotten. But Murrow said there wasn't a chance-not with our system.

‘That’s what they want us to think-that we got away with something. We think that, see, so maybe we’ll try something else. And when we do...’

‘But we aren’t going to! We haven’t tried anything yet, have we? We made this one mistake - kind of a mistake-but from now on-‘

‘I’ll tell you what,’ Murrow said. ‘If you’ve borrowed anything against your petty cash, you’d better pay it back. Check the collectors-make sure they don’t hold dough over from one day to the next. Keep your accounts posted right up to the minute. Have everything in perfect order, understand? Because if it isn’t-if there’s anything wrong at all-we’ll be in the soup. A hell of a lot deeper than we are right now.’

I did what he told me to.

Four days later Dorrance showed up.

It was on a Saturday, a few minutes before closing time. He lingered near the entrance until the last of our customers had left; then he came up the stairs, a big man with a flabby face and eyes that were like two chunks of ice.

He answered our nervous greetings with the merest of nods. He cleared off a desk-waving me away when I started to help him-and started laying out the contents of two heavy briefcases.

‘All right,’ he said, spreading out his records-picking one contract, *the* contract from among them and placing it

deliberately to one side. ‘You know why I’m here. If I want to know anything I’ll ask you. If I want you to do anything I’ll tell you. Got that? Good. Now open the safe, unlock the cash drawer, and bring your account files over here.’

It was almost midnight when he finished checking us. Almost five hours-with Murrow and me hanging around red-faced and embarrassed. Feeling unaccountably guilty and looking a hell of a lot guiltier. Hardly speaking unless we were spoken to or moving unless we were ordered to.

Five solid hours of waiting and watching-while Dorrance did his

damnedest to spot something crooked.

Then, at last, he was through. He leaned back in his chair, massaged his eyes briefly with a thumb and forefinger and gave us another of those infinitesimal nods.

‘That does it,’ he said. ‘You boys are OK.’

Something inside of me snapped. Before I could stop myself I blurted out an angry, ‘Thanks. I’ll bet that disappoints you, doesn’t it?’

‘Now, now,’ Murrow said quickly. ‘Mr Dorrance is just doing his job.’

‘Then it’s one hell of a job!’ I said. ‘He comes in here late at night and-‘

‘Yes,’ said Dorrance quietly. ‘Yes, it’s one hell of a job, son. I’ll be glad to see the day when it isn’t necessary-which unfortunately, it seems to be at present. This is the tenth store I’ve hit in the past three weeks. Four of them didn’t check.’

‘Well,’ I said. ‘I didn’t mean to say that-that-’

‘It gave me quite a start,’ Dorrance went on. ‘Of course there’s always bound to be a little gypping-one-shot, off-and-on stuff. But these birds had been doing it regularly. They’d invented a system for beating our system... I wonder-’ He hesitated, then his eyes strayed to that laid-aside contract. ‘I’ve been wondering why I didn’t foresee that it would happen. We’ve discouraged individuality, anything in the way of original thinking. All decisions were made at the top and passed down. Honesty, loyalty-we didn’t feel that we

had to worry about those things. The system would take care of them. The way the system worked-supposedly-a man simply *had* to be loyal and honest.

‘Well, obviously, we were all wet; we found those four stores I mentioned, and God knows how many others there are like them. And about all I can say is we were asking for it. If you won’t let a man think for you, he’ll think against you. If you don’t have any feeling for *him*, you can’t expect him to have any for *you*.’

He paused, picking up that lone contract and glanced at us questioningly. Murrow and I didn’t say anything. Dorrance shrugged.

‘Now let’s face it,’ he said. ‘This man has stuck store after store in our chain. He’s hit us for thousands of dollars. How he got away with it, we don’t know. None of our men have been able to explain. But there is an explanation—several of ‘em, in fact... Perhaps he worked for an outfit like ours at one time. He knew you people had been pushed to the top of the arc in one direction and that you were all set to swing the other way—out of resentment, frustration, anger. The desire to do something for once that *didn’t* make any sense. All he had to do was catch you at the right time, and you’d let him walk off with the store.

‘Or it could be that he’s simply a damned clever conman operating in a new field. A good conman would know that the easiest people to take are those who’ve never been taken-people who supposedly know all the angles, who are so sure that no one would even try to beat them and they’re a cinch for the first man who does.’ Dorrance paused, then went on.

‘He’s a very dangerous man. He did us a good turn, indirectly, by starting this investigation, but that doesn’t change the situation. He’s a menace-as dangerous as they come-and if we ever spot him again he’s got to be treated as one. Just grab him, understand? Latch on to him,

and we'll figure out a legal charge later. Why, a man like that-he could wreck us if he took a notion to! He could wreck our entire economy!'

Murrow glanced uneasily at the contract, wondering, as I did, what Dorrance intended to do about it. And about us. Then Murrow said nervously that he didn't imagine the guy would be back. 'Do you, Mr Dorrance?'

'Why not?' Dorrance snapped. 'Why don't you think he'll be back?'

'Well-' Murrow looked at me uncomfortably. 'I'm not sure, of course. It was just an idea. But-'

‘Dan means it wouldn’t be smart for him to come back,’ I said. ‘He’d know that we’d be on the lookout for him.’

‘Oh,’ said Dorrance. After a long moment he pushed himself up from his chair and reached for his coat. ‘That wraps it up, I guess. Now let’s get out of here. You boys have to work tomorrow, and I have to travel. As for that contract, throw it in your p-and-ls. Can’t collect on it, so it might as well go into profit-and-loss.’

Murrow and I didn’t move; we just weren’t up to moving yet. And we couldn’t think of anything to say either. But there was an unspoken question in

the air. Dorrance answered it snappishly, as he packed his briefcases.

‘What’s the matter with you?’ he said, not looking at us. ‘You can’t put two and two together? Do I have to draw you a diagram? That fellow hit the home store hard too-hit us the hardest of all. I personally OK’ed him for four hundred dollars...’

He sounded sore, but he didn’t look it. Somehow he looked kind of happy.