

Feb. 26, 1954

1952
Mon.
Sept. 15

or suggested
Trial as Recapped, from Mining Journal.

- 1: Thomas moves to add Dr. Thompson as psychiatrist.
- 2: Choose jury --- remember juror who knew X too long.
3. witnesses: "I knew him too well."

Arnolsch

Mrs. Luella Temple = X was waiting on two customers and had his hands on the bar (attempt to X out self-defense)
She ran.

"What did you do?"

"I run to the ladies' room."

X - Exam: I spoke to him but he did not reply. (Fails to remember.) On friendly terms with X.

OK, Boulder: 12:40 A.M.

1. Fassbender: Admitted he embalmed private postmortem. No orders to determine if X had ejaculated.
2. Bourque, photographer -- Introduced 7 photos of body at bar & on slab, etc. but none of Mrs. Peterson.

Sept. 16

Spratto identifies body; also Wipom;
 XXX Arnolsch (5 bullet wounds in body)
 " say his examination convinced him that the attempt at sterilization was unsuccessful. --- No attempt to determine whether ejaculated or alcohol; no request for either; both could have been done.

Said a woman may be raped without tearing or bruising & that steril. does not affect the capacity of a man to perform the ^{mechanical} act of intercourse.

Sept. 17

Spratto: Introd. Luger and 3 pellets and 5 shell cases. Told how Peterson told them he shot X & gave gun to Marsh. Said would do it again.

* Tavern to Trailer camp 4/10 of a mile. Trailer 300 ft beyond

Said Pete told Officers: Rovary: Dought not live.

Went to scene & saw dog tracks...

"She was a mess. Her face was beaten & bruised"

Wenzel: I try to get in guns, drinking, pistol prowess etc. but Beattie objects & we argue. Judge overrules me until issues are raised by competent evidence

Boulden: Expert on Luger. Village constable 1 yr. 3 yrs. ^{Army}

Cherette; customer said "Hi, Lieutenant," but he did not acknowledge the greeting or look at me. Knew Pete 3 wks. before shooting.

Mrs. Boulden ^{wife} forgets she told Army investigator she spoke to Pete

Goldsworthy: Came to tavern around 11. X not there. Saw shooting. No words. (Wife same.)

Outside "Lieutenant!" "Do you want one through the head?"

X - Exam. X drinking hard prior to shooting

8 or 10 double shots a day. That not heavy drinking.

Could carry quite a load.

Sept. 18th

Wenzel: Was an expert ^{shot} & owned 4 pistols. 3 were kept loaded behind the bar.

"Mike told me pistols were for a holdup."

"How many holdups or attempts during time you were there?"

"Well -- none."

"How many did you ever hear of?"

"None."

(Tells that Mrs. C. looked up 3.) because of drinking.)

Then describes events of evening:

LE GOLVIN Vaginal tests negative...

X - Exam: But rape could have happened.

Hard to tell.

Saw Brunsis

"Were you instructed to examine her for brunsis?"

"No."

Did you ^{ask} as ^{any} you asked about brunsis?

No

Only 3 ^{spermatid} sperm in yr -- none for rape.

Took slides to ~~the~~ technician (See

Spratto back

Shows gun stays open after last shot
Describes Mrs. P. shirt torn & held with
safety pin.

Pants disappeared.

Mike expert pistol shot.

X Pants not tested for seminal stains because too
much blood.

~~XX~~

Like detective hassel.

* → Shaw tourists heard screams from gate.

Sept. 19

Mrs Peterson & the dog.

Wenzel & Old Crow

Spratto. -- Peterson told him he knew of gun.

Sept. 20th

Psychiatrist, Peterson (flare up with Beattie)
& Doc Lambert.

Sept. 22.

Thompson

Sept. 23

Verdict.

3/6/54
1 draft

TRIALS ARE PRIMITIVE.

For all ^{its} ~~the~~ pretense of scientific method, ~~in~~ the trial of a criminal case -- or ^{indeed} any case -- ~~it~~ is really a pretty primitive performance, ~~a relating of a~~ ^{an oral} a chant around an oral ~~recollection~~ ^{recollection} of things past ~~at~~ a campfire, by those who were there and saw. The ^{squawking} tribal chieftains are the judge and jury. ~~They~~ ^{they} must listen and decide. ~~They~~ ^{the} tale-tellers (witnesses) who seek to recover and reconstruct the past may have erred in ^{their} ~~the~~ observation of what they saw; through faulty memory or ~~malice~~ ^{malicious cunning} they may misreport what they saw; or they may, in ^{the} ~~the~~ manner of telling ~~their~~ tale, ^{whether} ~~whether~~ innocently or maliciously, ~~unduly~~ ^{unduly} persuade or dissuade those who ^{must} ~~listen and~~ ^{sit there and} decide. For, you see,

and their workbooks for the

the jury is itself ^{one of the chief} witnesses - a
witness of the witnesses. ~~It~~ So in
turn ^{its} ~~its~~ faulty observation of the witness, ^a ~~its~~
mistaken ^{recollection} or wilful misrecollection
of ~~its~~ what ^{has} ~~was~~ ^{just} ~~been~~ said around the
campfire, ~~all color and affect~~ ^{its} ~~its~~ acceptance or rejection of the tale teller,
are all tangled factors coloring and affecting
final decision. So it is; so it
ever shall be. ~~Let us~~ So, please
Ford, let us ~~talk~~ ^{hear no} ~~more~~ ^{more}
talk about scientific method in the
trial of a case. Amen.

TRIALS ARE PRIMITIVE

For all its pretense of scientific method, the trial of a criminal case--or indeed any case--is really a pretty primitive performance, a chant around a campfire, an oral recollection of things past by those who were there and saw. The squatting tribal chieftains are the judge and jury. They must listen and decide and theirs is a woeful task. For the tale-tellers (witnesses) who seek to recover and reconstruct the past may have erred in their observation of what they saw; through faulty memory or malicious cunning they may misreport what they saw; or they may, in the very manner of telling their tale, whether innocently or maliciously, persuade or disuade those who must sit there and decide. For, you see, the jury is itself one of the chief witnesses--a witness of the witnesses. So in turn its faulty observation of a witness, its mistaken recollection or wilful misrecollection of what has just been said around the campfire, its acceptance or rejection of the tale teller, are all tangled factors coloring and affecting the final decision. So it is; so it ever shall be. So, please Lord, let us hear no more talk about scientific method in the trial of a case. Amen.

Insanity

Hypothetical question

See Melloni = (new

Sees 515 & 523 (see)

See ^(or) 218/697 & 246/429

See Call. P & P.

36.464 et seq.

to

36.467, Incl.

92/222 Arrest - Private Person

* More forms of questions.

P 10 vs De Haven

321/327 at 330.

Witness

Oath form. = Gill. 594, 771.

Jury (Callaghan)

Array = 38.33

14-member 38.28 (27,1071-73)

Quals. 38.23 (m 8a 27.246)

"Struck" jurors - 38.27

Swearing 38.37

Voxi die examination. ^(By attys) 38.29

Citizen(11) (38.25)

Oath on Voxi die (Form. 38.30)

Deaf, non-citizen & could not understand or speak English.

See 38.29 (Voxi die exam) **

Jury talsman (Petit jurors 38.36)

Ind. Jurors. 38.32.

Jury (Mill)

Prelim. instr. Sec. 564

Oath (Sec. 564, P. 718)

No. of challenges. Sec 567

Per 15, defense 20

Who first: (People - see Sec

567 at P. 724)

* Opinion - Sec 569.

Impressions - Innocence -
Credibility a shield

Newspapers - Sec 569 (p 728)

* Last of question. Sec 569 - footnote P. 728 *

Gilispie

Diff. between passeri &

incanities = Secs. 42 - 43.

Insecurity

Fifth Amendment. . .

Underhill. P. 189 (not so good)

Old 3 psy. statutes

28.933

Repealed ^{EM} Sept 28, 1951.

State hospital commission

(Mississippi (old) Sec. 431, P. 515

(Enacted 1939 P.A. Act 259)

Compiled Laws 766, 15a h & d

* See Mississippi (new) Sec.
654, P. 840 for short charge

"he had not the power to resist the
temptation to violate the law"

Verdict

Clerk's part.

Missouri. Sec. 700
P. 893

Form of = Sec 1658
Form 780
P. 2001.

(See) Peo. vs. Andrews, 330/535.

^{See} Delges. 1637, P. 1969

Le Galvan

1. How take smear?
2. Did you use gadget?
3. Did you notice bruises?
4. Did you look for any?
5. ^{Did} you only look ~~AM~~ for signs that would help Peoples' ^{murder} case?
6. How test smear?
7. Who did it?
8. Journal for Aug. 5 states you said you found no signs of rape? What mean?

Lt.'s record = Decoy list.

Show D.A. holds a long
blank list when he's questioning
D. about his alleged criminal record.

~
"May the record show," I said,
that ~~the~~ ^{the examining} one of the counsel for the
people holds, etc."

wrangle - - -

Old tricks.

MS

✓ Anna Magnani

✓ "Lure" Judge into keeping
out the rape

Remember to stress "loneliness" +
"isolation" of the defense. No photos, etc

- 1 Few witnesses
- 2 No photos
- 3 1 lawyer
- 4 Charity psychiatrist
- 5 Judge ruling against

Dr. Raasia (Mrs. Dr.)

✓ A large, ^{untidy} loose-jointed, ~~untidy~~ ^{untidy}
walrus of a man, with wispy
uncounted aia, soiled glasses and
his tie askew. A stethoscope
protruded from his pocket as
though ~~he~~ he planned to take a
Cardiac soundings of the judge or jury.

No
As indeed he did
of a tendency to
imminent slumber was
the criterion. I thought he
would fall asleep before
Tutor was down with
him.

Spratts

* Show ^{how} gun when empty

Story of what happened

Pants examined for semen

|| Doctor examined for rips

4/10 from gate to tavern

300 ft. from gate

|| Other entrance

Spirit ||

Request Dr. Amachi to =

Arranged at what hr. 1:30

"Had to do it over again, hid do it again."

"Shot all the angles on the way up there."

5/10 mile south of town = West

|| Dog tracks in sand.

3/11/56 Despite the fact that I personally used the
Biglerian system, and played it ^{solely} by ear,
I was vaguely aware that the
world of psychoanalysis was split
^{almost} into as many schools and theories and
cliques and splinter groups as ^{the} ~~left~~
^{existents on the} Left Bank, etc. "Doctor, do you
mean to say that if a raving maniac
were brought into this room, you with
your Gestalt tests might ^{discern} ~~detect~~ that
something was amiss but Dr. Smith
with his printing ^{and obsolete} equipment would
suspect not a thing?"

The doctor ^{drew back} was aggrieved. "You ^{you} make
a joke ^{of} of my profession," he ^{sounded} ~~seemed~~
Traquith "I make the joke, Doctor? There
^{undacted and obvious} was something disarming about the man, like
^{the} Melbourne leading his ^{doomed} ~~charge~~ ^{brigade} into the
 jaws of death. "But I'll pass that," I
said. The question was rhetorical ^{at the}
^{point} was made.

✓ Have Mex volunteer

✓ Get Max out of orig
investigator.

✓ Have him thank me
for send off

✓ Jealousy - Wm Lama

^{TV} Bears - Mr. Lemon (C. 11)

✓ Tie Insect C. 10 (3)
P₇

Bartender
Jude -
Shoemaker
Loaded guns.

Phone psychiatrist

Mitch - Cong. Galt

✓ Wise Psych.

✓ Get Uniform

✓ Get charts in carbon

Psy

Your mean to say
the Gregory
method is superior
to both tests

I was vaguely aware
that psychologists
had as many
schools of p. as
except Frank Porter

Load guns

* Dancer gets out barefoot
etc.

Talked to Beyin?

Rami

twit

tease

bellhaul

chude

taunt

✓ Don't wear all
ribbons tui testifis

Quid do

More Maida

" Maniam

" Psy.

Weri from Psy

✓

Have Paul ask
bartender of Wepko
was George Bolger
who testified

Lacking, as I did, both
the time and ~~stomach~~ ^{hardihood}
to, ^{carefully} ~~remove~~ ^{remove} the ^{creaking}
females, ^{sitting} in the body
of the Courtroom

✓
Maida

Is at court - -

"Mei quin', Boss"

Maida! I said. Where the hell
you ^{come from} ~~been~~ I thought you were home
minding the store

Think I'm going to set home, etc.

Roche in your hand. Am I fixed
again! (Remember re clerk)

Do

✓ Larra: That psychiatrist of them gives
me the willies - - - etc (C. 16)

✓ I phone Man Pilant (C. 16)

✓ Over photos no use (Paul) (C. 16)

✓ Dancer: He seemed faint, to squeal with
pain, like a Japanese general fallen
on ^{a dull} sword.

✓ Mitch: Have him argue gate business
& answer.

✓ Reluctant dragon (bartender C. 16)

Slightly magnified missile

✓ Pictures of Dancer (C. 12)
Bigger than bear wheat.

✓ Phone psychiatrist

✓ Too bad you & Pete came to town about
this. - - - (Larra adds) (C. 16)

Have Dancer have Pag. make
Barney a small man

swam up and

The words of William Blake, ^{somewhat} seemed,
very appropriate to this little spirit:

"The pure soul, etc

Resume (C. 15)

Holdups

Way?

Arg

White shirt

Chap 16

Moon recess -- I report to Mary -- ^{"Reluctant dragon"} Laura
tells me about psy. staring at her -- Willie's
Own photos no use -- Willie from psychiatrist?

Friday = Mar. 2, 1956.

- 1: Make corrections
- 2: Read Part III
- ✓ 3. Inserts
- 4: Plan Chap. 16
- 5: Finish Chap. 15
- ✓ 6: Number final draft.
- ✓ 7. Correct guitar player name

Chap. 16

Memori Testimonies

People

Arg. that caretaker was deputized.
X Should have gone to.

* Medals on bars.

* Only one thing against you --
you beat up a bottle of --
& busted our mirror."

X - Exam
gate key - 22

Deputy = Marsh

Beattie gets between

✓ Kind of surprise
Pagliacci

✓ Call Sec. 38.48

✓ Laura's 1st Dr.

Time of shooting
Paquette

✓ Police call - caretaker

✓ Caretaker's age - 68

✓ no other road

✓ Green Bay lawyer

* ✓

Charles James had an irritating habit of making his objections as though he were dictating a cablegram, or prepaid cablegram.

Arg: The basis of mankind against him.

Do (mend)

✓ Pure soul = Parm

✓ Hepp somebody

✓ Wani Dr. Matt Smith

✓ Get in charts

✓ Woman spectators

* Extra pictures - In.

✓ Where Man - Shorting?
Journal C. 26, P. 7

Keep trial days
straight

Mastadon Trip

Parnell gets
dist clerk +
habeas corpus.

Date of trial

Cards to Jerry with
Arg - Psy key phrases.

A man (quack) like
that makes a job out
of his own profession,
much as some lawyers
should ply in here &
on the basis of hearing the
testimony of a few
witnesses, ~~and~~ undertake
to intelligently argue the
case.

One would be a quack &
the other a shyster.

✓

Psy-X-Exam

Do you mean, Doctor,
that the Gregory method
of no tests is
superior to both tests

Must do

Chap. 19 - P. 3

✓ Check possible verdicts

Chap 7, P. 5

✓ Check eyesight chart

Check Judge prelim. to jurors

Borrow medical book C. 23

✓ Review Army letter (Ch. 19)

✓ Review Chap 23 = Doc T.

NO ✓ Find old "veteran" story

NO ✓ Add word to Mitch I'll
be seeing P. witnesses in T. Bay

Final to fix

✓ Luna's skirt = no burn

✓ William Blake

Bears - Mr. Lemon, C. 11

Load guns - Burtin

Judge

In murders cases the jury tries
the deceased as well as the defendant.

Arg

Let us concede for our argument
that the St. told the ^{bartender} [&]
caretaker &
police, etc. what they claim he
did. Still could have been [&]

✓ One danger was in getting
preconceived notions about
one's case -- what did a
jury really know about
the secret lives of other people
(see phrase in Brown Note
book)

End

Use

explosives flash bulbs,
Photographers, happy as anarchists.

The true war 'discovered' by the
war services.

|| Wills - drunken;

Arg: Horn Lt. say "Beasts" will
steal your.

Judge: Congratulations.
End: You've done it; you've
connected a dead man of
rape. Justice don't know how
but you did

✓ Kind of judges (4)

N^o Woman triggering Mitchel coat

Whale bone & pennis
men.

Greek drama -
Who said?

Jury oath to officer

Mil. Form

150 at

Sec. 690, P. 875

Verdicts: Charge

415 & 416

also 160 at # 704, P. 900

✓ For weeks, ^{and especially since} my ^{the time,}

sleep had been
little more than
a fluttering and
~~an~~ uneasy doze.

More photographs
on night train

Fall flower

Donna

stuff

✓ beholding is perhaps
a better word - -

strip-hammer

Garney's clothes.??

July supper.

"So you're a diplomat
of the _____,
Director?"

"I am."

"Since your colleague
Dr S belongs to the same
organization might not he
also refer to himself as a
diplomat?" I said.
Leftly: "I assume so."

"Possibly ^{he is} a shy variety?"
I twitted him.

"Objection."
Sustained.

"But no matter, Doctor."

I advanced to destroy this
man, if I could, and the thought
occurred to me ^{of} what a yew-like
a tree really was. That
despite ^{all} the ~~force~~ ^{Government} of rules and
the ~~system~~ ^{illegitimacy} of objections and ~~glass~~ of
decorum, that ~~prevailed~~, ~~that~~
this ritual was after all a
battle for ^{primitive} survival

I'll keep

^ The night, the wake

The wake is over

What a brutally
persecution, the

Final chaps

New reporters

✓ Photographers up close; flashbulbs like
happy anarchists

Judge: In murder cases the jury "tries" the defendant
as well as the defendant.

✓ Arg = Mitch = gate

✓ Arg - White shirt

Captain Dancer

Photostats of cancelled aluminum checks

Bears - Mr. Lemon (C. 11)

✓ Gregory method

Wanner

Concealed weapons

Surby Madegira

~~Edmund Deft.~~

Green

Judge ^{quies} mit. on natural law &

Rape no issue

~~Green Deft.~~

Left hand - right hand. Lt.

Mon

See in notes.

(C. 20

✓ Write Purnost

✓ Foreman.

^ Voice cracked with emotion.

"We find ---." He panted and
closed his throat.

Love & 4 roses conquers all

D. block

Judge not infallible

Think, too of all belied

block. Ah, but Mr. D. may say,

if the judge ruled it out I

was right. "I shook my

head. "No. If I approved this

man right he would be

the first to admit his

fallibility --- but 333

I turned back to the jury.
~~and shook my head.~~ "Rarely
if ever have I ~~been opposed by~~
met an opponent in the courtroom
who has possessed ^{greater endowments and} more formidable
talents ^{as} and ^{greater endowments as}
a trial lawyer." I shook my head.
"And ~~rarely~~ ^{never} have I been opposed
by a lawyer ^{one} who by his little
tricks and ^{shy} deaits so gratuitously
demeans and ^{splendid gifts.}
^{turns} his own ^{fine} talent."

✓ "If I have been rough on Mr. Dancer I am
afraid he has asked for it." I paused. "The Kemanis
this much to be said, however. I do not recall
~~when I have ever~~ ^{of ever having} been opposed by counsel who
^{more formidable talents or} ~~possessed~~ ^{expressing my beliefs than}
greater endowments as a trial lawyer.
Surely ~~It is~~ ^{I cannot resist saying that} does not lie in my province to lecture
him, ^{I have quite enough troubles of my own,} but if this earnest man ~~would~~ ^{would}
forget the little tricks of the law and ~~bring~~ ^{bring} a little ^{more} heart into his work, the
sky would be the limit."

✓ "Congratulations B," he said, "You're a
worthy opponent."

"Thank you", I said. "And the same goes for you."

It was ~~morning~~^{fast} midnight when I turned the
car into ~~my~~ the driveway of my mother's house

at the time of the full moon
In northern climes, there are occasional ^{magic}
~~moonlit~~ ^{there is a mist} summer nights when ^{arises} there ^{a mist so general,}
^{enveloping} that the landscape becomes ^{magically} transformed into a series
of ghostly ^{moonlit} lakes. Tonight was such a night as I drove
across the upper peninsula of Michigan, bound
for home in the iron-mining town of Chippewa,
where I practice law, after a week's ^{silver of} trout fishing in
Canada. The car would plunge into one lake, emerge for an instant,
Even the ~~car~~ radio fell into the mood,
the little speaker pouring out ^{some} lush ^{and intermittent} harmonies
of Debussy in an interminable

~~It was well~~

The fishing had been good; my ^{Ontario} Canadian
friends and their whiskey even better; and I was
in no hurry to get home. It was well I was
in no hurry because the twin hazards of
~~misty lakes~~ mirages of lakes

and plunge into another.

Sometimes in the summer in the nighttime when
there is a moon there is a mist so that the
highways look like a lake. It was such a night
as I drove westerly across Michigan's Upper
Peninsula

~~Sometimes in the summer in Michigan's
Upper~~

In northern climes there are ^{occasional moonlit} ~~times~~ summer
nights when there ^{is a moon there. ~~is~~} a mist so that the
landscape ^{becomes transformed into} ~~looks like a lake~~. On such a night
I drove across

In the midst of these reflections the telephone rang again.

It couldn't be Belle because I had already

Then the phone rang.

"To hell with it," I thought, sinking lower in my chair.

Again ^{the phone} rang.

There is something about ~~a telephone call~~ the ringing

of a telephone in the middle of the night that I ~~can't~~

~~unfortunately find hard to~~
~~comment~~

resist; to me each insistent peal is a taunting

mysterious voice saying, "Guess who I am? Guess what I want? Guess what you'll miss if you don't answer me?"

This juvenile curiosity has involved me in ^{some} unfortunate conversations: ~~then~~ with drunken tavern "lawyers" wrangling over some point of law -- "Ain't it true, Polly, that a tenant can't be put out of his house in winter?" --;

with some ^{misunderstood} woman who wanted to get her divorce that night; with some dame who thought she wanted to get laid.

~~Do you~~

I drove to the ~~big old~~ ^{large} frame house where I was
born, ^{and} drove into the backyard ^{and} up to the doors of
the ~~the~~ ^{stable,} double garage, converted ^{into a double garage.} from an old stable. There
was a light ^{glowing} in the kitchen, but otherwise the big old
house was dark.

"Hello, Mom," I said, brining her on the cheek.

It was ~~cold~~ ^{nearby} past ^{nearing} midnight on a ~~cold~~ ^{coolish} Sunday
evening in June when I got back from a ~~we~~ arrived home
in Chippewa after a week's fishing trip in Canada.

~~It is always ^{a middle} interesting ^{occupation} for a lawyer to look back
on ~~his~~~~

~~The~~
I was returning home from a week's trout fishing.
Despite the unseasonable coolness of ~~the June~~
this Sunday night in June, vast clouds of insects seemed
to be abroad, and I had to stop the car several times

¶ It was a cool Sunday night in June.
I was returning home from a week's trout fishing in
Canada. The fishing had been good Ontario with some
Canadian friends. Their ^{trout} waters, ~~was~~ a series of ^{connected} lakes ~~was~~
like ~~any~~ "somewhere East of the Algoma Central Railroad ^{and} north
of Hawk Junction, ~~north of~~ ^{all of} which is north of the Canadian
Soo. The fishing had been good but, ~~the~~ after a week's
diet of trout, ~~I had given~~ and Canadian whiskey, I had
cheerfully left both with friends in the Soo.

It was, ^{past midnight on} a coolish Sunday night in June that I
arrived home from a weeks' ^{trout} fishing ~~trip~~ with some Canadian
friends in Ontario.

It was past midnight when I turned the little coupe
into the back yard of my mother's ^{on Canada street.} house and Belle
must have ^{half} expected me because the doors of my stall in
the garage stood open, a nice break after ^{my} ~~the~~ long drive
^{across the Peninsula} from the Canadian Gov. I had just returned from a weeks'
trout fishing in Ontario with some Canadian friends.

In my dreams I was fast to a good trout
when the alarm clock rang that Monday morning,
and I awoke to the bleak realization that for me
there would be no fishing that week: instead I
had to defend a murder case.

~~As I shaved in the~~
My bachelor

My law office ^{on the second floor of the dime store in} ~~of the town of~~ Chippewa must be unique among ~~these~~ all the thousands of law offices in America:

~~my~~ I have ^{an old-fashioned} ~~to~~ black leather divan or sofa or couch in my office, ~~I sleep~~. (the subject of ~~much~~ considerable ^{erotic} speculation, my stenographer Elinor tells me, among the townsfolk), ~~I~~ ^{and}, rather than ~~instead of the inevitable~~ usual

diploma on the wall behind my ~~own~~ desk to ^{reassure} ~~reassuring~~ the peasantry that indeed, Paul Bugler, ^{once} ~~once~~ contrived to graduate from law school, I instead keep ~~in~~ the ill-^{ly}-mounted head of a male deer that my dead father, Oliver Bugler, shot up near Silver Lake ~~over~~ some forty-odd years ~~before~~ ago.

Julian

Max

Jerry

Lawyers

starts with it;

In law,

as in every profession

always shinning

golden

~~professional~~

There is the ideal; there is

~~also~~ every practitioner ~~about it~~; but in practice there is always

the ~~compromise~~, the half - best the blinking - of - the - eye to win, to help a fool, to get along, to love,

to eat. Always the ideal is

compromised and soiled by the actual.

As though he had been reading
Paul's mind, Paul heard Mitch's
voice ^{again} swim back into Paul's ^{conscience} hearing,
"The People will further show,"
Mitch was saying, "that this act of
homicide was deliberate and
premeditated and without actual or
legal justification or excuse."

Show premeditated of course
The lapse of any
interval made the whole thing
"premeditated", you see.

Work sheet

Paul studies Manson; his wife;
etc.

Paul glanced ^{sidewise} carefully at his
client, Frederic Manson, who ~~was~~
sat staring straight ahead at a
~~to~~ ^{to} ~~revolving~~ ^{revolving} ~~bookcase~~ ^{old-fashioned wooden} ~~loaded~~ ^{loaded} with
~~reports~~ ^{the} ~~supreme court reports.~~ ^{resolutely unread}
He found it difficult to visualize
this quiet, dark, small-moustached,

almost scholarly looking man getting
himself into a state where he could ^{bring himself to point and} empty
the ^{contents of} a Luger automatic into a fellow
human. Like so many things in
frequently undramatic
the drama of real life, it
didn't seem to add up. Frederic
Manson somehow looked badly
miscast in the role of a murderer.
Perhaps, Paul thought, that may be all to
the good ^{books} for him.

But
Instead of listening Paul found that another
piece of driftwood ^{had} ^{begun} ^{emerging} upon ^{Paul's} ^{note} ^{pad}. He
already knew what Mitch would say, had to say all that he
could say, ^{must} ^{hard} ^{to} ^{say}. The thing ^{is} Everybody ^{knows}
in the courtroom, except possibly ^{from} the bored judge, knew
what Mitch would say; it ^{the} ^{thing} had been blazing ^{across}
the headlines for weeks, hadn't it? "ARMY LIEUTENANT
INNKEEPER
SLAYS FAVERA PROPRIETOR FOR ALLEGEDLY RAPING
WIFE." And Paul himself had gone over the story with
Fred -- Lieutenant Manion -- dozens of times, hadn't he?

Snatches of Mitch's opening statement
nevertheless occasionally penetrated Paul's reveries. "... and
the People will further show that Frederic Manion," ^{at}
Mitch was saying, "at approximately the hour of 11:50

P. M. on that day, entered the ^{crowded} basement bar of the hotel
^{known} ^{as} ^{the} ^{Shot} ^{Point} ^{Inn} by way of the street entrance, walked up to the ^{front} bar,
behind which the deceased Barney Drull was standing, and
produced a ^{pistol} ^{from} ^{his} ^{person}, and pointed it at the deceased, and discharged
^{fire} at least five shots, all of which ^{reflected} ^{into} ^a ^{monstrous} effect upon
the ^{said} ^{person} of the deceased. ^{The} ^{People} ^{will} ^{also} ^{further} ^{show} ...
Mitch's voice trailed off as Paul ^{began} ^{thinking} ^{that}
the law and its disciples could never use one

word when ten would serve, Paul two would serve, or
more ^{which} ^{rather} ten. What a remorseless torrent of words
lawyers ^{and} ^{judges} ^{had} ^{to} ^{use} felt compelled to use; trite words,
hackneyed phrases, fly-blown ^{and} ^{obsolete} clichés as old as
Thomas Malory. ^{Always} ^{Words}, ^{words}, ^{words}, always a
gushing hemorrhage of words.

(On with case. Paul asks Fred if Mitch mentioned
the rape.)

"This judge", Paul Begler thought
to himself, "is ~~not only~~ bored
with this case and bored with
the law."

Paul could tell that Mitch was nervous, but he was nevertheless doing very well, Paul thought, for an ⁱⁿexperienced young prosecutor faced with his first murder case after less than a year in office. Mitch would indubitably show and prove, he promised the jury, that
on the night

Pant suspected that
Perhaps even kings, presidents,
diplomats, ^{perhaps} ~~yes~~ even safe crackers ^{did}
the same thing. ~~With them it was surely~~
^{was} ~~more~~ ^{rather} than the ^{matter of the} small message to the ego
~~involved~~ in seeing one's name and doing

in print; wasn't it, rather, that people had
herded together so long they had
become slaves to the "official view," that ^{their} ~~own~~

views were in a sense unreal and meaningless,
only half true,

until they achieved the formal sanction of
the press. ^{hardly!}

This is true; this is the way it

happened, ^{moreover,} this is what we think of it.

Mitch, with his ^{handsome,} square, crew-cut good looks, ^{with} his athletic feline grace of movement, moved up before the jury. His air of stylish diffidence, etc.

Claude Dancy was, ^{Paul saw,} a true lawyer, ^{Paul saw,} one of those fortunate ^{lawyer,} ^{hard} ^{happened} kind who's hobby ^{was a fighter and the smart one; he} happens also to be ^{his} ^{corner &} profession. He loved to try a case, to badge a witness, to argue a point of law. He loved it and he was good at it. He would bear close watch ^{little murder trial} ^{in fact this was} ^{one} ^{game} ^{of} ^{best} ^{interest} ^{plaintiff} ^{and} ^{going} ^{to} ^{be} ^{the} ^{game} ^{of} ^{best} ^{interest}

—

Paul reads newspaper accounts

Paul bought a copy of the Mining Gazette at a ~~news~~ newspaper newsstand and, ^{immediately jump} read the ^{jump} account of the trial of the ^{case}. → It was a funny thing why ^{presumably intelligent} ~~have~~ a man who was there, in the ^{thick of things} ~~midst of the~~ case, one of the featured players, as it were, ~~had to~~ ^{felt compelled to} run out and ^{grab a} see what the newspaper ~~said~~ ^{to see what} it was all about. ^{It was a perplexing thing,} ~~like~~ ^{like} people who attended the opening nights of plays or prize fights, ^{or even the actors,} and then couldn't ^{wait until} ~~wait~~ to see what the newspaper said about ~~it~~ what they had just beheld or taken part in.

" ~~Case~~ The trial of Lt. Frederic Morrison, 38, for the murder of Barney Quill, 49, Shot Point innkeeper who was shot to death behind the bar of his hotel

last month, ^{the account ran,} opened this morning in
circuit court before Judge Walter
Holbrook of ^{downstate.} Lewiston, assigned
during ^{this term.} ~~to sit~~ ^{because of} ~~during~~ the absence of
Judge Maitland.

"In as rapid a selection
of a jury as ~~the~~ ^{the veteran} court attendants
said they ever recalled ^{here} in a ~~case~~ ^{charge}
^{case} of such a ~~serious~~ ^{like} nature, the
14-man jury was sworn ~~as~~
(two ^{of whom} will be discharged ^{by lot} at the end
of the ~~case~~ court's charge and ~~to~~ take
no part in the deliberations) was
sworn by County Clerk Milo
Munot at 10:35. Prosecuting
Attorney Mitchell Lodwick then
gave the opening statement for
the People.

Proseuto Lochwick

Justin
Julian

Stammer
Wester

Wester

There is no occasion in the law
to re-slay the slain.

Julian

Rudyard

Otis

Leo Churne

Paul wondered if kings, presidents,
diplomats, even safecrackers, didn't
do the same. Surely this was
more than the small vanity of
seeing ones name in print. Wasn't
it rather that people had got
to be slaves to the "official
view" that accounted for the
feeling that an event was only
half real, half true, until it
achieved the sanction of
print. (Stamps)

Oblique

crisis

How could ^{Paul} he possibly put himself
~~with~~ in the place of the defendant, to
feel as he must ^{now} feel, with the
^{- dress} full force and ritual of organized
society ranged against him? ^{He must feel} with the
^{very} ^{new} ^{ness} ^{of} mankind against him? ~~But~~
But it was no use --
each man's emotions and terrors
must ^{remain} ~~be~~ his own, always his own,
as lonely ^{and mysterious} as death.

J. Maitland

Audiences are, ^{desires} attracted to, ^{criminal} treats
for all the ^{draw and (dramatic) motives} reasons you give, Paul, but
isn't there something more, too? Isn't
it that there, and ^{perhaps} there alone in
modern life, they find ~~true drama~~
stuff of elemental human
the raw conflict that makes
for true drama? They know that
if the charged murderer is
convicted he will ~~be~~ go to a real
electric chair or -- ^{fly away to} divorce his third wife in Reno ^{or} ~~in~~ ⁱⁿ ~~the~~ ^{month}
a real prison and not instead appear
^{with his hand} before the ^{a few minutes} footlights, after the
fallen curtain, ^{a few minutes later} ^{with his hand} to receive
their applause for his ^{artful} make believe.

Paul ^{said, He} hadn't thought of that, "Perhaps
you are right" ^{it} ^{way}

Judge Maitland had a courtliness of
manner and quaintness of expression that Paul found
in no man of his own age or younger. To him a

1. Recess
2. Morning
3. Noon lunch
4. Afternoon
5. Recess
6. Close

Supper

J. Maitland

Belle

Apt

North Country Sketches by Delia
Beecham.

conversations was a vehicle of intellectual
exploration and ^{expression}, not the series of animal
grunts, ^{or wisecracks or the} flippant interjections or
dogmatic assertions that ^{these days} passed
for conversation in so many quarters.
~~these days.~~