

HARD NINE

“Excuse me, Darwin, right?” a man asked who had just approached the bar beside him.

Nodding, Darwin looked across at the man.

“I’m Falkner, I was asked to meet you.” His lean, hawkish face was scanning the bar as he might be uncertain or afraid of what the shadows might conceal.

“Hmmm. Asked or told?” Turning to the bartender, Darwin said, “two scotch Billy, over in the booth.”

“Which one tonight?” Billy replied over his shoulder.

“Something smoky from Islay, maybe. I’ll leave it to you.” Darwin said as he moved to his feet and extended his hand to Falkner, “Darwin, nice to meet you.”

“I was asked, but decisions all have consequences.”

“Not your usual type of place?” Darwin asked following Falkner’s eyes as they scanned the bar.”

“No, it’s fine. You just never know who else might be around.”

“Hmmm, I suppose. But I doubt there’s anyone here you know.” Darwin nodded slightly and picked up his satchel from the floor. Directing towards an empty booth with his head, he walked across the bar and watched the man across from him settle into the booth.

“It’s not who I might recognize that concerns me. You should know that well enough by now.”

“I suppose.” Looking over Falkner’s dark suit, the shape of his shoulders and elbows seemingly the only spots providing support, with boney hands jutting out from the cuffs, “What’s with the tattoos?”

“It’s personal.”

“Of course, tattoos generally are, but what’s the story?”

“I mean it’s private and I don’t want to talk about it.”

Darwin allowed the pause to absorb the moment and studied Falkner fidgeting with his hands, watching him fumble the knuckle of his thumb against his wedding ring. The pause expanded into a void that beckoned to be filled either by a further prompt or an answer.

“Well, that may be, but ‘Hard Nine’ knuckle tattoos hardly constitutes discretion.”

Holding each other’s eyes, Falkner could see his reflection in Darwin’s glasses. In those reflected eyes he could see a distant past when his life was different.

“Accountants, at least the accountants that I’ve met, aren’t known for knuckle tattoos,” Darwin continued.

Falkner shrugged and said, “just because you can see it doesn’t mean that you get to ask me about it. Just like I don’t ask about the faint scar below your eye, or why you like smoky scotch.”

“I don’t like scotch.”

Looking at Darwin sternly and then down to the amber liquid in the glass he was clutching on the table he started to reply. Falkner studied the bar again, and swirled the amber liquid in the heavy tumbler. A motion that could be interpreted as agitated, or thoughtful, or nervous; or any other conclusion an observer might make, but not with any certainty. “And yet, that’s what you ordered. The bartender seems to know you for it. He’s asked you for your preference, suggesting this isn’t your first dram. All of this creating a sense of confusion.”

“Life’s like that. I’m sure it’s personal, but since it seems that I’m expected to work closely with you for your— well, our mutual client, I want to know something about you.”

“Why scotch then, you ordered something deliberately without seeming to know specifically what you want. Most lawyers I know —”

“What — most lawyers become scotch drinkers? Not always the case. At least not for me. Scotch started as something that overshadowed my day. Often it was more distasteful than what I was doing, it acted as a sort of purification.”

“And now?”

“I drink it more often.”

“Drinking to forget?”

“Drinking to displace. I rarely forget anything.”

“Do you have a brand?”

“I defer to Bill, he’s the professional. We all have our strengths; yours is accounting, mine’s asking questions — and waiting for answers.” Darwin said. “Tell me about what ‘HARD NINE’ means to you.”

“No wedding ring, anyone special in your life?”

“Not really. There’s enough complication in my work.”

“I see, that’s probably best at this point. Unlike you, I enjoy learning about my whisky; this one is a bit over smoked for me, but given your commentary, I see how it matches. You might enjoy it more if you spent time understanding it. I find life like that.” Raising the glass to his lips he drained the glass and held the last taste in his mouth, considering all that was ahead of him and all that he had already seen.

He was once just like Darwin, rising quickly within the ranks of a prestigious firm. His inexhaustible reputation for long hours, meticulous strategies, and sound advice put him on

a trajectory for an early partnership. Sensing greater opportunity elsewhere, Falkner accepted a partnership with a smaller, more specialized accounting practice, a partner with an equity position, and advancement continued accelerating. Fleets of opportunity arrived on the shore of his success, never satisfying him, but rather spurring him to extend his expectations. Increasing his hours, his billings, and his client list merely increased his appetite and he was never satiated.

Life was demanding, but rewarding: expensive property, new cars, and exotic holidays. Most weeks, late dinners and the occasional show constituted the only time he and his wife would spend together. Sometimes he'd work late at home; Cynthia was usually asleep by the time he joined her in bed. Together they agreed it was a worthy sacrifice. Efforts that would ultimately provide for their future, a cross roads when he would choose to scale back; once a certain critical mass was reached. The hours today would provided security tomorrow.

As if Falkner's life didn't feel charmed enough, a daughter became another blessing, that made the sacrifice for tomorrow's goals even more justified. He and Cynthia both basked in the joy of their child, despite the feedings through the night and the changes demanded of their routine.

The scarcity of sleep converging with tax season necessitated Falkner seeking some extra help at the office. Initially a line of coke was all it took. The white powder propelled him through the day so he could get home for bath time and still hit his client's targets. The evenings were awash with the fresh pink beauty of his daughter. Looking at her stoked the fire of his love for Cynthia, they would make love and he would return to client files as she slept. Everything was more beautiful and precious. Falkner possessed control that he hadn't had since college, viewing the world around him like ripples racing across a once a still pool, waves that he alone had caused.

His success saw expansion of the firm, which in turn facilitated taking on more staff, and larger matters; Falkner responded to the challenges. A few more lines became an eight-ball; still he needed more. Trapped on a treadmill of dependency, chasing enough to make a difference, Falkner did what he always had done—more. Narcotics grew from an indulgence to an expense and then to a canker on the cash flow until his partners intervened and required him to take a leave of absence to enter rehab. Falkner conceded to his partners' demands, but not before amassing a debt with a local bookie in trying to extend his cash to purchase stimulants.

His obsessive personality that facilitated his professional success and pre-disposed him to addiction, also allowed him to kick his dependency. Twenty-one days later he was declared clean; took a vacation with his wife and daughter as he grounded his world. Fresh and enlivened he was ready to return and address the debt that he had levered against cocaine.

With the same acuity and professional detachment, he examined the mountain of leverage, scrutinizing the sustainable cash flow, recommitting to daily striking a balance that would prevent a journey back to addiction. He had made proposals to his partners and prepared to secure credit against his stake in the partnership and home. Falkner would turn his debt around, although it would take years, he could manage it all, he would just have to be patient; he had both reason and resolve to do so. That was when the penny dropped.

He would always remember the meeting. A day when the receptionist announced a new client, looking as out of place as his garish ill-fitting suit and accompanied by two large men with surly expressions. Falkner was explaining the firm's retainer policy, obligations, and philosophies—as he did to all new clients—when he was interrupted.

The client had a bored, yet commanding look about him, both he and his two silent associates shared an apparent discomfort with their suits. "We've got a mixed set of business interests that we need assistance with. Some of which might be considered *peripheral*, but they all require certain finessing."

Sensing he was being asked to cross a line, Falkner replied, "I'm sorry, I've got professional and legal obligations."

"I understand that and require your discretion. But I'm not asking. I've just acquired your debt from O'Sullivan's."

"I'm sorry, I don't know what you're talking about."

"Falkner, let us be clear. I prefer speaking plainly. We have certain business interests that aren't entirely legitimate that we wish to conceal, gambling books are only one such enterprise."

"You'll have to leave. I can't be, nor am I interested in being, involved in anything illegal. More particularly for you, any professional obligation that I might have to you, if you become a client, doesn't cover any illegal activities."

"That will be the last time that I indulge you interrupting me. Understand that we own the debt that you accumulated at O'Sullivan's. A debt that was the result of illegal gambling and a narcotic consumption."

"I've dealt with my addictions."

"Perhaps, but not your debt. I own this debt and I'm calling it in. But I'm not taking your money, I'd prefer you to—let's say 'work-in-trade' for your debt."

"This is extortion. I can decline your offer, report this and only face minor consequences, especially given that I've already gone through rehab and disclosed to the profession."

"You could. It's true, you could," the client repeated, stroking his square jaw. But not only do you not know my name yet, there is something else you need to know; something about my personality. You need to understand that I'm as tenacious as I am convincing. I study human behavior, I pride myself in it. I observe more than you might expect, like how you scratch the side of your pen with your thumb while in contemplation. So I see you. It allows me to appreciate more about people. For instance, I appreciate that you are one of the few people these days that doesn't check their phone during conversations. It's respectful, I like that, but perhaps you should take a moment and listen to any voicemail you might have. Go ahead, I won't mind."

"I'll check my phone when I wish. Never during meetings," Falkner said looking up from his notepad.

"Make an exception. I'm betting you've got important messages."

“I don’t bet—”

“It’s a figure of speech, I don’t gamble either. I prefer outcomes I can control, like owning a debt.”

Falkner looked around the room as though he was seeking the understanding of an inside joke, or the answer to a riddle, but found only stoic faces. Looking at his phone, the display said four missed calls and four voice messages. Suddenly aware that he was the centre of attention, Falkner felt the rising flush of embarrassment and began fumbling with his phone to access his messages and the room began to spin.

“You’ll probably want to rush home and —”

Falkner was on his feet, struggling with his chair, stumbling to the door, and shouting over his shoulder to Gail at reception, “I’ve got to go home. See the clients out. I’ve got to—, I’ll be—” as the door swung shut behind him.

When he arrived home, the screams from the message on his cell phone still echoed throughout the house. And the blood. He couldn’t tell how much blood was smeared on the floor and walls, or whose it was, but it was too much. Any amount would be.

Cynthia’s screams told him she was terrified, suffering, and leaving. Leaving him with nothing to do but start cleaning up the mess that laid at his feet. And to worry.

Looking up, Falkner saw one of the client’s associates standing in the doorway.

“You’ll get used to me letting myself in. The only way they’ll be safe is if you cooperate.”

“They’re gone. They’ve left me.”

“Maybe. But it doesn’t change how you feel about them. Leverage isn’t about taking a house or a car that you’ve financed, but what it means to you. If you want Cynthia or your little girl to be safe, you’ll work off your debt. You call her, your baby Rosie Posey, yeah?”

“How do I know they’re safe at all?”

“Keep this,” he said handing a dish towel to Falkner, “your wife left with us earlier. We can get more if you need them. But suffice it to say they mean more to us alive. They provide you with something to lose. Collateral you could say.”

The moment of discovering Cynthia’s pinky finger in the folds of the cloth, still warm and roughly hewn from her hand, was the moment he agreed to everything. But just a line at first, like the coke. Just enough to get him out debt. Enough to keep Rosie and Cynthia safe.

Days after the screaming and torture, Cynthia returned home. “You lied all this time,” she said. “Drugs and gambling and debt all for what? Is this what our life together was supposed to be,” she demanded, holding her bandaged hand up to his face. The wedding ring he had given had disappeared with her finger. Later—weeks, or days, or months, he couldn’t say—Cynthia whisked Rosie away and filed for a divorce. Falkner was left with hollowness infused with the scent of blood and the reverberating of screams that would never fade.

His client was right, without Cynthia and Rose in Falkner’s life, his debt was unenforceable. Nothing else could be held over him. He told the client he was finished.

“You think that you can wind this relationship up now? How is that going to mesh with your legal and professional obligations? You’ve been providing professional accounting services to a client that you’ve known to be criminal for the last two tax years. Think this over, think about how much fraud you’ve committed, how much money laundering, the proceeds of crime that you’ve spent, that Cynthia is in possession of. Everything that you lose to the courts, will also be taken away from Cynthia. Don’t think about Rosie Posey’s horse, think about where she’ll be going to school. Plus, I’m betting you’re still concerned about their safety. Care to double down on that, or are you out of the betting game?”

“This debt doesn’t get retired does it?”

“Let’s call it revolving, like purchasing from the company store.”

Falkner looked down at his hands again. Later that night he got tattooed. It was the third parlor that finally even gave him a second glance when he walked in and took his money. Handing the artist a scrap of paper, he said “knuckles.”

“I need to hear you say it.”

“This script, on my knuckles.”

“Here,” handing Falkner a form, “it says you don’t have HepB or anything else I can’t get rid of, that you pay up front, and that you freely want tattoos. I’ll pen a stencil on you, that’ll be your last chance to stop and get your cash back.”

Falkner signed the form, nodded, and sat down and said, “I’m good.” Closing his eyes, allowing thoughts to wash over him as he felt warm ink on his skin.

“Here you go, ‘Hard Nine’ outlined. I’ll add color, but this is your chance. In or out?”

“In.” Falkner closed his eyes again and withdrew into the scratching against his fingers, imagining a knife, or pliers, or whatever was used on Cynthia. His head bowed and time stopped, leaving no recollection of the events that had delivered him to this place.

As always, he hoped that Cynthia would call. That he would have another chance, but it never came. Days passed by with the irritation of healing scabs. Dry, itchy, scratching, it was a nuisance, but if scratched, the scabs would tear open, leaving the wound raw, only to start the healing process again. Even as his knuckles itched under the scabs, Falkner remembered the pull of his addictions, rubbing his thumb past his wedding ring to where the stub of Cynthia’s pinky finger would be. ‘Hard Nine’: Cynthia’s remaining fingers; the lives that Falkner had ruined; the reminder of his new client obligations.

Darwin shook his head, “Maybe, but I’m not here to join a whiskey appreciation society. Sometimes knowing ‘why’ is less important than knowing ‘what it is’ and examining potential options. My clients can worry about what motivates someone to sue, or breach a contract, or whatever; I need to assess what’s to be done. The why is rarely relevant.”

“Then why ask about my knuckles?”

“As I’ve said, I want to understand *what* brings us together.”

“Sure, OK; let me paint you a picture,” he said, “let’s call it ‘*The Illusion of Choice*’.”

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