

And what is the Lecture?

The Lecture is an ancient ^{and artful} device that lawyers use to coach their clients, ^{whispering} so that ^{so that} the client won't know he has been coached and the lawyer ^{won't} lose ~~the~~ ^{fact-saving} illusion that he hasn't done any coaching at all. For coaching clients, like robbing them, is not only frowned upon; it is downright unethical and bad, very bad. Hence the Lecture, an artful device as old as the law itself, ^{and} ^{constantly} used by the nicest and most ethical lawyers ~~at the time~~. "Who, me? I didn't tell him what to say," the lawyer can ^{later} ~~comfort~~ ^{comfort himself}. "I merely explained the law, see." It is ^{the uniform} good practice to scowl and shrug here and ^{add}: "That's my duty, isn't it?" Of Verily, the question is unchallengeable.

And what is the Lecture?

The Lecture is an ^{ancient device} old device that lawyers use to coach their clients so that ^{the client} they won't know they have been coached and, ^{he has} at the same time, ^{preserve to the} preserve to the lawyers the pleasant face-saving illusion that they haven't done any coaching at all. ^{For coaching is of course unethical and bad.} The device is as ancient as the law itself, and the nicest, most ethical lawyers in the land use it all the time. "I didn't tell him ^{what} to say," ^{the lawyer} can later comfort ^{himself:} ourselves. "I merely explained the law, see." It is well to shrug here and add: "That's my duty, isn't it?" ^{The question is unchallengeable.}

I was ^{ready} about to do my duty to my client and Lieutenant Manion sat regarding me quietly, watchfully, as I lit a cigarette. ^{and he} ^{is a} ^{poison} ^{antidote} ^{to} ^{the} ^{violet.}

"As I told you," I began, "I've been thinking about your case during the noon hour." ^{I found a wonderful quiet when I had been thinking about it.}

"Yes," He replied, "You mentioned that."

^{So I did, so I did, how I said.} "Now realize there are ^{be} many questions still to be asked, facts to discussed,"

I went on. "But as things presently stand I must advise you that in my opinion you have not yet disclosed to me a legal defense to the charge of murder."

I paused to let this sink in. ^{It is a necessary condition to any successful lecture.} My man blinked a little and touched both prongs of his moustache lightly with the tip of his tongue. ^{Could it be you are} "Are you advising me to plead guilty?" he said, smiling ever so slightly.

"I may eventually," I said, "but I didn't ^{quite} say that. I merely want you to ^{for you to} at this time have the trained reaction of a man who--" I paused "--who is not without experience in cases of this kind." I was ^{getting} a little overwhelmed by the sheer beauty of my own modesty. ^{and} I fought the impulse to flutter my eyelashes.

"Yes, but how about that bastard Quill raping my wife?" my man said quietly. "How about the 'unwritten law'?"

Perhaps it was the quietest submission.

¶ I had been waiting for that one.

"There is no such thing as the 'unwritten law' in Anglo-American jurisprudence," I said, a little pontifically. "It is merely ^{another} one of those ^{regularly} dearly-hugged folk-myths that people ^{would} die for, like the notion that ^{all choose} ^{girls lay or that} night air is bad. In fact many a man who has depended on the myth of the 'unwritten law' has instead depended from a rope." I paused, rather relishing the phrase, and resolved to remember it.

"But there is no capital punishment in Michigan, is there?" he said. My man had ^{also doing some} ^{evidently been thinking during the noon recess,} clearly pondered all the angles.

"^{The rope was} merely ~~used~~ a figure of speech," I said. "Except for treason ^{and of that} there's been no recorded case, you are correct: there is no capital punishment in Michigan." I paused and went on. "But ~~it would be my~~ ^{I would} offhand guess, ^{would} Lieutenant, that if you were convicted of this charge you ~~might~~ prefer that there were." ^{I had sunk the harpoon pretty far.}

Lieutenant Manion stared ^{down} ^{delicately} at his hands a moment and then at me. "I would offhand say you have made a pretty shrewd guess," he answered slowly. He looked about the bleak, gray-painted room and took a deep breath. "I'd sooner die than spend my days in a place like this," ^{stout man,} ^{Sweet violets....} he said.

"It wouldn't be like this," I said. "It would be ^{infinitely much worse.} worse, ^{This is a mere way-station}

"Yes," he said. "Prison would be worse."

¶ ^{Have we disposed of the} "So much for 'unwritten law'!" I said.

¶ ^{Perhaps,} he said.

¶ "But unwritten law or no, doesn't a man have a ^{legal} right to kill a man who has raped his wife?"

"No, only to prevent it, or if he ^{has} caught him at it, or to prevent his escape." ^{We were} I was on dangerous ground again and I spoke rapidly to prevent ^{any remarking} interruption. "In fact, Lieutenant, for all the talk in the law books there ^{elaborate molasses}

Chapter 8

* * *

Retyped 12/22/55

old

I drove downtown to the Iron Bay Club and had a good lunch and checked the New Yorker to see if the Hathaway man's eye-patch ^{had} finally matched his shirt. ~~So, it still hadn't.~~ After lunch I played Billy Webb at cribbage and won ^{over} thirteen dollars. I was going hot and skunked him twice. By two I was back at the jail and was pleased to find that Sheriff Battisfore was still out. Perhaps I wouldn't have to go up in the cell blocks to see my man, not yet have to wade ^{right} clear in among the ^{Cockroaches and} sweet violets.

^{Do you mind if}

"Can we use the Sheriff's office again, Sulo?" I inquired ^{sweetly. I was afraid}

^{Bolly,}

"Sure, sure, sure," Sulo said. "Sheriff he still be out on road patrol."

^{Repressed again,}

I waited for Sulo to fetch Lieutenant Manion down from his cell, I reflected that sheriffs as a class were like the three wise monkeys: that while

they rolled up more patrol mileage (and consequent mileage fees) than almost all ~~the~~ ^{species} other ^{that during their wandering they were} kinds of cops put together, like the three wise monkeys, they heard no evil, spoke no evil, and saw no evil. I tried to recall any occasion when

any sheriff I had ever known had ever made an arrest on his very own. The effort was not fruitful. ^{Thought} Sheriffs and their men relentlessly scour the highways and

byways, day and night, ^{lo!} yet no drunk drivers ever cross their paths, speeders are ^{nobody ever runs a} totally non-existent, ^{stop sign or a} and they never ever see a single soul run a red light, ~~or~~ a stop sign. It is little short of miraculous. ^{It is also part of the system.}

"Hello, there," my man said. "Did you have a good lunch?"

"Look, Manion," I said, "my name isn't There--it happens to be Biegler." If I was going to represent this bastard ^{I wasn't going to have him calling me} he wasn't going to call me 'there.'

^{Cooly:} "Excuse me, Mr. Biegler. Did you have a good lunch this noon?"

"Excellent," I said. "And you, Lieutenant ~~Lieutenant~~ Manion?"

He closed his eyes and wrinkled his nose. "I was just beginning to forget it."

I guess ^M maybe I shouldn't have mentioned it."

I had expected him over during the lunch.

12/20/55

chap. 13 old

"Don't tell me, Lieutenant, that you still cherish the notion that we live in an age other than black magic? I had higher hopes for you. Aren't you confusing our success with ^{atomic nuclear reactors} gadgets and megatons and all manner of ^{devilish} things with a smattering of knowledge about the human mind and heart? I'm merely ^{trying to} explaining here a small part of the weird alchemy of the law as it exists, not as it should or might be."

"I don't get it. It all sounds a little silly to me." I thought soldiering was crazy enough. ^{He shook his head.} "But the law is simply baffling."

It irked me, unaccountably, and surely illogically, to hear this Mister Cool so blithely undertake to criticize my profession. It was all right if a member of the family did, but for a perfect stranger.... "Lieutenant," I said, "the easiest thing in the world is for a layman to poke fun of the law. ^{Lawyers and the law are} It's a sitting duck and always has been. The layman may collide with one ^{small branch of it,} which he understands but imperfectly; then he may remember that Dickens through Mr. Bumble, ^{once} called the law an ass, so for him ^{all} the law is henceforth an ass, ^{and he is a critical authority,} and he is a critical authority. ^{small town.}

"But I still don't get it," the Lieutenant said. "On this score at least, the law looks like an ass."

"Granted," I said. "But the point I wish to make is that from that ^{you} may not, ^{safety} proceed to damn all law. You of all men should be grateful that the ^{massive structure known as} law ^{really} exists. It represents your only hope."

"How do you mean?" the Lieutenant said, bristling a little.

"I'll try to tell you," I said. ^{Mr. Bumble was only partly right, because,} "For ^{for} all its lurching and shambling delays and walled in imbecilities, the law--and only the law--is what keeps our society from bursting apart at the

It must have been made up by kids."

Chap. 8
old

also tends to
It keeps the subject both alert and humble.

choice might walk out on him is also sound strategy during the lecture. "Or else, Lieutenant, you can find yourself another lawyer," I said, waiting for him to squirm.

"Like whom?" the lieutenant inquired coolly ^{and} without squirming. ^{"Who do you recommend?"}

Things weren't proceeding quite according to plan. But I couldn't ^{walk down on} ^{display} weakness now. If this cool bastard wanted someone like old Crocker he could damn well have him. "Why, we have a splendid old ham-acting lawyer in this county," I replied. "He's all ham; real boneless country-cured ham. ~~Since~~

~~he's never been known to crack a law book, he's naturally an expert on un-~~ written law. ^{I could have} ^{more uncharitably} ^{added, but didn't,} ^{that this was so} ^{because it never happens him to crack a law book.} ^{I might even intercede for you."} ^{Amos}

"You mean Crocker?" he said calmly.

I lifted my eyebrows in surprise. "Maybe," I parried. "How come you know about Crocker?"

"We tried to get him," Mister Cool replied. "Couldn't because he'd broken his leg."

"Leg?" I said. "Old Crocker broke his leg? I didn't know." I felt a sudden wave of pity for the windy fulminating old fraud. Besides ^{Parnell} Joe McCarthy

he was about the last of the old-time colorful ^{gallus} -snapping practitioners left in the county. The rest of us were getting more like public accountants, ^{to be a fine, colorless, soft-shoe breed, not} ^{unlike a cross between a petulant claims adjuster and a} ^{delegated} public accountant. "When did all this happen?"

"The very night I shot Quill," the ^L lieutenant said. "Fell climbing out of his tub, his housekeeper told us over the phone. Is in the hospital with his leg in traction. Won't be up and around for several months." The lieutenant looked around the room and sniffed slightly. "That's a ^{trifle} ^{little} too long ^{maturatorious} ^{place} to wait in this ^{place}. If I've got to go to prison I want to get on with it."

~~XXXXX~~
around

because it never happens him to crack a law book. "I might even intercede for you."

Chap. 8 old

"I'm afraid ~~I am~~ you have."

"And, since you still seem to hug the 'unwritten law,' there's one more thing. There's the important matter of saving face. We complacent palefaces of the West like to think that this business of saving face is a sin, a mystique, ~~solely~~ ^{a way of life} confined to the Orient." I paused. "That's a lot of--a lot of ~~the~~ ^{unmitigated} --"

"Horseshit," Lieutenant Manion said ^{as} solemn as an owl.

"Precisely," I said. "Spoken like a true soldier and gentleman, Lieutenant.

And thanks. But getting back to face.... All of us, everywhere, all of the time, spend our days saving face. ^{This case itself is riddled with face.} After all, one of the mute unspoken reasons you are being prosecuted ^{here} is to save ~~community~~ ^{community} face. Who knows, perhaps when

I dig into this case I'll find that Barney Quill himself was somehow trying to save face. Perhaps even one of the reasons you killed him was to save face. One thing I'm sure: ^{the biggest} ~~of~~ ^{of} one of the big reasons I hesitate to take your case, as things stand, is my fear of losing it, ^{that} which is merely a form of advance face-saving.

Face, face, face. Everybody has to save face, and whether they have to or not, everyone tries to; it's one of the basic compulsions of men." I paused. "Are you following me?"

"Yes. It's ^{most} ~~very~~ interesting," ^{he answered gravely.} ^{rather} ~~It was~~ ^{hard to tell when this character was being sarcastic.}

"Thanks. That brings me to my sixty-four-dollar point. Or is it sixty-four thousand? No matter. ~~the~~ Even jurors have to save face. Get this now. The jury in your case might simply be dying to let you go, ^{on your own story, or because they} ~~or~~ have fallen for your wife, or have learned to hate Barney Quill's guts, or all of these things and more.

But if the judge--who's got ^{nice} big legal face to save--must under the law virtually tell the jurors to convict you, as I think he must now do, ^{then} the only way they can ^{possibly} let you go is by losing, not saving face. ^{don't} ~~Can't~~ you see? You and I would be in there asking twelve citizens, twelve total strangers, to publicly lose their precious face ^{in order} to save yours. It's asking a lot and I ^{hope you don't} ~~do not~~ recommend

Chaps. 8 old

^{have to}
that you risk it."

The lip had receded. Lieutenant Manion produced the Ming holder and studied it carefully, ^{as though for the first time.} "What do you recommend then?" he said.

It was a good question. "I don't know yet. So far I've been trying to impress you with the importance, the naked necessity, of our finding a valid legal defense, if one exists, in addition to the 'unwritten law' you so dearly want to cling to. Put it this way: what Barney Quill might have done to your wife ^{before you killed him} may present a condition, an equitable climate, ^a to possible acquittal. ^{favorable} But alone it simply isn't enough." I paused. "Not enough for Paul Biegler, anyway."

"You mean you want to find a way to give the jurors some ^{decently plausible} legal peg to hang their ^{verdict} hats on so that they ^{might} can let me go--and still save face?"

My man was responding beautifully to the ^{harshly adding:} lecture. "Precisely," I said, ^{will} "Whether you have such a defense of course remain~~ing~~ to be seen. But I hope, Lieutenant, I have shown you how vital it is to find one if it exists."

"I think you have, counsellor," he said slowly. "I ^{rather} think ^{maybe} you have." He paused. "Tell me, tell me more about this justification or excuse business. Excuse me," he ^{smiling faintly} added, "I mean legal justification or excuse."

"First I ^{got to} must go to the can," I said, arising. "That'll ^{also} give me a chance ^{some} to ^{for solitary skull practice. It's been two years since I've} conduct a review."

gave it much thought."

↑ ↓ Space or new chap?

At this point I paused and blinked thoughtfully. An idea no bigger than a ~~my~~ hand pea rattled ^{faintly} at the back ^{door} of my mind. ^{Let's see....} "Wouldn't it be true, ~~I thought~~, that if Barney Duill actually raped Laura Mannin he would be a felon at large at the time he was shot?" "Hm...."

I said.

The Lieutenant's eyes ^{glimmed and} bored into mine. "Who-- do you see?" he said. ^{I saw that} "This man, ^{this soldier,} was no dummy." "What

"Nothing," I lied glibly. "Not a thing." ^{was just thinking.} "The student was getting ahead of the lecturer, ^{and that was} ~~and~~ ^{wherever my idea might fit into the} ~~defuse picture,~~ ^{I sensed that now} ~~this was not the time to fit it.~~ "I was just thinking," I concluded.

ultimate

"You were just thinking." He smiled faintly. "Yes," L. M. said, ^{you were just thinking.} "Go on, ^{then.} What are some ^{of the} other legal justifications or excuses?"

~~"Go on."~~

Personally I've never seen ^{the defense} ~~it~~ succeed.

"Then there's the tricky and dubious defense of drunkenness. But since you were not drunk we shall mercifully not dwell on that."

"Go on."

"Then finally there's the defense of insanity. That ^{I paused just} about winds it up."

"Tell me more." ^{"There is no more."} ^{"I mean about insanity."}

"Oh, insanity," I said. ^{It was like} ^{turning} ^{a train} ^{seal} ^{with} ^{herring.}

"Well, insanity, where proven, is a complete defense to murder. It does not justify the killing, like ~~the~~ self-defense, but ^{rather} excuses it. Our law re-

quires that a punishable killing--in fact, any crime--must be committed by a sapient human being, one capable ^{the law insists,} of distinguishing between right and wrong.

If ^{a man} ~~he~~ is insane, legally insane, the act ^{of homicide} may still be murder but the law excuses the perpetrator."

Lieutenant Manion was sitting ^{very} ~~very~~ erect now, ^{very still and erect.} ^{What happens to him if he ^{this} ^{perpetrator} happens} ^{should be} ^{is} ^{excused?"}

-- like that of many states --

"Under Michigan ^{law} if he is acquitted on the grounds of insanity he must be sent to a hospital for the criminally insane until he is pronounced sane."

If my man ^{was} ^{bayning} ^{along} ^{the} ^{scout,} ^{now,}

"How long does it take to get him out of there?"

"Oh," ^{a man} ^{possible} you mean, if ~~he~~ claims he was insane at the time of the offense but is sane at the time of the trial and his acquittal?"

"Yes."

"I don't know. Months, maybe ^a ^{years}. It takes a bit of doing. The law ^{that} requires persons acquitted on the grounds of insanity to be sent away is

designed to discourage phoney pleas of insanity in criminal cases. ^{It pauses.} ^{So} The man who successfully ^{marks the plea of insanity} ~~makes this~~ plea is taking a calculated risk, like ^{at the time} ~~when~~ you

took the chance ^{that} the German lieutenant was alone behind that chimney."

"Maybe I was insane," Lieutenant Manion said gently.

Isaiah ^{still.} ^{The} ^{Lieutenant} ^{looked} ^{out} ^{the} ^{window.} ^{He} ^{studied} ^{his} ^{finger} ^{holder.} ^{Then} ^{he} ^{looked} ^{at} ^{me.} ^{"Maybe,"} ^{he} ^{said,} ^{"maybe} ^I ^{was} ^{insane."}

the defense
I paused just
this
rather
I had better be careful of his words.
this perpetrator happens
very still and erect.
What happens to him if he happens
this
perpetrator
happens
like that of many states
a man possible
marks the plea of insanity
at the time
So
I paused.
So
the man
takes a calculated risk, like when you
took the chance that the German lieutenant was alone behind that chimney.
Isaiah still. The Lieutenant looked out the window. He studied his finger holder. Then he looked at me. "Maybe," he said, "maybe I was insane."

Very casually: "Maybe you were insane when?" I said ~~casually~~. "When you shot the German [#] lieutenant?"
"No when I shot Barney Quill."

Thoughtfully: "Hm..."
"Why do you say ~~that~~?" "I can't really say, he went on slowly." "I--"
"Well, I guess I blanked out. I don't remember a thing after I ^{first} saw him standing behind the bar that night until I got back to my trailer."

"You don't remember shooting him?" ^{mean you mean you} "I shook my head ^{in surprise} over the wonder of it."
"No."

"You don't remember driving home?"
"No."

"You don't ^{even} remember threatening Barney's bartender when he followed you out ^{side} after the shooting?"

"No." ^{side} "The ^{smouldering dark eyes} ^{ever so} ^{eyes} flickered a little. "No, not a thing."

~~I glanced at ^{my} watch and arose. "That's enough for today," I nearly ^{added} said "class dismissed." "I'll see you sometime tomorrow. This is the little matter of files to discuss."~~

~~turned and "Yes, I was afraid of that." I looked out the window. I wasn't an ex. S.A. for nothing; there was one thing ^{that had to be faced now.} Easily, slowly: "How come, then, Lieutenant, you were able to report to the deputy back at the trailer park that you had just shot Barney Quill? Who told you?" ~~He turned back to him.~~~~

The man didn't bat an eye; he should have been dealing faro in Las Vegas. "Barney Quill was the last man I saw. When I came to my finger was empty. I figured I must have shot him."

The main part of the lecture was over; my man
had been commanded to make the defence of insanity.
It had all been done with murmur. There remained
only the loose ends to gather in. I'd try to make it
short.

"My, my," I said, contemplating the wonder of
it all. "Maybe you've got something there."

All right,
Maybe

~~The lecture was nearly over. So far my man had peered with flying colors.~~
So far so good.

I turned and looked out the ^{curtained} window. All right, maybe my poor man was insane when he shot Barney Quill, ^{Maybe he was} poor fellow; ^{maybe he} neither than a fruit cake and had blacked out and didn't remember a thing. ^{So far so good.} But there was one ^{small factor, one small canker,} thing that had to be faced, and fast. ^{And} wasn't it ^{far} better to face it now ^{before got into the case,} than later ^{on} in the courtroom? ^{on} ^{hard glare of the}

I turned back to the lieutenant.

"Hold your hat. I'm about to pitch you a fast ball..."
"Look, Lieutenant, ^{right} Both you and the newspaper

tells me that ^{right} after you returned to the trailer park, after shooting ^{Barney} Barney Quill, you woke up the deputized caretaker and said: 'I just shot Barney

Quill. ^{now is} ~~That~~ that correct?' 'I held my breath, ^{replied}

^{enough.} ^{perhaps} I think he saw what was coming, but he ^{answered} ~~didn't~~ ^{became} had to, ^{there was no other answer, he was committed on that one.} ^{Lieutenant. Now tell me}

Slowly, easily: 'All right, then, ^{How come} ^{me} Lieutenants, that you could tell the caretaker you had first shot Barney ^{if you had blacked out, and didn't remember} ~~Quill~~ ^{Who told you?} ~~Quill~~ ^{Quill}'

^I ^{was} ^{charmed} ^{to} ^{see} ^{that} ^{the} ^{man} ^{could} ^{blush.} ^{He} ^{was} ^{actually} ^{blushing.}
"Harshly: 'Are you telling me to plead guilty?' ^{He} ^{was} ^{actually} ^{blushing.}

"Cut it out, Mamin!" ^I ^{formed} ^I ^{was} ^{close} ^{when} ^{to} ^{shouting,} ^{and} ^{lowered} ^{my} ^{voice.} ^{Answers} ^{my} ^{question.} ^{You'll} ^{got} ^{to} ^{answer} ^{the} ^{question.} ^I ^{can't.} ^{You} ^{were} ^{there.}

^I ^{had} ^{really} ^{blushed} ^{when} ^{you} ^{asked} ^{me} ^{that} ^{question.} ^{You} ^{aren't} ^{an} ^{ex-} ^{D. A.} ^{for} ^{nothing?}

"Thanks, chum. But just ^{suppose you} ^{answer} ^{the} ^{question.} Or would you prefer to wait and let the ^{lie} ^{D. A.} ^{cut} ^{it} ^{out?}

So far, ^{I felt this} it was the biggest flaw, the highest hurdle to a successful plea of insanity. It would take some pondering.

I glanced at my watch and arose. After all I hadn't fought for two whole days. "That's enough for today," ^{I said.} "I'll see you again tomorrow."

"Are you taking my case?"

"I don't know yet. Among other things, ^{Her lieutenant,} there's ^{the} little matter of ^{my} fle."

"I was afraid of that."

I was at the ^{sluice} door. ^{Will,} "I'll see you tomorrow," I said.

~~"How are you doing?"~~

~~"Just~~ ^{one} more question," the lieutenant said. ^{for one minute,}

"I am your slave," I said. "Shoot."

"How ^{are} we doing?"

"No more ^{now,} today, lieutenant," ^{I said, smiling.} "You've had a busy day. I'll only say this: I think we're finding a way to save ^{somebody} ~~face~~ ^{come} ~~the jury's~~ ^{face} ~~feel.~~ ^{It's} ^{one} of the most important and best spoken of 'defenses' known to criminal law."

"What I said to the caretaker won't spoil it?"

"I don't know." ^{I'll add on this.}

"We can't have everything, chum. If the jury wants to find you insane, wants to let you go, they'll manage to find a way around that. Now goodbye; I've got work to do."

The lecture was over. The lieutenant had passed. With flying colors.

drained and rarin' to go.

I was back with my man, [^] The signs were good: for the first time he was smoking, thoughtfully smoking, and without the Ming holder. "We will now explore the absorbing subject of legal justification or excuse," I said.

"You may fire when you are ^{hopefully} ready, Gridley," the Lieutenant said. ~~I was beginning~~
9 ~~I feared. Was it?~~ *I looked at the man sharply. Was it the*
~~the~~ barely possible, I ^{hopefully} thought, ~~that~~ ^{that he} this man possessed a sense of humor. [?]

"Well, take self-defense," I began. "That's the classic example of justifiable homicide. On the basis of what I've so far heard and read about your case I do not think we need tarry too long over that. Do you?"

"Perhaps not," Lieutenant Manion conceded. "We'll pass it for now."

"Let's," I said. "Then there's the defense of habitation, defense of property, and the defense of relatives or friends. There are more ramifications to these ~~defenses~~ ^{at length} than a dog has fleas, but we won't ^{explore} go into that now. I've already told you why I don't think you can invoke the possible defense of your wife. ^{when you shot Quill} Her need for defense had passed. ^{It's as simple} as that."

"Go on," Lieutenant Manion said, frowning.

"There's the defense of a homicide committed to prevent a felony-- say you're being robbed--; to prevent the escape of the felon--suppose he's getting away with your wallet--; or to arrest a felon--you've caught up with him and he's either trying to get away or ^{has} actually ^{escaped.} got away."

At this point I paused and blinked thoughtfully. An idea no bigger than a pea rattled faintly at the back door of my mind. Let's see..... Wouldn't it be true that if Barney Quill actually raped Laura Manion he would be a felon at large at the time he was shot? The pea kept faintly rattling. But so what, so what? "Hm...." I said. *It would bear pondering.*

The Lieutenant's eyes gleamed and bored into mine. "Who--what do you see?" he said. ^{It was becoming clear} I saw that this man, this soldier, was no dummy.

"Nothing," I lied glibly. "Not a thing." The student was getting ahead of the lecturer and that would never do. And wherever my idea might ^{drop} fit into the ultimate defense picture, I sensed that now was not the time to try to fit it. "I was just thinking," I concluded. ^{Yes, this} ~~It would bear more pondering~~

"Yes," Lieutenant Manion said. "You were just thinking." He smiled faintly. "Go on, then; what are some of the other legal justifications or excuses?"

"Then there's the tricky and dubious defense of drunkenness. Personally I've never seen ~~the defense~~ ^{it} succeed. But since you were not drunk we shall mercifully not dwell on that. ^{when you shot Deill} Or were you?"

"I was sober. Please go on."

"Then finally there's the defense of insanity." I paused. ^{and spoke abruptly, avidly;} "Well, that just about winds it up." ^{making ready to leave.} I arose as though to leave.

"Tell me more."

"There is no more." ^{I slowly} paced up and down the room.

"I mean about this insanity."

"Oh, insanity," I said, ^{elaborately surprised.} "It was like luring a trained seal with a herring."

"Well, insanity, where proven, is a complete defense to murder. It does not ^{legally} justify the killing, like self-defense, but rather excuses it." The lecturer was hitting his stride. ^{He was also on the home stretch.} "Our law requires that a punishable killing--in fact, any crime--must be committed by a sapient human being, one capable, ^{as} the law insists, of distinguishing between right and wrong. If a man is insane, legally insane, the act of homicide may still be murder but the law excuses the perpetrator."

Lieutenant Manion was sitting erect now, very still and erect. "I see--and this--this perpetrator, ^{should} what happens to him if he happens to be excused?"

but every other escape hatch and just told him this was the last. Only a cretin could resist.

"Under Michigan law--like that of many ^{other} states--if he is acquitted ^{of murder} on the grounds of insanity he must be sent to a hospital for the criminally insane until he is pronounced sane." *I tapped on the Sheriff's desk and glanced at my watch, the picture of a man eager to be gone.*

My man was baying along the scent now. "How long does it take to get him out of there?" *Out of where?* "I asked innocently. "Out of this insane hospital?" "Oh, you mean ^{with a} man claims he was insane at the time of the offense but is sane at the time of the trial and his possible acquittal?"

"Yes." "Exactly," *I said, stroking my chin. And I didn't dream it ^{might} come up in your case. "So hell I hadn't."* "I don't know," *Months, maybe a year. It really takes a bit of doing. Being D.A. so long I've never ~~had to~~ really study it. I may add that the law that*

requires persons acquitted on the grounds of insanity to be sent away is designed to discourage phony pleas of insanity in criminal cases." *I paused. "So the man who successfully invokes the defense of insanity is taking a calculated risk, like the time you took the chance that the German lieutenant was alone behind that chimney."* *knocked out my pipe.*

I paused and ~~waited~~. The lecture was about over. The rest was up to the student. The Lieutenant looked out the window. He studied his Ming holder. I sat very still. Then he looked at me. "Maybe," he said, "maybe I was insane."

Very casually: "Maybe you were insane when?" I said. "When you shot the German lieutenant?" *In the final stages*

"No, when I shot Barney Quill." Thoughtfully: "Hm.... Why do you say that?" "Well, I can't really say," he went on slowly. "I--I guess I blacked out. I ^{can't} remember a thing after I first saw him standing behind the bar that night until I got back to my trailer."

"You mean--you mean you don't remember shooting him?" I shook my head, in gratified surprise. *wonderment over the*

"Yes, that's what I mean." "No." "All me man," *T. M. said quietly. The man's And he'd almost use the last of not only legal defense he had. The man might before the man's that meaning use the last of not only legal defense he had.*

It had been obvious to me from nearly reading.

"You don't ^{even} remember driving home?"

"No."

Quilty: "You don't even remember threatening Barney's bartender when he followed you outside after the shooting? ^{as the ~~news~~ papers say you did?" ^{panicked and} I held my breath.}

The smouldering dark eyes flickered ever so little. "No, not a thing."

The ~~main part of the~~ Lecture was over; ^{I had told my man the laws; he had told me that might} my man had been commended to invoke the defense of insanity. It had all been done with mirrors. ^{Or rather with hammers.} There remained only the loose ends to gather in. I'd try to make it short.

"My, my," I said, ^{blinking my eyes, and} contemplating the wonder of it all. "Maybe you've got something there."

"Let me think a minute," I said. ^{Then I turned and studied the impaled coverman.} I turned and looked out the sooty window. All right, maybe my man was insane when he shot Barney Quill. Maybe he was nuttier than a fruit cake and maybe he had blacked out and didn't remember a thing. So far so good. But there was one ^{flaw,} one small ^{thorn in this insanity, business,} ~~factor,~~ ~~center,~~ that had to be faced, and fast. And wasn't it far better to face it now, before I got into the case, than later on in the harsh glare of the courtroom? I turned back to ^{my man.} the Lieutenant.

"Look, Lieutenant. Hold your hat. I'm about to pitch you a fast ball...."

Maybe you were insane. Maybe you didn't remember a thing. But Both you and the newspapers tell me that right after you returned to the trailer park, after shooting Barney Quill, you woke up the deputized caretaker and ^{told him:} said:

'I just shot Barney Quill.' Now is that correct?" ^{Again} I held my breath.

I think ^{rather} ~~perhaps~~ he saw what was coming, but he replied steadily enough.

"That is right," he answered, because he had to, there was no other answer, he was committed on that one ^{far} ^{past the point of ~~no~~ return.} ^{no escape;}

Slowly, easily: "All right, then, Lieutenant. Now tell me, how come you could tell the caretaker you had just shot Barney ^{Quill} if you had ^{really} blacked out and didn't remember a thing? Who told you?"

I was charmed to see that the man could flush. He was actually flushing.

Curtly: trying to tell
H [^] "Are you telling me to plead guilty?"

"Cut it out, Manion!" I found I was close to shouting, and lowered my voice.

"I said, lowering my voice."
"Answer my question," "You're the one who's got to answer the question. I can't. You were there."

I had really stung him. *His face jutted like that of a petulant child.* ~~His lower lip was jutting again.~~ ~~"You aren't an~~
"You weren't a D.A. for nothing, were you?" he said, scowling.

"Thanks, chum. But just suppose you answer the question. Or ~~would~~ ^{perhaps} you'd prefer to wait and let the ~~no~~ D.A. spring it on you in court?"

He stared stonily at me. "I begin to see your point," *he said.* ~~he muttered.~~

"Good [^] and what do you say?"

"Well, he began. Then he stopped ^{cold} and closed his eyes. It was the first time I'd seen him ^{really} grope. The silence continued. Was I ^{I wondered,} developing into one of those incurable ex-D.A.'s, the kind who can always find more reasons for convicting their clients than acquitting them?"

"Come, come, Lieutenant," I said. "Think!"

Stonily; impatiently, the lower lip still protruded:
"I am thinking. I'm trying to remember *damn it*"

I was thankful the jury wasn't watching ^{him during} the process. "Come, now, man," *I pressed;*

"what could possibly have led you to tell the caretaker you'd just shot Barney if it is true that you didn't remember it?"

He spoke rapidly, firmly.
"All right.... It's coming back.... Barney Quill was the last man I saw before I blacked out.... In fact ^{his was} he's the only ^{face} one I saw in the whole damned place.... ^{my gun}

I know when I entered the barroom the clip of my Luger was full. When I got back to my trailer I saw ~~that~~ ^{it} was empty. *He threw out his hands.* "Don't you see? I figured I must have shot him, *that's all.*

So I went and told the caretaker I had." He paused and looked up at me like a child who'd just rehearsed his Christmas piece. Had he done all right? ~~Does~~
that answer your question?" *he concluded*

possible
"I see," I said thoughtfully.
It was the only answer he could have made. "I'm afraid it's go to," ~~by~~ ^{that I was,}
said. ^{"So that's the way it is."} "Anyway it's better than no answer." But, old fire horse, I nevertheless
found myself yearning ^{and be} to be D.A. Faced with such an answer, ^{It would be a pleasure to} I was sure I'd
rip the suspenders off this man. rip and dig at this man. "I see," I repeated.

So far I felt this was the biggest flaw, the highest hurdle to a successful plea of insanity. It would take some pondering.

I glanced at my watch and arose. After all I hadn't fished for two whole days. "That's enough for today," I said. "I'll see you again tomorrow."

"Are you taking my case?"

"I don't know yet. Among other things, Herr Lieutenant, there's till the little matter of my fees."

"I was afraid of that."

I was at the Sheriff's door. "Well, I'll see you tomorrow," I said.

"Just one more question," the lieutenant said.

"I am your slave--for one minute," I said. "Shoot."

"How are we doin'?"

"No more now, Lieutenant," I said, smiling. "You've had a busy day. I'll ^{venture} only say this: I think maybe we're finding a way to save somebody some face. ^{You see,} saving face is one of the most important and least spoken of 'defenses' known to criminal law."

"What I said to the caretaker won't spoil ^{things,} ~~it~~, will it?"

"I don't know. We can't have everything, chum. I'll add only this: If the jury wants to find you insane, wants to let you go, ^{all hell won't stop 'em.} they'll manage to find a way around that. ^{along.} Now goodbye; I've got work to do." ^{I turned to leave.}

"Good night, Mr. Bigler," ^{the lieutenant said.} "Hope you have good fishing."
The lecture was over. The lieutenant had passed. With flying colors.

I whirled around. "How ^{in hell} do you know that?"

Smiling: "Saw your rod case and gear in your car--from my cell ^{your trunk} window. You would ^{leave 'em} have 'em bake ^(in the sun all day) unless you were ^{gavin' fishin' direction} from here."
~~The lecture was over. The lieutenant had passed with flying colors. I was beginning to see why.~~

The poor man was crazy; crazy like a fox.

"Thanks," I said, ~~from~~ smiling sheepishly. The lecture was over. My smart lieutenant had passed with flying colors, ^{and} ~~was~~ home ^{before} I ~~was~~ ^{had} been. ^{I suspected that,} ~~And,~~ like an agile fox, I suspected he might be several jumps ahead of me.

like an agile fox, was

Nov 7, '55

[Chap. 7]

Chapter —

My little battered five-year-old coupe toiled and wound its way up out of the great ^{deep} bowl of Lake Superior. ^(I momentarily closed my eyes and took a deep breath.) I was going fishing. ^{and next to the} magic of fishing itself there is no time quite like going fishing, ^{that of} it is the time of Anticipation, of hope, ^{and} expectation, ^{as yet} still undampened by the realities that the fishing is lousy. Up, up I would, ^{just} acre after acre ^{of} cut-over hardwood forest, ^{the blue was} twisted and ^{blasted} ^{It was one of the more} ^{savage} ^{forms of} (devastated as though) by artillery fire, ^{which} ^{locally} industrial rape, ^{masqueraded} under the name of 'selective logging'. ^{The life-blood of the recent amputation still oozed} ^{now} ^{far above the lake} ^{from the stump.} By now I had ^{gained} the high plateau, ^{and} ^{and} I could see the beginning of the jackpine plains. It was pleasant to feel the first cooling breath of approaching twilight, that long northern twilight, the mystic hour of the trout fisherman. I opened the front air vent and drank in the ^{fragrant} ^{rank} ^{pinny} odor of the jackpine, so rank, so desert dry, so utterly lovely. I was going fishing and Gritchen and her alimony, Dubo and his most wanted criminal, Frederic Mannon and his ^{damned} ^{murder} charge — I paused and took another deep breath — yes, Sheriff Batsifore and his violet, were all but forgotten.

W. L. ...

chap 10
old

dining collided with fishing it was simply no contest--fishing invariably won. So what? I had all winter to ride the boring, fattening martini-beefsteak circuit--and to yearn for fishing season. And here it was the last month of trout fishing and I was by way of getting myself all snarled up in a four-alarm murder case. And what a case it promised to be.

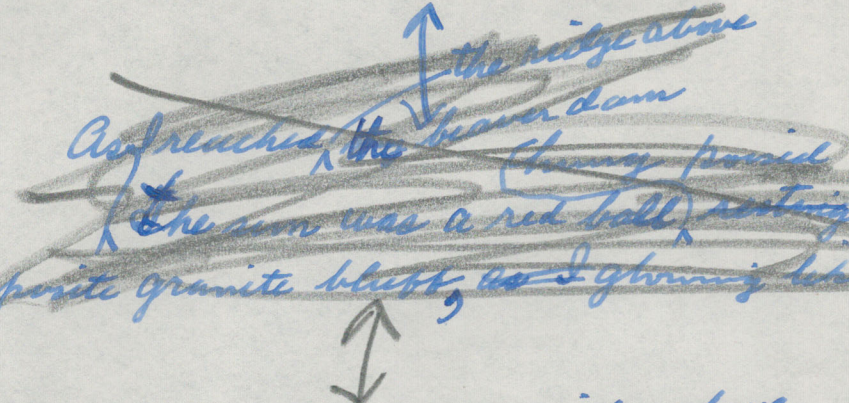
"Cut it out, Biegler," I said aloud. It is my moderately eccentric practice to talk to myself when I am alone, a ^{consoling} practice which I suspect I share with many others but one which, like the absorbing subject of Doctor Kinsey's research, is difficult of accurate measure or confirmation. "Cut it out, Biegler," I repeated. I had promised myself that I would not think about the Manion murder case any more that day. There was time enough for that later. ^{But I was thinking of little else.} ^{But better} that a drunk--say ^{Parnell} Joe McCarthy--promise to go on the wagon than a lawyer involved in a murder case resolve not to think of it. It becomes part of him. < Insert A

My turn off the black top was coming up and I automatically slowed down so that a couple of approaching cars would get well by me and over the rise before they could see me leave the main road. For fishing, like prosecuting or defending criminals, was something of a game; and a good part of successful trout fishing, these days, lay in keeping all other fishermen from finding out one's favorite spots. I was driving along a two rut sand road now, dustily bumping and jolting along over the exposed jackpine roots. The jackpine itself grew so thick and close to the road now that I had to raise the driver's window to avoid getting slapped in the face. The slap of a jackpine is far wickeder than that of an angry woman. I knew, for in my day I had received plenty of both.

I rumbled across the loose planking of the railroad tracks, took the left fork, then the right, then cross the little bridge over the creek (under which I occasionally stashed beer to cool), bounced my way up the rocky grade, and then

"Let's see, Polly--
inventory: ~~net~~ rod, reel, net, creel, boots, fly vest.
All right, let's go."

~~As I reached the beaver dam~~
~~(The sun was a red ball) resting on the~~
~~opposite granite bluff, so I glowering like an ember.~~



As I reached ^{the ridge above} the beaver dam the ~~day's~~
ball of ^{the day's} sun hung ^{miraculously} poised on the ^{very} top of the opposite
granite bluff, ~~like~~ a glowering ember. The ^{flaming} sky
above it looked like a ^{flat} ^{stained glass} window in
^{some} ^{translucent} ^{travertine} ^{surrealist} cathedral. Since no
man, including ^{any} poets, has ^{ever} been able to
describe a sunset with ^{his} ^{words} without tripping ^{over}
his syntax, I, a mere lumber, ^{had better} stop trying.
~~What I saw was that~~ ~~the sun was setting~~ ~~it was~~ ~~incredibly~~ ~~beautiful.~~
^{could any} ^{man} say? I saw two things:
That ^{the} sun was setting; ^{and that it} was ^{so} ^{awesomely} ^{beautiful} beyond
words, ^{awesomely} ^{beautiful.}

The water itself ^{lay} ~~was~~ entirely in the shadows,
now, and as I ^{went through} ^{the} ^{familiar} ^{ritual} ^{of} ^{forming} ^{up}
rigged my line, I watched and listened for rising
trout. A fair trout was working in the ^{wide} pool
above the spillway, but more if smaller trout
were ^{rising} ⁱⁿ ^{the} ^{narrow} ^{or} ^{water} ^{at} ^{upstream.} The sun
had sunk now, there was just the ^{arc} ^{of} ^{the} ^{flaming} ^{sky.}

1st.
11/10/55
1 draft

Chap —

"Good morning, Sulo," I said, "Is ~~the~~ Lieutenant Manion still registered?" ^{Mr. Clerk,} ^{to Sulo.} ^{Or from the check book already?} ^{I had been using that}

"Dats' a good one, Polly," Sulo said, stopping his knee. ^{gambit} ^{or longer!} ^{was of the old school's to him} ^{an old} ^{job was like old wine; he liked it all the better.} ^{He should have been a straight man on TV.} ^{On fact I had him in stitches. We two should have been on TV,} ^{he was the perfect straight man}

"Dats' a good one, Polly," Sulo gasped, when he had ^{partly} recovered. ^{still a bit convulsed,} ^{He reached for his big brass key.} ^{man on TV.}

"Ho, ho, ho..." ^{I--} "I go get Mr. Manion. Sheriff ^{he be out on} ^{patrol.} ^{You can use Sheriff's office you like. He's} ^{out on road patrol."} ^{It was ^{comforting} good to ^{learn} that the ^{sheriff was} ^{once again abroad ^{stamping out} crime.} ^{It also gave me} ^{a chance to have a quiet chat with Sulo.}}

"Sit down ~~for~~ a minute, Sulo," ^{I said.} ^{We haven't} ^{had a little visit for a long time.} ^{How's your} ^{lumbago?}

"Sure, sure, sure," Sulo said, ^{gratefully} ^{sitting} ^{down}, ^{but} ^{before} ^{he} ^{could} ^{larnch} ^{on} ^{the} ^{saga} ^{of} ^{his} ^{lumbago} ^I ^{asked} ^{him} ^{another} ^{question.} ^{After} ^{all} ^{for} ^{years} ^{we} ^{had} ^{been} ^{enforcement} ^{officers} ^{together.} ^{Why} ^{couldn't} ^I ^{share} ^{the} ^{time} ^{of} ^{day} ^{with} ^{him?}

"Say, Sulo, I don't suppose you were on duty the night they brought Lieutenant Mammoin in? You're still always on duty, aren't you?"

"You bet, ^{Polly,} Always on ^{the} days, ^{Polly,}" Sulo replied, a little ^{here.} ~~weary.~~

"Hm.... Lieutenant Mammoin wants to ^{here.} ~~take~~ me ~~in~~ for his lawyer. ^{Sulo.} But I don't know, I don't know. I pondered the problem with my old friend. "What kind of a woman is his wife?" I asked, ~~lead up to the thing I had come to discuss.~~

Sulo brightened visibly. "Oh, mie lady, ^{God works, too -} ^{dose two} mie mie lady. Even with ~~dark~~ ^{black} eyes ^{like} ^{an} ^{almost} ^{half} ^{moon.}" Sulo winked and brought both arms ^{out and} down across his chest, ^{Maryland} "God humps, too. Bay, oh bay, like dat ^{Monroe....}"

"Why you old goat, Sulo," I reproved him. "But ^{Don't be carried away by it all.} ^{to} Remember what happened ^{Barney.}"

~~Sulo was away again, ^{convulsed with laughter,} and while I waited for him to recover I reflected ^{on} how ^{pleasant} it was to be ~~sitting~~ ^{passing} the time of day with my old former fellow officer. I ^{further} reflected ^{on} what a mundaneness did to an involved lawyer: what a craftily, relentless, probing, double-dealing bastard it turned him into, trying to pump ^{his} loyal old friend this way. ~~So it was.~~ No, it was better to level with him.~~

"Do you think Barney raped her, Sulo?" I asked quietly. "I've got to know."

Sulo sat silently, watchfully. He was probably thinking ~~turned away and~~

Sulo nodded his head. "I know he did," he said. "I ~~know~~ He studied the ^{picture of the} most wanted one.

"Wait a minute, Sulo," I broke in. "Don't say anything that's going to hurt you or involve you." I knew if he told me anything I would probably

Start → ^{If we} Both of us sat ~~there~~ silently. Sulo ^{now clearly} knew I was pumping him, ^{but at least} now I had levelled with him. I unwrapped a cigar ^{and} but did not light it.

"Don't tell me if you don't want to," I said. "I ^{wouldn't} want to hurt or involve you, ^{for the world.} But we've got to decide whether I'm taking this case today, this morning, in a few minutes.

And if I take it I want to win it, ^{and} if I ^{can really} know that Barney ^{maybe} raped this woman, I think I can."

"I think maybe he did," Sulo said. "How do you know?"

"Dat lie ^{detector} say she tell ^{da} truth," Sulo said.

"Are you ^{about the lie detector results} sure, Sulo? We've got to be sure."

"State police he tell Sheriff; Sheriff he tell me," Sulo said.

"Thanks, Sulo," I said, briefly taking his hand. "That's all I want to know. I feel better ^{bring down} already, much better. I guess you can ^{get} Lieutenant Mancini now."

"Sure, sure, sure," Sulo said, ~~clapping~~

opening ^{my} ~~and~~ ^{clanking} shut his door. He ^{on the other side} ~~peered~~ ^{stood} and regarded me through the bars. "Thank you, Polly. My limbo goes be much better. Much much better." He turned and ~~to~~ ^{shuffled} away upstairs.

~~It is not necessary that a lawyer like~~

~~his own client~~

to adequately represent him,

If just as ~~to~~ A lawyer needn't like his client, ~~so~~ ^{he doesn't} ~~he doesn't~~ ^{have to} ~~love~~ ^{morally or legally} necessarily believe in his innocence. But ^{sometimes} ~~it helped~~ ^{if he could at least help to ally together} and I felt ~~relieved~~ ^{relieved} to have

had my little ~~chat~~ ^{talk} with Sulo, mightily relieved. So the lie detector test showed she was telling the truth, ^{had it?} ~~were the state~~ ^{was} the prosecution going to sit on the results of that test? If they were, how was I going to get it before the jury? Especially since the results of these tests ^{in my case} were inadmissible in court?

Well, I do feel that headache later on....

realized. Sulo had told ^{had confirmation} me much more than he ~~thought~~. This was ^{in fact} the first big break in the case. For now I ~~was~~ not only ~~knowing~~ that the lady had been raped, important as that was, but ^{also} that her entire story was substantially true. For ^{also} ~~the~~ ^{through} ~~state police~~ ^{every detail of} would have covered the ~~entire~~ case with her, the events before the rape, the scene at the ^{trailer park} gate, ^{whether} ~~that~~ ^{Barney} had beat her up, ^{which would} ~~absolutely~~ ^{absolutely}

^{During the test} ~~that~~ ^{through} ~~the~~ ^{state police} would have covered ^{every detail of} the ~~entire~~ case with her, the events before the rape, the scene at the ^{trailer park} gate, ^{whether} ~~that~~ ^{Barney} had beat her up, ^{which would} ~~absolutely~~ ^{absolutely} my mind ^{from} the suspicion of having done so. It also ~~further~~ ^{the truth of} tended to buttress Lieutenant Mancini's story of her movements after ^{his wife} ~~she~~ ^{had reached} ~~got~~ ^{returned to} the trailer. I now not only knew these things but I knew that the ^{why} ~~people~~ ^{them} ~~knew~~ ^{these} things. ^{While all this} ~~was~~ ⁱⁿ ~~and~~ ^{and} ~~of~~ ^{it} ~~was~~ ^{was} still did not afford Lieutenant Mancini a legal defense,

~~I was at least~~ the People ^{Perhaps I could lure them into trying to hide it....}
I now knew what ~~they~~ ^{perhaps equally} knew and, ^{most} important, they didn't know ^{that} I knew. ^{you} I heard the clanking of a door.

"Good morning, Mister Beeple." You seem buried in thought. "a voice said.

"Oh, it's you, lieutenant. Good morning."

~~Merely partial coma induced by~~

"You seem buried in thought. ^{of} this morning."

I sniffed the air like a beagle.

"Merely ^{incipient} coma induced by partial asphyxia."

I ^{aprove and} held my hand toward the Sheriff's doors. "Shall we retire to the lilac room and carry on? ^{I'll rally} in a ^{moment}."

"You first, Councillor, you first," the Lieutenant replied.

"Ah, thank you, lieutenant."

I had done it again to Sulo, and we left him helpless and ^{wounded} ~~to~~ ^{I was touched.} in his chair. Good old Sulo; ^{umbago and all,} he really appreciated his old O.G.



"Lieutenant Mamoi, "I said, ^{forming him.} "I've decided to take your case." ~~How~~

"Good, ^{good.} How much is your fee?"

"Three thousand dollars. Can you pay it?"

"No, I'm broke."

"Can you raise it?"

"No."

"How about your trailer?"

"Both it and my car are mortgaged to the hilt."

"How about ^{your} relatives? Everybody has a rich uncle."

"I don't have any uncles, ~~the~~ ^{rich or poor, and} my parents are dead, ~~and~~ ^{married} ~~the only~~ ^{my only} close relative is a sister in Dubuque. Both she and her husband owe me money. ^{They have six kids.} They haven't a dime."

"Look, Mamion, ^{why} what did you call me down here ~~for~~ ^{know you} if you couldn't pay me? Did you think I conducted a ^{free} ~~free~~ veterans' ~~for~~ legal aid bureau?"

"I needed a lawyer, and I wanted the best."

"You mean the ^{second} ~~best~~ best, don't you. Have you ^{that eminent} ~~the~~ authority on ^{unwritten law,} forgotten about old Crocker?"

The lieutenant ^{and regarded me steadily.} shrugged, "Well," he said slowly, "if you won't represent me I suppose I'll have to get someone else."

I stared at him. Was it possible that this man ^{sensed} ~~knew~~ that by now I would have paid him to stay in the case? "You let me waste a whole goddamn day on this case ^{when} ~~and~~ you ^{all along} ~~knew~~ you couldn't pay me," I said. I was trying hard to work up a pout.

"You didn't ask me," he said.

The man had me there. He couldn't be expected to know that a careful, ^{reputable attorney} lawyer could scarcely discuss ^{his} fees before he knew whether he wanted ^{to enter} the case. At the same time I could have at least ^{decisively} ~~probed~~ him a little about his financial

I face it? condition when I ^{first} met him the morning before. Why didn't
Waint ^{it} the solemn truth that I ^{suspected} was afraid all
along he didn't have any dough, and had
as Maida had warned me,
Aliberately put off asking him until it was too
late, until I was hopelessly smothered? And how, dear
Lord, would I ever square all this with ^{the} accusing Maida
and her ^{depleted} check book? The thought made me smile.

"Look, manion," I said. "How much can
you pay me and when?"

"I can pay you a hundred and fifty ^{dollars on account} next
week. It's pay-day then."

"You realize, ^{of course,} that if I accept that I'm
committed for the ^{same} duration?"

Cooly: "Yes. That's why I'm offering it."

Q "There was a kind of engaging frankness about ^{the} ^{word}
When ^{could} you pay me the balance?" ^{point.}

"I don't know. If I'm acquitted I can pay
you so much a month. I'll give you a ^{promising} note."

Q "Famous last words," I said.
"And suppose you're convicted?"

"Then I guess both of us lose. ^{But} Isn't that ~~one~~
one of those ^A calculated risks -- like ^{my} pleading insanity?"

Q "I had to put in one more try, for Maida's sake."

"Supposing I say that I won't take your
case till you pay me half my fee?"

Shrugging: "I'll just have to ^{regretfully} get someone else, I'm afraid."

"You'd risk that?" I said. "You ^{actually} ^{would} ^{risk it}?"

Smiling slightly: "I've got my legal defense now, haven't I? I was ^{getting the lecture in reverse.} imagine, wasn't I? How could I lose?"
I was getting ^{admiringly} I stared ^{shrewdly} at the man, at this smart, gambling, dead-beat son-of-a-bitch. He had me helplessly coming his way and ^{I was morally certain that} he knew ~~that~~ I just had to take on this case. ~~It was my law.~~ The moment of decision was at hand, I would either go fishing or else go to work.

"Lieutenant Manson," I said, ^{extending my} hand. "You've got yourself a lawyer. Now let's get ^{down} to work."

"It's a pleasure, Counsellor. Where do we start?"
You'll have to tell me, you know.
Remember, I've just recently recovered my wife."

and it never failed to convulse him.
It didn't fail now.

Chapter _____

Sweet violets....

"Good morning, Mr. Clerk," I said to Sulo. "Is Lieutenant Manion still registered? Or has he checked out already? I had been using that gambit on Sulo for ten years or longer. But Sulo was of the old school; to him an old joke was like old wine. ^{there a} ^{old} ^{old jokes} ^{more for} ^{were} ^{chiseled} ^{their} ^{strong} ^{mustiness} ^{made} ^{him} ^{like} ^{them} ^{he} ^{liked} ^{it} ^{all} ^{the} ^{better}. In fact I had him in stitches. We two should have been on TV; he was the perfect straight man. ^{Along with Joe Miller}

"Dat's a good one, Polly," Sulo gasped, when he had partly recovered. Still convulsed, he reached for his big brass key. "Ho, ho, ho.... I--I go get Mr. Manion. ^{He, he...} You can use Sheriff's office you like. ^{How...} He's out on road patrol."

It was ^{reassuring} ^{comforting} to learn that the ^{relentless} ubiquitous sheriff was ^{relentless as a bloodhound} once again ^{still} at broad stamping out crime. It also gave me a chance to have a quiet chat with Sulo. "Sit down a minute, Sulo," I said, ^{in my best deep-voiced manner} "We haven't had a little visit for a long time." "Tell me, how's your lumbago?" ^{I felt like an insurance agent} ^{coddling a hot prospect} "Sure, sure, sure," Sulo said, ^{under the portrait of the coveted one} gratefully sitting down. ^{Before he could} launch on the saga of his lumbago I hurried to ask him another question. After all for years we had been old law enforcement officers together. Why shouldn't I chat a little with him?

"Say, Sulo, ^{I said, before he could launch on the saga of his lumbago,} I don't suppose you were on duty the night they brought Lieutenant Manion in? You're still always on days, aren't you?"

"Sure, ^{if} you bet, Polly, always on days," ~~Sulo said, I thought a little worriedly~~

"Hm.... Lieutenant Manion wants to hire me for his lawyer, Sulo. But I don't know, I don't know." I pondered the problem with my old friend. ^{say,} "What kind of a woman is his wife?" ^{what} I asked ^{casually}.

Sulo brightened visibly. "Oh, nice lady, nice nice lady. ^{He shook his head appreciatively.} "Good looker, too--even with dose ^{for} black eyes." Sulo winked and brought both arms out and down across his chest in an abrupt half moon. "Good bumps, too. Boy, oh ^{what-you-call,} boy, like dat Maryland Monroe...."

want to hurt or involve you for the world. But I've got to decide whether I'm taking this case--~~and~~ I've got to ^{know} ~~decide that~~ today, this morning, in a few minutes. ~~And~~ ^{And} if I take it I want to win it. ^{And} if I can really know

Barney raped this woman, I think maybe I can." ^{"I spanned."} "That's the straight dope, Sulo."

^{glanced} [^] "I tink maybe he did," Sulo said ^{quiltly.} ^{He} ^{way he said it} ^{made the word sound like "rap."} "How do you know?"

"Dat lie 'tector test say she tell da trut," Sulo said.

"Are you ^{I mean} sure about the lie detector results, Sulo?" ^{I spanned.} "I've got to be sure."

"State police he tell Sheriff; Sheriff he tell me," Sulo said ^{simply.}

"Thanks, Sulo," I said, briefly taking his hand. "That's all I want to know. I feel better already, much better. I guess you ^{can} ~~can~~ ^{bring down} ~~bring down~~ Lieutenant ^{down.} ~~Menion now.~~"

"Sure, sure, sure," Sulo said, opening and clanking shut his door. He paused on the other side and ~~stood~~ ^{stood} regarding me thoughtfully through the bars. ^{we} ^{smiled warmly.} "T'ank you, Polly," ^{he said.} "My lumbago she's ^{to} be much better, ^{chuckling happily.} Much much better." He turned and shuffled away upstairs, ^{gave old Sulo.}

Just as a lawyer needn't ^{love} ~~like~~ his client to adequately represent him, so he ^{doesn't} ~~didn't~~ necessarily have to believe in his moral or legal innocence. But ^{it (and it was helping now,} sometimes ^{helps,} and I felt relieved to have had my little chat with Sulo, ~~mightily~~ ^{relieved.} So the lie detector test showed she was telling the truth,

had it? Was the prosecution going to sit on the results [?] of that test? If they were, how was I going to get ^{them} before the jury? Especially since the results of these tests were in any case inadmissible in court? Well, I'd ^{have to} ~~face~~ ^{face} that headache later on....

Sulo had told me ~~much~~ ^{much more.} more than he realized, [^] This was, in fact, the first big break in the case. For now I not only had confirmation that the lady had

been raped, important as that was, but also that her entire story was substantially true. During the ^{polygraph} test the thorough state police would have covered every detail of the case with her: the events before the rape, the scene ^{later} at the trailer park gate, ^{whether} Barney had beat her up, ^{that} would ^{last} ~~also~~ absolve my man from the suspicion of having done so. It ^{also} tended to buttress the truth of Lieutenant's Manion's story of his movements after his wife had reached the trailer. I now not only knew these things ^{were true} but I knew that the ~~People~~ People also knew them. While all this, in and of itself, still did not afford Lieutenant Manion a legal defense, I now knew what the People knew and, perhaps equally important, ^{and I wasn't sure where it led,} they didn't know that I knew. ^{That} ^{the results...} Perhaps I could lure them into trying to hide it, ^{It was a} I heard the clanking of ^{an iron} door.

"Good morning, Mister Biegler," ^{the familiar, mocking} voice said.

"Oh, it's you, Lieutenant. Good morning."

"You seem buried in thought this morning."

I sniffed the air like a beagle. "Merely incipient coma induced by partial asphyxia." I arose and held my hand toward the Sheriff's door. "Shall we retire to the lilac room and carry on? I'll rally ^{shortly.} in a moment."

"You first, Counsellor, you first," the Lieutenant replied ^{gravely.}

"Ah, thank you, Lieutenant."

I had done it again to Sulo, and we left him helpless and wounded in his chair, ^{under the fellow. "He, he, he..."} I was touched. Good old Sulo; lumbago and all, ^{still} he really appreciated his old D.A.

↕ Space.

"Lieutenant Manion," I said, facing him. "I've decided to take your case."

"Good, good. How much is your fee?"

"Three ^{grand. Is that fair enough?} thousand dollars. ^{Can you pay it?}"

"Fair enough." ^{I thought it ^{might} could be more."}

"Can you pay it?"

4

"Lieutenant Manion," I said, extending my hand. "You've got yourself a
~~And I seem to have a client.~~
lawyer. Now let's get down to work."

"It's a pleasure, Counsellor. Where do we start? You'll have to tell
me, you know. Remember, I've just ~~recently~~ ^{been ill and I've} recovered my wits."

~~The cool-eyed bastard.~~

~~The ^{office} door opened and in burst the Sheriff, Max
Battisfore. "Wait for me on" "Hello, Max," I said. I
turned to the Lieutenant. "Please wait for me outside."~~

~~"Hi, Lieutenant," the Sheriff said.~~

~~"Hello, Mr. Sheriff," the Lieutenant replied. He
glanced at me. "Did he want me"~~

~~"Let's go out and see Sulo. I want to discuss
with him the possibility of our talking in my car. The
stink of this place is
sweet ~~is~~ ^{is} getting me down." I held the door ^{open} for my
client. ^{We found} Sulo ~~was~~ nodding in his chair. The outer jail
door opened and in rushed the Sheriff, Max
Battisfore. He'd ^{evidently temporarily} ~~been~~ ^{been} paroled from patrol. The Sheriff saw
me and his ^{his} eyes lit with gladness when he saw me.~~

11/26/55

[Chap. 9]

Chapter 12.

1 draft

The outer jail door opened and in stalked a character straight out of 'High Noon.' His big mail order felt hat was pushed back on his ^{staring} forehead; his exquisitely tailored gabardine shirt, with its cascade of pearl buttons ^{on} the pockets and cuffs, was negligently open at the throat, ^{from which depended two} held by ~~two~~ ^{silver} ~~clasp~~ ^{not liberty but} cords held by a dollar-sized clasp engraved with a bucking bronco; ~~the~~ ^{rich} trousers ^{were} tucked carelessly into the tops of dusty hand-stitched ^{I saw, (dangling insignia of the)} leather boots. His ~~been~~ ^{gray} eyes ~~restlessly~~ ^{searched} the room.

"Four score and seven years ago," ^{found myself} ~~I thought,~~

^{permanently} ^{thinking} "an ~~entire~~ ^{of old Texas} province was hurled aloft ~~and~~ ^{there came forth upon this continent} ~~there~~ ^{whereupon} ~~came~~ ^{one entire province of old Texas was} hurled aloft and held ~~by~~ ^{magnetically} ~~an~~ ^{over this continent} ancient dust storm, ~~and held~~ ^{magically} suspended all these years, ~~and~~ ^{it has been dumped upon the far} ~~and~~ ^{the} ~~shores~~ ^{of Lake Superior.} today, ^{upon} ~~upon~~ ^{the} ~~shores~~ ^{of Lake Superior.}

It was a solemn moment. Sheriff Max Battisfore was back ^{at least} from patrol. His ~~been~~ ^{gray} eyes restlessly searched the room. ~~His eyes~~ ^{they} ~~found~~ ^{found} ~~and lit~~ ^{with gladness; when he saw me. You could see the} glow of gladness in them.

pick up and handle aloft and held

11/13/55

Donna = Put in → SHERIFF

"If it isn't → my favorite ex-O.K., in person ^{but a movie.}
 "Well, hello Paul," the Sheriff said, ^{He} grasping my hand
 in both of his and looking me straight in the eye. "How's the
 old boy? Long time no see. ^{to old} ^{there} Is Silo treating you O.K.?" ^{He}
 The Sheriff had a gift for ^{reaches} ^{old} ^{there} ^{the} ^{eye} ^{of} ^{me} ^{straight} ⁱⁿ ^{the} ^{eye}. "How's the
 the hell are you, anyway?" He slapped my shoulder. "How the hell are
 you, anyway?" ^{playbook} ^{He} ^{ang} ^{my} ^{ribs}
 "I'm fine, Max," I said, ^{smiling and} ^{rebreathing} ^{out of range}.
 "Just fine. How are you?"
 "Fine, fine. ^{Any phone calls?} ^{Yes, Polly, I feel}
 Tell me, how the hell are you, anyway?" ^{just like a horse's father.} ^{How the}

"I'm fine, Max," I repeated, ^{soberly,} and, since the
 topic seemed faded, ^{Max's solicitude} ^{for} ^{my} ^{health} ^{had} ^{been} ^{doubly} ^{reassured,} I added: "If you've got
 a minute, could I ^{d like to have a} ^{chat} ^{with} ^{you?}" ^{He consulted} ^{his} ^{calendar} ^{and} ^{found} ^{an} ^{opening} ⁱⁿ ^{his} ^{calendar}.
 "Sure, sure, Polly. Right this way. ^{He led the} ^{way} ^{into} ^{his} ^{office.} ^{He} ^{consulted} ^{his} ^{calendar} ^{and} ^{found} ^{an} ^{opening} ⁱⁿ ^{his} ^{calendar}.
 Please ^{Call} ^{the}
 Missus, Silo, and tell her I got that ^{Corroborating} ^{then} ^{by} ^{the} ^{way} ^{...} ^{that} ^{the} ^{dog} ^{is} ^{gone}.
 Chest ^{is} ^{still} ⁱⁿ ^{town}, after that Amet's, ^{Set} ^{down,} ^{Polly,}
 Make yourself at home. How the hell are you, anyway?
 Long time no see."

Look, Max, I said, "what were the results
 of the Laura Manion's lie detector test?" ^{without a pause.}
 "Oh, that," ^{Polly,} the Sheriff replied, ^{As an}

See page 111

forty old ^{forty} D.A. like you ^{well} knows, the state police took that. They'd
have those results. He fleetingly laid a hand on my knee.
"You know how jealous they are of their prerogatives.
Wouldn't it be better to ask them?" ^{Polly.} "Yes, Polly, its
guad to see you. How the hell --"

"I guess you're right, Max," I grudgingly
admitted, ^{rising} "It's their baby, I'd better ask them." I panned.
"But what's the use of asking them? They probably
wouldn't tell me ^{and} anyway, the results would be inadmissible in
court." I was ^{was} musing aloud. "I think I'll skip it."

I ~~was~~ ^{was} ^{just} ^{skip} it. "I took the things"
I heard. "Thanks, Max. Sorry to trouble you."

^{"Any time at all, Polly, Boy, its. guad to see you"}
^{I found it an} ^{of some} ^{importance}
^{stool} Max ^{was} ^{silently} ([?] ^{Sp}), against his
wall of photographs. ^{It was} ^{like} ^{receiving} and ^{slow} some
fabulous personage in the news, and on TV, and then
suddenly ^{confronted} ^{him} in the warm glow of his ^{own} home.

"Thanks, Max," I said, opening the door.
"Hey, there --" ^{"the things shouted."}
"Come on in, Salo," ^{Yes, see, Polly, How the}
hell are you, anyway? ^{Any time at all.}

It was my hope, and certainly worth the gamble,
that the Sheriff, ^{would} like the good officer he was, ^{would} pass on
our conversation to the prosecutor, Mitch Lodwick.
Maybe ^{I missed,} if I consider the state policy, I could lure Mitch
into trying his case as though ^{he} ^{had} ^{been} ^{taken} ^{at} ^{all.}
It was worth a shot.

SHERIFF

"Well, hello Paul," the Sheriff said. He grasped my hand in both of his and looked me straight in the eye. "If it isn't my favorite ex-D.A.

In person not a movie. How's the old boy? Long time no see. Is old Sulo there treating you O.K.?" He slapped my shoulder and kept pumping my hand.

The Sheriff, ^{and the Lieutenant} ~~I saw,~~ ^{had come a long way; he had developed, I saw, a boisterous} had developed a boisterous and irresistible gift for

cameraderie; he made one feel so--I groped for words--so terribly wanted.

^{all the Sheriff and I belonged to opposite political parties, but the man had a knack of making one feel that friendship was bigger than party.} "How are you, anyway, you old buckaroo?" he ran on, playfully digging ^{me in the} ribs.

"I'm fine, thanks, Max," I said, smiling and retreating out of range.

"Just fine. How are you?"

"Oh, fine, fine. ^{Hi there, Lieutenant.} Any phone calls, Sulo? Oh, on my pad... Yes, Polly, I feel ^{just} like a horse's father. If I felt any better they'd have to look me ^{Substheria lock} up. ^{in one of my old own cells.} Tell me, man, how the hell are you, anyway?"

"I'm fine, Max," I repeated soberly, and, since Max's concern over my ^{and certified, and} health had been doubly relieved, I added: "If you've got a minute I'd like to have a chat with you?"

"Sure, sure, Polly. Right this way." He led the way into his office ^{and bent} over a memorandum pad on his desk. He called out to Sulo. "Phone the Missus, Sulo, and tell her I got that Community Chest kickoff dinner tonight, after that the Amvet ^{S,} selection of officers, then bowling... ^{no soft ball...} Shut the door, Polly, and sit down. Make yourself at home. Long time no see. ^{Tell me,} how the hell are you, anyway?" ^{-- ah -- want you} "Have a cigarette?"

"Look, Max," I said, "what were the results of Laura Manion's lie detector test?"

^{stap of} I gestured with the ^{faithful} Italian cigar I was holding. "No thanks, Max, I'm still ^{some} on these Italian reefers, still ^{smoking some} the poor man's marijuana."

The Sheriff wagged his head. "Still the same joker, ^{oh. Too, Polly.} Lord, it's good to see you, ^{man.} How do you feel, I

...making one feel that friendship was bigger than party.

mean, how are you feeling?"

Look, Max, I said, "what were the results of Laura Manions' lie detector test?" I held ^{my lighter} a ^{match} to ^{the} ^{engine} my cold receiver

"Oh, that," the Sheriff replied, without a pause. "As a foxy old D.A. like you well knows--remember those good old days, Polly?--the state police took that. They made the test ^{and} they'd have the results." He fleetingly laid a confidential ^{hand} on my knee. "You remember how jealous they were of their ^{PR} ^R ^{all around} ^{go} ^{Polly} ^{Jealous as all hell.} prerogatives." He nodded sagely. "Well, they still are. So wouldn't it be better, Polly, for you to ask them?" He again looked at his desk pad. "Call operator 11, Detroit," he murmured absently. He looked up. "Boy, Polly, it's been good to see you. Tell me, man, how the hell are you?"

"I guess maybe you're right, Max," I grudgingly admitted, ^{standing up} ^{rising} "It's their baby, I'd better go ask them." I paused, pondering the problem. "But what's the use of asking them? They probably wouldn't tell me--and anyway the results wouldn't be admissible in court." I too could confide, ^{and} I was musing aloud. "I think I'll skip it," ^{I said} ^{absolutely} "Yes, I think I'll just skip it. To hell with the lie detector test." I ^{pumped} ^{He had grabbed the phone with the other} ^{took} the Sheriff's hand. "Thanks, Max. Sorry to have troubled you."

"Any time at all, Polly. Boy, it's good to see you, you old buckaroo." ^{operator, this is Sheriff Balthazar. Give me operator 11 as Detroit.} Max stood silhouetted against his wall of framed photographs. For the first time it occurred to me that there were no pictures showing him out ^{on} ^{patrol} ^{or} ^{making} a pinch, in fact none showing the Sheriff acting simply as sheriff... I nevertheless found it an impressive scene, like a person who has long read about and seen some fabulous personage in the ^{news} ^{magazines} and on TV, and then suddenly been privileged to confront him, relaxed and friendly, in the intimate glow of his own home. ^{One had never realized what a remarkable person he really} ^{was.} It was a warming experience.

"Thanks, Max," I said, opening the door. "Hey, there--come on in, Sulo," the Sheriff shouted ^{out} ^{craning his neck} beyond me. "Yes sir, Polly. Any time at all. Lord, it's good to see you looking so fit. You've lost ~~some more weight, haven't you?~~ ^{as tanned} ^{any} ^{as a} ^{horned} ^{tooth.}"

"Fishing pallov," I said, ^{trying to recall} ^{any} ^{tanned} ^{horned} ^{tooth.} "You've lost ~~some~~ ^{more} some weight, too, haven't you Polly? Your as lean as a -- as a --"

and scratched my fingers.

Hello,

Just a night, having just a few hours ago. I'll be back in my own skin.

START NEW PAGE

"Hound's tooth," I said.

"Any ~~more~~ weight ~~that~~ I've lost, Max," I ^{contemned,} replied, ruefully exploring the receding ^{area} hairline over my temple, "is ~~only~~ from losing ~~more~~ hair. Time, like crime, marches on."

"You kill me, Polly," the Sheriff said, shifting ^{recalls to his attention} the ~~place~~

It was my hope that the Sheriff, like the good officer he was, would repeat ^{the lie detector portion of} our conversation to the new prosecutor, Mitch Lodwick. Maybe, ~~I missed~~, if

I avoided the state police I could lure Mitch into trying his case as though

no lie detector test had ever been taken at all. It opened up certain vistas

and was ^{at least} ~~certainly~~ worth a gamble. It would also give me something to get

^{was indignant was the phrase} ~~indignant~~ about. ^{Lawyer threw in indignation} As old Joe McCarthy had once so aptly told me, in his nasally

cynical Elmer Davis voice: "I have observed, Polly, that the less a lawyer has to say for his side ^{of a case,} the more he tries to put the other side on trial."

"Hello, hello?" the Sheriff was saying into the phone. "Steve?...."

Steve who?.... Oh, Steve! ^{Whynt you say so, an} ~~you old buckaroo,~~ Tell me, ~~Steve,~~ ^{you old buckaroo,} how the hell are you, anyway?!"

I softly closed the door. ^{somebody indecent to spy on,} ~~It was~~ ^{sacred ground to enter over his} the

Sheriff ^{at his} ~~work.~~ I also ~~felt a little faint.~~

"Lieutenant," I said cheerily. "Come ^{on} outside and sit in the sun." I loosened my tie. "It's ^{a little} stuffy in here."

"Look, Polly ---" Sulo had risen and was advancing uncertainly. The Sheriff's door opened. "Sit down and rest yourself, Sulo," the Sheriff said in a kindly voice.

"Polly just spoke to me." There was something big about the man. ^{At least he ran his own jail.}

"Sure, sure, sure," Sulo said in bewilderment.

"You first, lieutenant," I said, holding ~~open~~ the door.

1st
11/15/55

"There's ^{just} one ~~other~~ ^{more} thing, Max," I said. "I was going to ask Sulo but perhaps I'd better ask the head man ^{himself}. I'm in Mamoi ^{in a case now and he} and I are going to have lots to talk ~~about~~. I pause ^{too} ~~diffidently~~. "I'll be lots to do, and the trials ^{only} next month."

"Diffidently."

"Naturally," the Sheriff said. "And he's got ^{longer} in the ^{business} retained one of the best, Polly. ^{The} ^{very} best, for my money."

"Thanks, Max," I said. "Well, the county won't ^{furnish} ^{jail} you a conference room and I hate ^{to be} ^{for us} cluttering up your office ^{and bins} underfoot all the time. ~~Saboo~~"

"Yes?" the Sheriff said helpfully.

"Well, I was wondering how about the Lieutenant and I occasionally sitting outside in my car when your office is in use, I mean ^{without interrupting} that way we could talk in private and not be ^{in your hair}. That way, too, I thought, I could occasionally ^{be in your hair}. "Hm..." the Sheriff said. He pursed his lips ^{in a quick little} and closed his eyes and nodded his head. "Hm...."

"Be in your hair."

He stole a look at me. "There's always his ^{cell}, Polly, he said thoughtfully. "Sweet violets," I thought, but remained ^{reluctant} silent. "Hm," the Sheriff ^{squinting again} repeated, and I could

almost follow ^{shrewdly} his weighing ^{of the angles}, balancing ^{assaying of} the factors, almost ^{counting} the ^{sum} water involved. "Murder was a non-bailable offense, and Mamoi ^{certainly} had no ^{goddam} business ^{except in} outside ^{without} ^{custody} ^{today}, there could be ^{half he?}

feeling was running ~~my~~ ^{toward} my ~~man~~ ^{man} ~~way~~. ~~It was another break~~
~~in the case~~ I was ^{even} ~~more~~ ^{serious} of it ^{now} than if Ebers Pope
had conducted a ^{county-wide} poll. ^{After all,} the jury was nothing
more than a group of representative citizens, wasn't
it? Yes, this was the second big break in the
case. Stocks' were picking up.

1 draft

SHERIFF

"Well, hello Paul," the Sheriff said. He grasped my hand in both of his and looked me straight in the eye. "If it isn't my favorite ex-D.A.,

In person not a movie. How's the old boy? Long time no see. Is old Sulo there treating you O.K.?" He slapped my shoulder, ^{and kept pumping my hand.} The Sheriff had ^{developed a} ~~radiant~~ ^{boisterous and irresistible} gift for camaraderie; he made one feel so ^{I groped for words -- "I saw,} so terribly wanted.

"How are you, anyway?" ^{you old bucharoo? "he ran on,} He playfully ^{digging} dug my ribs.

"I'm fine, thanks, Max," I said, smiling and retreating out of range.

"Just fine. How are you?"

"Fine, fine. Any phone calls, Sulo?" ^{Oh, on my pad...} Yes, Polly, I feel like a horse's father. Tell me, ^{If I felt any better they'd have to look me up.} how the hell are you, anyway?"

"I'm fine, Max," I repeated soberly, and, since Max's ^{concern over} ~~solicitude~~ for my health had been doubly ^{reassured,} ~~reassured~~, I added: "If you've got a minute I'd like to have a chat with you?"

"Sure, sure, Polly. Right this way." He led the way into his office. He consulted a ^{memorandum} pad on his desk. He called out to Sulo. "Phone the Missus, Sulo, and tell her I got that Community Chest ~~pickoff~~ ^{the election of officers,} dinner tonight, after that Amvets, ^{Polly,} then bowling.... Shut the door, ~~Polly.~~ Make yourself at home. How the hell are you, anyway? Long time no see."

"Look, Max," I said, "what were the results of Laura Manion's lie detector test?"

"Oh, that," the Sheriff replied, without a pause. "As a foxy old D.A. like you well knows--remember those good old days, Polly?--the state police took

^{They made the test and} that. ^{remember} They'd have those results." He fleetingly laid a ^{confidential} hand on my knee. "You know how jealous they ^{were} are of their perogatives. ^{"He nodded sagely." Well, they still are. So} wouldn't it be better to ask ^{for you to ask} them, Polly? ^{Boy,} Ex, Polly, it's good to see you. ^{How the hell are you?"}

^{again looked} He ^{consulted} at his desk pad. "Long Call operator 11, Detroit," he ^{murmured} ~~abruptly~~. He looked up.

"I guess ^{maybe} you're right, Max," I grudgingly admitted, rising. "It's their baby, I'd better ^{go} ask them." I paused, ^{pondering the problem} "But what's the use of asking them? They probably wouldn't tell me--and anyway the results would ^{not} be inadmissible in court." I was musing aloud. "I think I'll skip it." Resolutely: "Yes, I think I'll just skip it." ^{So hell with the lie detector test.} I took the Sheriff's hand. "Thanks, Max. Sorry to ^{have} trouble ^d you."

"Any time at all, Polly. Boy, it's good to see you, ^{you old bucharos.} Max stood silhouetted against his wall of ^{framed} photographs. I found it an impressive scene, like a person who has long read about and seen some fabulous personage in the movies and on TV, and then been suddenly privileged to confront him, relaxed and friendly, in the ~~warm~~ intimate glow of his own home. ^{For the first time it occurred to me that there were no pictures showing him making a point, more} It was a warming experience. ^{Nevertheless} "Thanks, Max," I said, opening the door.

"Hey, there--come on in, Sulo," the Sheriff shouted. ^{helped me.} "Yes sir, Polly. ^{Anything at all.} How the hell are you, anyway? Any time at all." ^{Lord, it's good to see you looking so fit. You've lost some weight, haven't you?} ^{more} "Only ~~more hair~~ ^{repeat} ~~was~~ ^{new} It was my hope, and certainly worth the gamble, that the Sheriff, like the good officer he was, would ~~pass~~ ^{repeat} on our conversation to the prosecutor, Mitch Lodwick. Maybe, I mused, if I avoided the state police, I could lure Mitch into trying his case as though no lie detector test had ever been taken at all. It was ^{certainly} worth a shot. ^{It would give me something to get indignant about.} gamble. ^{Quit or patrol or} ^{making a point, more} ^{fact} ^{Showing the Sheriff acting in shorts...}

"Any ^{more} ^{additional} ^{weight} ^{lost}, Max," I replied, ^{from losing} ^{stroking my temple,} ^{is only, more hair."} ^{is only, more hair."}

over my temple, "is only from losing more hair." ^{that} "Any more weight I've lost, Max," I replied, ruefully ^{uplifting the receding hairline} stroking my temple, "is only from losing more hair." ^{Time, like crime, marches on.}

It was my hope that the Sheriff, like the good officer he was, would repeat our conversation to the new prosecutor, Mitch Lodwick. Maybe, I mused, if I avoided the state police ^I could lure Mitch into trying his case as though no lie detector test had ever been taken at all. ^{It opened up certain vistas and} It was certainly worth a gamble. It would ^{also} give me something to get indignant about.

"Hello, hello?" ^{the Sheriff was saying,} "Steve?...." ^{into the phone.}
"Steve who?.... Oh, Steve! Why Steve, you old bucharoo. Tell me, Steve, how the hell are you, anyway?"
I softly closed the door.

As old Joe McCarty had one so often said, Steve was in his mind (I'm sure) to get for his side, the Sheriff was saying, "Steve?...." Steve who?.... Oh, Steve! Why Steve, you old bucharoo. Tell me, Steve, how the hell are you, anyway? I softly closed the door. Steve who?.... Oh, Steve! Why Steve, you old bucharoo. Tell me, Steve, how the hell are you, anyway? I softly closed the door.

more he wants to put the other side on trial. Steve who?.... Oh, Steve! Why Steve, you old bucharoo. Tell me, Steve, how the hell are you, anyway? I softly closed the door.

chap. 12
old

Ch. 9

"Hm," the Sheriff mused, *welching his head.*

"Maybe I'd better skip it, Max," I said. "Maybe people'd say that because you're ^{such an} active veteran yourself you were playing favorites with war veterans.

Maybe even the veterans would get down on you for taking a chance on a fellow ^{a man} veteran who'd dare lay a finger on a man that had ^{maybe} raped and beat up his wife."

I had believed what I hoped was my clincher;
I paused and awaited the jury's verdict.

"It's OK Polly," the Sheriff said quietly, almost casually. "Take him outside any time you want. ^{by be} *He'll be in your custody.*"

"No cuffs or leg irons?" I said.

"No cuffs or leg irons," the Sheriff replied.

-- (Angewy couldn't afford to let him)

"Thanks, Max," I said. ^{*It was a shrewd analysis.*} I was elated. There was something big about the ^{*the job of being Sheriff hadn't quite stamped that out.*} man; And I felt elated not only to escape the sweet violets, delightful a

prospect as that was, and further elated because the ^{*elated*} Sheriff's action tacitly confirmed the results of the lie detector test, but most of all elated because this most representative citizen, this shrewd ambulant litmus of community sentiment, had virtually told me that, ^{*to his mind at least,*} clearly the prevailing feeling was running toward

my man. I was ^{*even*} surer of it ^{*than*} than if ^{*Elmo Roper*} had conducted a county-wide poll. ^{*And*} After all, the jury was nothing more than a group of ^{*representative*} citizens, wasn't it? ^{*if Max felt this way, shouldn't they?*} Yes, this was the second big break in the case. Stock's were picking up. ^{*Don't forget this Max," David, opening the door.*}

Dep. 12
old

[Ch. 9

I softly closed the door. It was somehow indecent to ^{seemed} spy on the Sheriff; he had ^{mere} ~~been~~ ^{for one man to listen in} ~~been~~ ^{denied} ~~at his work, engaged in his principal tasks, routine relations.~~ ^{moved into the public domain. I softly closed the door.}

"Lieutenant," I said cheerily. "Come on outside and sit in the sun."
I loosened my tie. "It's a little stuffy in here." ^{grown} ~~Somebody~~ ^{was} ~~must~~ ^{have ignited} ~~left a~~ ^{an old} ~~dark~~ ^{sock!}

"Look, Polly---" Sulo had risen and was advancing uncertainly. The Sheriff's door opened. "Sit down and ^{relax,} ~~rest~~ ^{yourself,} Sulo," the Sheriff said in a kindly voice. "Polly just spoke to me." ^{Yes,} there was something big about the man. At least he ran his own jail.

"Sure, sure, sure," Sulo said ^{retreating} in bewilderment.

"You first, Lieutenant," I said, holding the door.

Outside ~~there was~~ ^{sat scolding} a robin ^{in a tree.}
"I've never seen a ~~lookin' lookin' bird,~~ ^{took a deep breath,} ~~The Lieutenant~~ ^{said,}

"I've never seen a ~~lookin' lookin' bird,~~" he said.

In my mind I hummed ^{a few bars of} "The Prisoner's Song." ^{How did the} ~~How did the~~ ^{dear, over these prison walls} ~~dear, over these prison walls~~ ^{let fly right out of this} ~~let fly right out of this~~

^{old parody} ^{go? Oh!} "If I had wings like a gorse, ~~let fly right out of this~~ ^{I would fly....} ~~let fly right out of this~~ ^{mouse....} "I hadn't thought of it in years."

1st
Dec. 6, 1955

Chapter 13.

[Chap. 10]

rank August
the smell of
It was pleasant sitting ^{out} in the warm sun,
smelling Mrs. Battisfore's flower garden,
listening to the hum of traffic and the drone ^{and clatter} of the
trustworthy prisoners -- the Sheriff's regular ^{and clients,} the
set -- ~~the~~ ^{moving} the courthouse lawn; ^{to be silly} watching
the ~~whirling~~ ^{whirling and} seagulls soaring far out over the ~~lake~~ ^{glittering}.
We smoked ^{and watched} ~~and sat there~~ silently and I reflected
with lazy unoriginality that the main trouble with the world
was ^{the} people in it. "I will need a psychiatrist," I finally said.

"Why?"

"To prove your insanity. Insanity, ^{you see,} is a
medical question and for the defense to create a
legal ^{issue} ~~issue~~ ^{on that score it} ~~there~~ ^{present} must be expert testimony that
you were insane. Once that is done, however,
the burden of disproving ^{your insanity} ~~it~~ falls upon the People.
~~I brushed up on it last night.~~"

"I see," my man said. "Then, ^{I guess} we get a
psychiatrist. But, ^{if it's a medical question} ~~wouldn't~~ a local doctor ^{equally?} do."

"No, ^{my friend,} a local doctor ^{equally} wouldn't do. They have
those boys ^{all they can do} delivering the population and ^{keeping}
up with the latest miracle drugs ^{without getting} ~~to get into~~
the tangled realm of the mind. ^{What's more,} ~~they~~ ^{most of them} don't know
any more about it than you or I, do."

"You're too modest, counsellor. Have you
forgotten it was you who injected insanity
into this case?"

"No," I answered carefully. "I ^{merely} told you what the possible legal defenses were -- it was you who told me you might have been insane." ~~I saw~~ I'd ^{crack} have to chink that ~~gap~~ in my lecture and keep it chinked. "In any case," I went on, "if we were able to find ~~any~~ ^{any} County doctor foolhardy enough to testify to your insanity, all the People would have to do is throw a ^{real} psychiatrist at him and cut him ^{-- and your insanity defense --} to ribbons."

"How would they know?"

"How would they know what?"

"How would the People know ~~we~~ ^{we were} going to call a doctor or ^{or} psychiatrist or ^{even that we were going to} claim insanity at all? How could they be prepared to refute it?"

This boy was no dummy. "Because the law says that we must serve notice in advance ^{on the prosecution} of our intention to plead insanity, ^{at the same time give the} and names of our witnesses, expert or otherwise. We can't keep it a secret."

"I didn't know that."

"No, I didn't expect you would. We've ^{had to} had to cover a lot of ground ~~to cover~~ in the last two days and I haven't found time to tell you everything. By the time you get through this case you ^{should} be able

"But supposing our ^{chosen} psychiatrist says I'm not nuts?
Supposing that, dear Ford? ~~He would, couldn't he?~~ ^{could}

"In that event we shop around till we
find one that does." ^{"I shook my head.} "You can't dream, how
really unscientific the law ^{can actually, do it.} ^{really}. In fact ^{that is}
part of its charm -- it's one of the last of the
realms ^{of human endeavor} still devoted solemnly to ^{hot iron and burnt} ~~butcher~~
Men sit around in black robes, ^{all the time} and meant
it from high. ^{The finer lunacies of the law are} ~~It's~~ only a little less absurd, say,
^{three of} ~~say~~ diplomacy -- ~~and of~~
than your own profession."

"You sound a trifle cynical, ^{today,} Counsellor. ^{Was}
the fishing ^{that} poor last night? ^{not cynical.} ^{a little} ~~of~~
"No, ^{not cynical,} Lieutenant, ^{perhaps I merely see,} ^{though}
more clearly the emperor's new clothes." I sighed. "But when in
Rome, ~~we must~~ you know... We've still got to
shop around for ~~that~~ ^{it to} that psychiatrist. I love that word. I can't
wait to tell Parnell."

The lieutenant eyed me sharply. "Who's Parnell?"

"Oh, just an old lawyer friend, my
legal whetstone, I call him." ^{go} ^{shop} ^{to find}
"I see. → ^{ah} Where do we ~~get~~ this psychiatrist?"

I thoughtfully lit a cigar. "That may be
a real problem," I said. "Either nobody in the
Peninsula is insane or else all of us are nuts.
In any case the psychiatrists' in general practice

Our black ^{leather} sofas are used only for napping or laying.
shun the place. The only ^{ones} I know are connected with
public institutions of some kind: the veterans' hospital
at Iron Mountain, the prison over at Marquette, the
state insane asylum at Newberg, the various children's
~~the~~ clinics, ^{that sort of place.} All of them are ^{salaried} staff ^{men} ~~psychiatrists~~ and ^{I'm afraid} we
can't expect to get them. The People are more likely to pop
up with one of those.

"What do we do, then?"

~~"We go out and shop."~~
^{of the Peninsula.}

"We go shopping, my friend."

The lieutenant struggled. "Well, I suppose we
must. Where do we start?"

"Not where, Lieutenant -- ^{burning} the question is:
^{with?} ~~rather suspect that~~ ^{psychiatrists I have known} ~~anything~~ ^{about are}
are no more philanthropic than lawyers. In fact less than
one I seem to know. They'd expect to be paid well --
and on the line."

"You're making it rather difficult. You
know I'm broke. I can't even pay you."

"Sometimes, Lieutenant, ^{I said slowly,} you make the
thought of getting out of this case awfully attractive -- almost
more than the thought of staying in. ^{Please} Don't keep tempting
me."

"Well, it's the ^{solemn} truth. I'm broke. If I had
the money I'd pay you and get a dozen psychiatrists.
What ~~can~~ more can I do?"

"You can help me, that's all. Just ^{stop} ~~quit~~
^{so goddamned} feeling sorry for yourself and ^{try to} help me. God knows
I have my own reasons for tangling in this

weird case, and they may be shabby enough. But I'm willing
to do it, to roll off the spitballs, to wrack my
brain, ^{to burn my guts to try} ~~to~~ to steer you through this maze. But when I
tell you that something must be done I'd like ^{sort of} like
you to try to help me find out ^{how} it can be
done, not ^{so eager to assume} why it can't. Either ^{do} that or shut up. "

The Lieutenant ^{sat biting his lip, his} boiling point was probably
no higher than mine, I guessed, but I was going to be
his lawyer ~~and~~ without fee I wasn't also going to be
his wet nurse.

"There's one other place we could get a
psychiatrist," I said. "I was ^{half} hoping you ^{might} ~~could~~
have suggested it."

"Where's that?" the lieutenant said evenly.

"From ^{the} United States Army," I replied.

"I don't know if the Army would?"

"I don't know either, but you might tell me
where to write. It might be well to pause here and
impress you with how serious ^{this} ^{thing} is. Your only ^{legal} defense,
as I see it, is insanity. To prove it you must have a
psychiatrist, ^{you've simply got to.} You can't afford a psychiatrist. Then we've
got to get one some other way. Do you have the
picture?"

"I'll give you the name and address of my
commanding officer before we part, ^{the L. replied.} Don't let me forget."

"You better do it now. I'm phoning or
writing him tonight. This ^{my friend} is the heart of your case."

Chapter 15

It was pleasant sitting out in the warm sun, smelling the rank August smell of Mrs. Battisfore's flower garden, listening to the ^{distant bumblebee} hum of traffic and the drone and clatter of the trusty prisoners--the Sheriff's regular ~~clients~~ steady clients, the ^{county's convalescing} drunk-and-disorderly set--mowing the courthouse lawn; to ^{big sloping} idly watch ~~be idly watching~~ the seagulls wheeling and soaring ^{dipping and so} far out over the glittering ^{big} lake. We smoked and watched silently and I reflected with lazy unoriginality that the ~~main~~ trouble with the world was the people ^{mainly} in it, ^{who inhabited it.} *Someone had said it much better: "When every prospect pleases, and only man is vile."*

"Why?"

"To prove your insanity. ^{Lieutenant,} Insanity, ^{you see,} is a medical question, ~~and~~ ^I for the defense to create a legal issue on that score it must present expert testimony that you were insane. Once that is done, however, the burden of disproving your insanity falls ^{squarably} upon the People. ^{That is our biggest and most pressing} *problem.*"

"I see," my man said. "Then I guess we get a psychiatrist. But if it's a medical question wouldn't a local doctor ^{do} equally ^{well?} ~~do.~~"

"No, my friend, a local doctor wouldn't ^{do. as well.} ~~equally do.~~ Those boys ^{already} have all ^{their hands full} ~~they can do~~ delivering the population and ^{trying to} keeping up with the latest miracle drugs without ^{moving} getting into the tangled realm of the mind. What's more, most of them don't know any more about it than you or I."

"You're too modest, counsellor. Have you forgotten it was you who injected insanity into this case?"

"No," I answered carefully. "I merely told you what the possible legal defenses were--it was you who told me ^{facts from which one might conclude you may} ~~you might~~ have been insane." I saw I'd have to chink that crack in my ^{even} lecture and keep it chinked. "In any case," I went on, "if we were able to find ~~any~~ ^{hereabouts} any county doctor foolhardy enough to testify to your insanity, all the People would have to do ^{to blast it would be to} ~~is~~ throw a real

only man is vile.

II
C.15

psychiatrist at him and cut him--along with your insanity defense--to ribbons. You see, psychiatrists are simply a different breed of cats. For example, when doctors and ~~and~~ ^{and} lawyers and soldiers and ordinary riffraff like that go to burlesque shows they go to watch the girls' titties, but when a psychiatrist stoops to attend a burlesque he goes to watch the audience. Hell, man, you can't pit a mere doctor against a monster like that. Perish the notion."

"But how would the People know?"

"How would they know what?"

"How would they know whether we were going to call a doctor or a psychiatrist--or even that we are going to claim insanity at all? So how could they ^{possibly} be prepared to refute it?"

This client of mine was no dummy ^{and} I was glad he wasn't lobbing AA at me. "Because the law says that we must serve notice on the prosecution in advance of the trial of our intention to plead insanity, and at the same time give the names of our witnesses, ^{on that score} expert or otherwise. We can't keep it a secret. Surprises ^{pleas of insanity are} no fair, the law says. ^{we got to} We ^{must} tip our hand ^{in advance}."

"I didn't know that," the Lieutenant said, a little peevishly, I thought.

"No, I didn't expect you would. We've had to cover a lot of ground in the last two days and I haven't found time to tell you everything. I'm telling you ^{this} now. By the time you get through this case you'll probably be able to hang out your shingle."

"Maybe I'll get to be one of those ^{smart} prison attorneys--stir lawyers, I think they're called."

"^{I agreed.} After all, ^{That'll put you right in business.} My only guarantee in this case is that you won't get more than life. That's the maximum. ^{If you get convicted I'll give you a form of petition for a writ of habeas corpus. That's all a prison lawyer needs.} "It's a pretty unscientific thing," my man said thoughtfully. ^{This insanity business is} Pretty

damned unscientific."

II
C. 15

"What ~~is?~~"

"~~This insanity business.~~"

"Why do you say that?"

"Well, we can't prove insanity without a medical expert, you tell me.

Yet you and I have already decided I was insane, we know that we're going to plead insanity--it's the only legal defense I've got. ^{you tell me} In other words you ^{Oh even I see that now.} a lawyer and I a soldier have between us decided I was medically and legally insane. ^{more} ^{dumb} ^{that} ^{must now} Now, ~~having~~ having decided that, we go out and shop around for a medical expert to confirm our settled conclusion. Yet you tell me an ordinary medical doctor won't do." The Lieutenant shook his head. "It all sounds damned unscientific to me."

II
C.16

"The name is Laura," she said. "Remember? If you can stand what you're going to see, Paul, I guess I can." She removed the glasses.

"Good Lord!" I said. In my ten years as D.A. I had never seen a pair of more grievously blackened eyes, and I had professionally seen plenty. "Did Barney Quill really do that?"

Her eyes were large and a sort of luminous sea green. I had never seen anything quite like them before, ^{and} ~~either~~ I was beginning ^{to} ~~plainly~~ to understand a little what it was that might have driven Barney Quill off his rocker. The

woman was breathtakingly beautiful, disturbingly so, in a sort of ^{attractive} ~~electric~~ exotic, extravagant way. Her femaleness was blatant to the point of flamboyance, ^{on fact} ~~there was something steamily tropical about her.~~ She was, there was no other word for it, shockingly desirable.

I remembered something Parnell McCarthy had once said. "Some women, a few, simply radiate sex," he had said. "The ~~rest~~ ^{others} merely trade in it." She blinked her long eyelashes and regarded me solemnly, nodding her head.

"Yes," she whispered. "Barney did this to me."

"You'd better put on those dark glasses," I said wryly, feeling like a man who had stared too long at the sun. I fumbled for a cigar. "Do you mind if I smoke?"

"Not at all, Paul," she answered in her ^{low} musical voice. "That's if you'll give me a light."

~~My hand shook as I held my light.~~
We smoked in silence for a while. "I guess the first thing I'd better find out," I began, "is whether you plan to stay for the trial--to stay, that is, and help?"

The dark glasses abruptly swept around and bored into my eyes; I could almost see the fluttering of the tremulous lashes, ^{the round staring of those greenish depths.} "Why how can you ask such a thing, Mr. Biegler?" she said. "Whatever made you think I wouldn't ^{stay?}"

Looking into them it was like peering into the depths of the sea.
aquarium
head
how dimly
attractive
a tropical
electric
on fact
there was something steamily tropical about her.
All this was something of a trick for a woman with two of the loveliest shinning eyes I've seen.
She radiated sex.
others
rest

a little giddy

II
C. 16

"Look, Mrs. Manion," I said. "I ask it because ^{as your husband's lawyer} I have to know. You're a key witness in this case, and if you don't plan to stay--stay and help out--
^{I would say} your husband's chances for beating this rap are pretty slim. ^{I figure} They're only about fifty-fifty as it is. And you still haven't answered my question." "I was sorry that I had asked her to cover her eyes. I felt that about now they ^{might} be interesting and revealing to watch. ^{The question is:} "Are you with him or against him?"

~~I have to know."~~ ^{must}
 Laura Manion crushed her ^{manly lit} cigarette out in my ash tray. ~~Her hand shook~~ ^{It was her turn for her} as she found a fresh one and turned toward me for a light. She inhaled the smoke deeply, and held it, and when she exhaled it ^{seemed to her} escaped like a sob.

"Steady, Laura," I said quietly. "One can never tell how a case like this will turn out." I paused, cautiously feeling my way, following my ^{nebulous} hunch. "One can never bank on the result, ^{of a jury trial.} A key witness might go ^{away,} and a man still get off. Or a key witness might stay, and the man still go to prison. One never knows. ^{three things.} I paused again, trying at once to speak ambiguously and still be ^{followed, if I was on the right track.} understood. "One thing seems clear--if a key witness stays and does her part, then whatever happens her conscience is clear and she had nothing--and no one--to fear. If she ^{later has} other plans for her future she can perhaps carry them out ^{later,} then, in other, safer ways."

^{She had listened tensely, she said.} "What did Manny tell you? I don't mean about the case, but about us, about our lives together? ^{about any plans we may have had for the future?}"

"Not a thing, Mrs. Manion; not a hint, not a clue. That I swear."
 "How could you know then--how can you sense--" She broke off and again rubbed out her cigarette and turned and faced me. "Tell me," she said, speaking low-voiced and swiftly, "how could you doubt but what I'd stay and help? Did it seem so ^{so} obvious to you that there was any question that I mightn't? Tell me, please tell me."

II
C 22

Barney tend rather to stamp the act as a deliberate killing done in a fit of murderous retribution and revenge, just as she had predicted? And had she told the police what she had told Barney? Perhaps even more important, had she told Manny what she had told Barney? Had she in effect suggested to her husband that he go out and dispatch the doomed and waiting

II
C.22

Barney? Well, I would shortly find out. *very soon.*

"Laura," I said, seated once again, "did you tell the police about warning Barney that Manny would kill him if--if he 'molested' you, as *our daintier family* ~~daintier~~ *love* the newspapers like to call rape?"

"Yes, yes of course. I told them everything that happened, everything I *could recall* remembered that was said and done. Wasn't that all right?"

"Yes, of course." I proceeded casually. *There was no use, in my scaring her now that the fat was in the fire.* "There was no other course," I said.

"And did you also tell Manny what you'd told Barney?" I held my breath as I awaited her answer.

"Yes, I told him first," she replied. *he was the first one*

My heart sank. This could be a serious development, *in the case,* not only marring the effectiveness before a jury of our claim of insanity but possibly the even more important question of whether a reputable psychiatrist would *now ever* find insanity *at all,* in view of it. Well, I had better get all the bad news at once.

"And did you also tell the police that you had already told Manny?" I asked.

"Yes," she replied, and my spirits sank even lower. "I told Manny about it on the way driving in to the jail. The officers undoubtedly heard me and anyway I told them again later."

My spirits soared and I could almost--but not quite--have hugged her. "You mean," I said, "that the first time you told Manny was after the shooting?--not before?"

II
C. 22

My concern ^{mounting and sudden relief} had been ~~entirely~~ ^{totally} lost on Laura Manion. "Why, yes. I never thought of telling him before," she said. ^{replied easily.} "I guess I was afraid, too, that Manny would do just what he did do. ^{I know the man....} Anyway, things happened so fast...."

'Thank goodness they had,' I thought. I knew from long experience, or more accurately, rather I sensed--for only God ^{ever} never lawyers ^{they} knows what goes on in the minds of jurors, (and jurors ^{they} probably couldn't explain had they wanted)--that smaller things than this could turn the tide in a criminal case; that lawyers could fulminate and wrangle for days, after which judges could ^{patiently} spout logical marvels of law and instructions until they were blue in the face, but that at some nameless, mysterious point in a case some thing ^{often} usually ^{revealing} cropped up, some tiny sliver of fact came out-- frequently something that both lawyers and judges ^{either} had missed or ignored-- that sharply tilted the scales of justice one way or the other. And ^{sometimes} usually kept them ^{tilted.} there. This, I felt, could have been one of those things, particularly ^{had} if the sequence of telling ^{it seemed it was often} had been as I feared. However mystic, ^{about inwardly} it could be as simple as that and I almost ^{signed} signed with relief.

"What were you wearing that night?" I said, veering abruptly away from this troublesome ^{subject} issue. ^{hopeful} "Were you dressed as you are now?" I was somehow hoping she wasn't. ^{hadn't} But then she had ^{already} mentioned ^{wearing} a sweater?

"Well," she said thoughtfully, "I had on a sweater, ^{one} very much like this"--I winced inwardly--"and a skirt and a slip and panties." I rallied a little, feeling I had perhaps split fifty-fifty with the prosecution. Then I stole another look at the sweater and ^{something} concluded that maybe they had ^{-- ah --} still gained somewhat the better half of the bargain.

deep 13 old

seams ^{from} and becoming a snarling jungle. While the law is not perfect, ^{God knows,} no other system has been found for governing men except violence. The law is society's ^{safety valve, its way to social} most painless catharsis; any other way lies anarchy. More precisely, Lieutenant, in your case the law and it alone is ^{all that} what stops Birney Quill's ^{and friends} relatives from charging in here and shooting up every Manion ^{on} sight. It is ^{also} what would also keep the Manions of Dubuque from in turn coming here ^{mortgaged} a-gunning for the Quills, ^{in other words} what keeps the fix you're in from fanning out into a sort of a Upper Peninsula version of Hatfield-McCoy."

I paused, warming to my unfamiliar role as a defender of law. "The law is the busy fireman that puts out ^{society's} brush fires; that gives people a non-physical method to discharge hostile feelings and settle violent differences; that substitutes orderly ritual for the rule of tooth and ^{claw}. The very slowness of ^{the law's} its pace and massive impersonality of the law ^{its progress according to rules} tends to cool and bank the fires of passion ^{and violence} and replace them with order and reason. As someone has well said 'The difference between an alley-fight and a debate is law.'" I paused. ^{What's more,} "All our fine Magna Cartas and constitutions and bills of rights would be nothing but a bunch of archaic and high-flown rhetoric if we could not and did not at all times have the law to buttress them, to interpret them, to breathe meaning and force into them.

Lofty abstractions about individual liberty and justice do not enforce ^{in men's hearts} themselves. ^{They must be reformed every day.} Why, just look, man--just look at Russia. ^{There lives anarchy in a silk hat.} I shook my head.

"In fact, Heaven help us, just look almost anywhere these days. ^{Whisking before a} ^{beated} The midnight knock on the door, the firing squad, the guttural command -- then silence. ^{nothing but} ^{dead} ^{silence...}"

The Lieutenant was smiling. "I didn't know you cared," he said. I hadn't ^{quite} known ^{about it} myself, and I couldn't help smiling. "Having said all that, ^{be of that} it remains to add you're absolutely right on insanity. The present outlook and ritual of the law on legal insanity is almost as primitive and nonsensical

C15ald

The Lieutenant stared at me with a ^{amused} half smile.
"I went on."

"Why, just look, man--just look at Russia, ^{men} There the law has been replaced by a stoic joyless gang of lumpy characters in round hats and floppy pants and double-breasted overcoats, ^e who preemptorily crack down on their Lieutenant's Manions, ^{and everyone,} all in the name of the juggernaut state and, ^{there} ah yes, all 'piz-lovin' pipples.' They are the law. ^{There} You would have 'confessed' joyfully days ago." I shook my head. "In fact, Heaven help us, just look almost anywhere these days. The midnight knock on the door, the whisking before a firing squad, the guttural barked command--then silence, ^{speech} nothing but anonymous dead silence.... ^{even} No one dare ^{That is fatal/proletarian curiosity} even ask what became of you;"

The Lieutenant was smiling, ^{now:} "I didn't know you cared," he said. ^{you are half as eloquent during my trial.} "I only hope

I hadn't quite known ^{how much I scared,} myself, and I couldn't help smiling. "Having said all that, Lieutenant, it remains to be added that you're absolutely right on insanity. The present outlook and ritual of the law on legal insanity is almost as primitive and nonsensical

up to prove fault.

psychiatrist at him and cut him--^{along with} and your insanity defense--to ribbons. ^(Take Insert A)

91 "But ~~how~~ ^{the People} would they know?"

"How would they know what?"

"How would ~~the People~~ ^{they} know ^{whether} we were going to call a doctor or a psychiatrist -- or even that we ~~were~~ ^{are} going to claim insanity at all? ^{so} How could they be prepared to refute it?"

This ~~boy~~ ^{client of mine} was no dummy. ^{I was glad he wasn't lobbying AA at me.} "Because the law says that we must serve notice on the prosecution in advance of the trial of our intention to plead insanity, and at the same time give the names of our witnesses, expert or otherwise. We can't keep it a secret." ^{Surprises no fair, the law says!}

"I didn't know that," ^{the Lieutenant said, a little peevishly, I thought.}

"No, I didn't expect you would. We've had to cover a lot of ground in the last two days and I haven't found time to tell you everything. ^{I'm telling you now.} By the time you get through this case you ^{it's probably} should be able to hang out your shingle."

"Maybe I ^{it} can get to be one of those prison attorneys--stir lawyers, I think they're called."

"Maybe. My ^{only} guaranty in this case is that you won't get more than life. ^{That's the maximum!}

"It's a pretty unscientific thing," my man said thoughtfully. "Pretty damned unscientific."

"What is?"

"This insanity business."

"Why do you say that?"

"Well, we can't prove insanity without a medical expert, you tell me. Yet you and I ^{have} ^{decided I was insane, we} already know that we're going to plead insanity--it's the only legal defense I've got. In other words you a lawyer and I a soldier ^{between us} have/decided I ^{medically and legally} was insane. Now, having decided, ^{that's} we go out and shop around for a medical expert to confirm our settled conclusion. Yet you tell me an ordinary medical doctor won't do." The lieutenant shook his head. "It all sounds damned unscientific to me."

"Don't tell me, Lieutenant, that you ^{and megatons or still} cherish the notion that we live in an age other than black magic? I had higher hopes for you. Aren't you confusing our ^{learning success} advances with gadgets and things with ^{all manner of smattering of} knowledge about the human mind and heart." I'm merely explaining here a small part of the weird alchemy of the law. ^{as it exists, not as it should or might be.}

"I don't get it. ^{It all} sounds a little silly to me. ^{I thought soldiering was}

~~"Nobody gets it. 'The law,' Mr. Buble said, 'is an ass.'"~~ ^{Well, Mr. Buble was}

~~"But supposing our chosen psychiatrist says I'm not nuts? Supposing that, dear Lord?"~~

"In that event we ^{keep shopping around, as you say,} ~~shop~~ around till we find one that does." I shook my head. "You can't ^{really} dream, Lieutenant, how ^{get when it puts its mind to it.} really unscientific the law can actually be. ^{the of the law--} In fact that is part of its charm--it's one of the last of the realms of human endeavor ^{which can itself so perpetuating} still devoted solemnly to hokum and bunk. Men sit around in black robes all the time and ~~insist~~ ^{Some of} incant it from high. The finer lunacies of the law are only a little less absurd, say, than those of diplomacy--or of your own profession. ^{The concept of legal happens to be} ~~The defense of insanity~~ ^{is only one of them.}

"You sound a trifle cynical today, Counsellor. Was the fishing that poor last night?"

"No, Lieutenant, not cynical. Perhaps ^{on this score} I merely see a little more clearly the emperor's new clothes." I sighed. "But when in Rome, you know.... ^{We can't make it go away. So a shopping we must go.} we've still got to shop around for that psychiatrist. I love that word. I can't wait to tell it to Parnell."

The Lieutenant eyed me sharply. "Who ^{is} Parnell?"

"Oh, just an old lawyer friend. My legal whetstone, I call him."

"I see. Where do we--ah--go shopping to find this psychiatrist?"

I thoughtfully lit a cigar. "That may be a real problem," I said. "Either nobody in the Peninsula is insane or else all of us are nuts. In any case ~~the~~

TAKE INSERT

mostly wrong, wild

"Johnny Brown"
 go to University
 as it clings to the good. Insanity is one of them.

Moff

Insert A

[Ch. 10]

You see, psychiatrists are simply a different
breed of cats. For example, when doctors and
lawyers and soldiers and ordinary riffraff
like that go to ~~a~~ burlesque show they go to
watch the girls' titties, but when a psychiatrist
strops to attend ~~the~~ ^a burlesque he goes to watch the
audience. ^{Hell, mom,} You can't pit a mere doctor
against a ~~man~~ monster like that.
Perish the notion."

A psychiatrist is a man
who goes to a burlesque show --
and watches the audience.

Checks max. for 1st +

2nd. murder

It irked me ^{perhaps illogically and surely illogically, for me} unaccountably to hear ^{this} Mister Cool ^{so blithely} undertake to criticize ^{my profession} the law. It was all right if a member of the family did, but a perfect stranger...

"Lieutenant," I said, "the easiest thing in the world is for ^{the layman} a layman to ~~criticize~~ make ^{foke} fun of the law. ~~They~~ ^{He may} collide with one small branch of it, which ~~they~~ he ^{for} understands ^{so} imperfectly; and ^{then he may} remember that Dickens ^{Mr.} through ^{for him} Mister Bumble, once called the law an ass; ^{therefore} so the law is an ass. ^{And he is a critical authority.}"

"But I still don't get it," the Lieutenant said.

"On this score at least, the law looks like an ass."

"Granted,"

"Possibly," I said. "But the point I wish to make ^{is that from that} is ^{to} for you not ^{to proceed} ~~to~~ ^{to} damn all law. You of all men should be grateful that the law exists. It represents your only hope."

"How do you mean?" the Lieutenant said, bristling a little.

"I'll try to tell you," I said.

For a sitting duck and how always from.

it remains only to say
that, I should also ~~add~~ this: You're absolutely right on
insanity. The ~~law~~ present outlook, ^{and ritual → of the law} on legal
insanity is almost as primitive and nonsensical
as when we manacled and tortured our insane.
I agree. It's little short of a ^{grotesque} joke that you and I
should be permitted to in effect decide the grave
social and medical and legal issue -- yes, and
social issue, too -- of whether you were insane at the
time ^{night} you shot Barney Brill.

Insert A

[Ch. 10]

There the law has been replaced by
a gang of ^{stupid} ~~stupid~~ ^{joyless} ~~joyless~~ lumpy ^{round hats and} floppy
pants and double-breasted ^{over} coats, who
peremptorily crack down on their
Lieutenants ^{all} "Mammons in the name of the
^{gingernaut} state and ^{all} ~~as~~ ^{They are the law.}
pig-lovin' pipples. You would have
conferred ^{joyfully} ~~long~~ ^{days} ago." I shook my head
^{joyfully}

seams, from becoming a snarling jungle. While the law is not perfect, God knows, no other system has been found for governing men except violence. The law is society's safety valve, its most painless way to ^{achieve} social catharsis; any other way lies anarchy. More precisely, Lieutenant, in your case the law and it alone is all that stops Barney Quill's relatives from charging in here and ^{seeking out and} shooting up every Manion on sight. It is also what would ~~also~~ ^{heavily} keep the mortgaged Manions of Dubuque from in turn coming a-gunning for the Quills, in other words what keeps the fix you're ^{now} in from ^{possibly} fanning out into a sort of a Upper Peninsula version of Hatfield-McCoy."

I paused, warming to my unfamiliar role as a defender of law. "The law is the busy fireman that puts out society's brush fires; that gives people a non-physical method to discharge hostile feelings and settle violent differences; that substitutes orderly ritual for the rule of tooth and claw. The very slowness of the law, its massive impersonality, its insistence upon proceeding according to ^{settled and} ancient rules--all this tends to cool and bank the fires of passion and violence and replace them with order and reason. ^{That is a tremendous accomplishment in itself, however} As someone has well said, 'The difference between an alley-fight and a debate is law.'" I paused. "What's more, all our fine Magna Cartas and constitutions and bills of rights ^{and all the rest} would be nothing but ~~a bunch of~~ ^{a lot of} archaic and highflown rhetoric if we could not and did not at all times have the law to buttress them, to interpret them, to breathe meaning and force ^{and life} into them. Lofty abstractions about individual liberty and justice do not enforce themselves. ^{These things} They must be reformed in men's hearts every day. ^(Take Insert A) Why, just look, man--just look at Russia, ^{stalled} there lies anarchy in a high silk hat." I ~~shook my head.~~ "In fact, Heaven help us, just look almost anywhere these days. The midnight knock on the door, the whisking before a firing squad, the ^{guttural barked} guttural command--then silence, nothing but anonymous dead silence.... ^{no one dare even} ask what became of you."

The Lieutenant was smiling, "I didn't know you cared," he said.

I hadn't quite known ~~about~~ it myself, and I couldn't help smiling. "Having said all that, Lieutenant, it remains to be added that you're absolutely right on insanity. The present outlook and ritual of the law on legal insanity is almost as primitive and nonsensical

5 1/2

psychiatrists in general practice shun the place. ^{seem to} Our black leather sofas ^{The Perminidas} are ^{seem to be} used ^{solely} for napping or laying ^{steno-graphers}. The only psychiatrists I know about are connected with public institutions of some kind: the veterans' hospital at Iron Mountain, the prison over at Marquette, the insane asylum at Newberry, the various childrens' clinics, that sort of place. All of ~~them~~ are salaried staff men and I'm afraid we can't expect to get ^{any of} them. The People are ^{more} likely to pop up with one of those."

"What do we do, then?"
"We go shopping, my friend."

The lieutenant shrugged. "Well, I suppose ^{if we must} we must. Where do we start?"

"No ⁺ where, Lieutenant--the burning question is: what with? I rather suspect that psychiatrists are no more philanthropic than lawyers. In fact ^{so} less than one ^{happen} I ^{foolish lawyer} seem to know. They'll expect to be ^{no} paid well--and on the line."

"You're making it rather difficult. How can I pay a psychiatrist? You know I'm broke. ^{Hell, man's} I can't even pay you."

"Sometimes, Lieutenant," I said slowly, ^{half smiling,} "you make the thought of getting out of this case awfully attractive--almost more ^{so} than the thought of staying in. Please don't keep tempting me."

"Well, it's the solemn truth. ^{The Lieutenant} I'm broke. If I had the money I'd pay you and get a dozen psychiatrists. ^{He throw out his hands.} "What more can I do?"

^{I spoke not unkindly.} "You can help me, that's all. ^{And} ^{might try helping} just stop feeling so goddamned sorry for yourself and try to help me. ^{you've plenty of time for that in your cell.} God knows I have my own reasons for tangling in

this ~~wild~~ ^{jam} case, and they may be shabby enough. But I'm willing to do it, to roll the spitballs, to wrack my brains, to burn out my guts to ^{trying} try to steer you through this ^{hidemur/caper you've got yourself in to.} maze. But when I tell you that something ^{up} ^{my friend,} must be done I'd sort of

like ^{for} you to try to help me find out how it can be done, ^{and} ^{quite} not so eager to tell ^{or show} me why it can't. ^{Please} ~~Either do that or shut up.~~ "Do you go forward with Bigler?"

The Lieutenant sat biting his lip, ^{flushing} deeply ~~flushed~~. His boiling point was probably no higher than mine, I guessed, but if I was going to be his lawyer without fee I wasn't also going to be his wet nurse. *That was not part of the bargain.*

"There's one other place we could get a psychiatrist," I said. "I was half hoping you might have suggested it."

"Where's that?" the Lieutenant said evenly,

"From the United States Army," I replied.

"I don't know ^{whether} ~~if~~ the Army would."

"I don't know either, but you might tell me where to write. It might be well to pause here and impress you with how serious this thing is. ^{also} *The pause that depresses. One,* Your only legal defense, ~~as I see it,~~ ^{Two, to} is insanity. ^{Three,} To prove it you must have a psychiatrist, ^{Four,} you've simply got to. ^{of} You can't afford a psychiatrist. ^{of} Then we've got to get ^{layhold} one some ^{other} way. ^{Do} you have the ^{picture?}"

"I'll give you ~~the~~ name and address of ~~my commanding officer~~ before ^{you leave,} ~~part,~~" the Lieutenant replied. "Don't let me forget."

"You better do it now. I'm phoning or writing him tonight. ^{For} This, my friend, ^{happens to be} is the heart of your case. ^{so soon} Or have you ^{forgotten my lecture?} ~~on face~~"