

clusters of them
tintinnabulate, thanks
to Mister Poe,

cracked ones were clank and
over,
a
"But what kind of bell -- door,
alarm, clock, telephone, washing-machine --
ah -- Big Ben itself?" himself."

"He can't remember."

"Then what kind of ring, then?"
Bells do lots of things, damn it -- ^{they} clang, ^{they} toll,
they chime, ^{they} peal, ~~they~~ ^{they} bong and -- let's see
now -- ^{something even} toll for me and thee."

several times

"Just a faint ringing," I said,
reaching for my notebook. "I ^{just} wrote down ^{what} ^{you} got
his exact words, ^{at} ^{the} ^{time}. Yes," I asked
him, what ^{sort} of ^{thing} he ring had heard
and his answer was always the same: "I heard
the faint tinkling of a little bell." He kept
^{monotonously repeating} saying that over and over, so I ^{finally} ^{at} ^{last} wrote ditto."

chows
pet ^{ever} ~~Pekingese dogs~~ tumbled.

"Bells were recently added, partner," I
said, "a few thousand years back, give or take
a millennia or two."

you ask him if he'd

"Progress," Jeremiah said, wagging his head. "Did ~~he~~ ever have this kind of memory lapse before?"

"~~He~~ ~~had~~."

"Naturally, and his answer was no," I said. "How ^{much} was he drunk or ^{was} he suffering from epilepsy or somnambulism nor had he had any recent falls or injuries. I asked him just about everything I could think of."

rather to my surprise,

"Do you believe the guy?" Jeremiah asked me.

This was ~~the~~ ^{the} ~~big~~ question I'd scarcely had time to think about, so I now applied myself, and the ~~answer~~ ^{the} came out ~~in~~ ^{with the} answer ~~in~~ ⁱⁿ nothing flat. "Darned if I don't," I said.

old

murder

initial

I recalled the first night
first ^{gail} interview with Randall Kirk and told my
waiting partner that it seemed unlikely ^{smallly} ^{murder} ^{was a}
conque client who couldn't remember his ^{crime}.

"Do you believe the guy?" Jeremiah had
finally asked me after I'd told my ^{story} ^{with} ^{such}
meagre background as I'd ^{learned}.

fatigue stalks

"Damned if I don't," I said, at the time
rather surprising myself.

"Then we take his case and try to find
a ^{possible} defense, right?"

"Right, pard," I said, "but it's getting
late, so let's find it tomorrow."

"Tonight!" Jeremiah said, and ^{so} the
wring fisherman hung his head.
We first explored ^{the} ^{possible} ^{defense} ^{of}
it might fit, ^{but} ^{to} ^{begin} ^{with} ^{something}. And
innocence was a ^{fundamental} ^{defense} ^{because},
when it worked the defendant went ^{scot} ^{free},
^{attached} ^{to} ^{the} ^{state's} ^{successful} ^{plea} ^{of} ^{self-defense} in the
realm of homicide.

no string

"The two defenses differ," Jeremiah
pointed out,

8
"well at least
Michigan, apparently
other way,"
said, "so"

mostly confined to Michigan law,

Chapter 15

The next day we rummaged through
our ^{opinion} modest library, but came up with a
to blank ^{we found}

Tomorrow the courthouse library
remained closed, which raid extended over an
two days almost equally fruitless two days.
About all we came up with was an
old ~~General~~ note in ^{one of} the American Law Reports
to the effect that hypnosis and any evidence
adduced by it was ^{excluded} from all American
courts and a ^{very} ~~few~~ ^{cryptic} ~~mention~~ ^{and citation}
in one of the digests ^{of an old Kentucky case}
that seemed to suggest that ^{some} ~~some~~ ^{committed during}
such a state of ~~slight~~ ^{hypnosis} ~~was~~ ^{was} ~~not~~ ^{not} ~~read~~ ^{read}

the ^{actual} ~~last~~ ^{because} it predated the national reporting
system, so, ^{but} ~~it~~ ^{was} ~~frustrated~~ ^{so} ~~it~~ ^{suggested}
possibly ordering a "photo-copy."

Lawyers, contrary to popular myth, do not
carry learn the law and carry it on their heads

What ^{Library} do we

"What do we read tomorrow, pard?"

I asked.

"We may have to

"No good," Jeremiah said, shaking his head.
"We may have to hunt for hunting further
afeld."

"But why?" I said, thinking of the ^{sunlight} warming
fishing season. ^{and pouring over}

"Because getting one old case, even if it's good,
~~it~~ ^{that} wouldn't tell us if it's still the law or what other
and, never ^{important} cases ^{later} may have cited it." He paused and
blinked, signs of an imminent declamation.

"Because, lawyers, contrary to the popular myth, never
learn the law in the sense of carrying it around
in their heads, like a multiplication table," he went on.

"All we ^{then} ^{when they're together} learn in law school or out, is to
track down ^{the probable} legal issues in a ^{dense jumble} forest of facts
and then ^{to} hit the ^{old} tracks to learn what the law
might be." He sighed. "A lawyer without his
books is like a carpenter without his hammer --

"Where do we go, Mister Socrates?" I said.

Chapter 15

~~to hear~~

"Gentlemen," ~~the~~ Judge Brutherton said after the recess was over, "all day long, now, we've been hearing a lot about hypnosis and memory recall. I would now like, counsel to address themselves to what they conceive to be law applicable to this case." He smiled faintly.

"I have gone over the legal memorandums ~~both of yours~~ ^{have} submitted and they disagree so flatly that I ^{can only} assume you ^{couldn't possibly} have changed them. Here both Eugene Canda and I nodded ^{our} agreement.

"Now I'm hopeful we can end this hearing today so I ask you ^{both of} to be brief." The judge looked at me. "Mr. Ludlow, you ^{now} have the floor. I believe the floor is yours."

"Your Honor," I arose and began,

~~With~~ perhaps the simplest statement I can make about the ^{legal} issues at stake here and the consequent dilemma of the defense can be boiled down to these points: One, that we have learned that there is a growing and respectable body of ^{legal} authority in this country and elsewhere, both statutory and by case law, that unconsciousness can be a ^{total} legal defense to crime.

I paused at and glanced at my notes.

"Second," I went on, "it further appears that in every situation where ^{the defense of} unconsciousness has been pleaded, successfully or otherwise, the defendant has been required to show the nature of his claimed unconsciousness and what induced it. Third, that it appears in this case that the defendant suffers from a state of total amnesia, or loss of memory, ^{not only} about what he did, ^{but} or why he did it, or why he can't recall it."

I again paused to refresh my memory.

"Fourth, we have also learned that amnesia alone, naked and unexplained, is never a defense to crime, ^{whether made} under a plea of ^{special plea of} unconsciousness or otherwise. In fact we ~~have~~ found that in at least one case it ^{wasn't} ^{even} recognized as a valid ground for ~~sustaining~~ ^{postponing} the trial of the case until the accused ^{might} ^{could} recover his memory."

pressed

If after stealing one more unneeded glance at my notes I went on. "Fifth and finally," I said, "We have found respectable ^{legal} authority that, where needed, attempted memory recall, including that induced by hypnosis, is ^{everywhere} considered a vital and necessary step in the ^{Constitutional} right of every criminal defendant to ~~prepare a defense~~ ^{to have a decent chance to} prepare a possible defense.

I looked down at my notes, and turned them over, and looked up at the judge. "Your Honor, ~~because~~ if our law is sound then our dilemma can only be resolved by yourself," I said. "For we have a client whose only possible ^{possible} defense, ^{as far as} amnesia, turns out to be ^{no} ~~no~~ ^{present} defense. It follows, then, that his only ^{possible} chance to build ^{my} defense at all is by recovering that ^{his} lost memory. But another way, for you to deny the prayer of my petition here today would be virtually to ^{judicially} convict my client of murder without giving him his one lone chance of possibly defending ^{himself}." I sat down.

so that he may
"Well, I must say you were mercifully
brief," the judge said, turning to my opponent. "Any
response, Mr. Canda?"

"Yes, Your Honor," Eugene Canda said, ^{already} as he
was rising. "First of all we ^{now} have the ^{admitted} admission of
my opponent that he ^{mainly} wants to recall the memory
of his client & possibly prepare a defense --
this impaired consciousness thing -- that hasn't even
yet been recognized in Michigan, which is an
additional reason for opposing his petition.

Chapter 13

a frantic

had been

During the recess I reviewed some of the law ~~and~~ ~~would~~ found an over case -- unearthed might be ^{a better} ^{word,} for it ~~was~~ more like Credging -- not because I ~~needed~~ felt I needed a refresher, heaven knows, but largely to avoid having to talk with my client and risk a renewal of ~~our~~ hostilities.

Deeblett

"Partner," I said, gluttony breaking the news,
"we've got a case by the tail the like of which
I've never before seen or heard of, in law
school or out."

"Tell me about it," Jeremiah said,
settling back in his chair.

x

that was scarcely the
half of it;

Old Doctor Hugh had not been
exaggerating when he testified that we had
often worked far into the night on our
petition alone. But ~~some~~ our petition was
based upon the ~~same~~ ^{and} ~~was~~ ^{first} ~~had~~
to ~~work~~ ^{struggle} for hours and days with that.
From the moment I ^{realized} that I'd been
retained by a client who couldn't remember his
crime, Jeremiah and I were sure of only one
thing: that we had a case by the tail the like of
which we'd never before seen or heard of, in
law school or out. It ~~all~~ began the ^{very} day Randall
Hick was arrested.

to go fishing --

I found
back

had

I'd played hooky from the office that afternoon -- I guess a cloud passed over -- and didn't check into the office until almost ~~until long past dusk~~ ^{there} ~~to find~~ ^{on my desk} a billboard-sized note ^{signed by} from my wife's partner:

~~hooky~~

"The only good thing about your fishing is that almost surely a ~~st~~ new case ~~that~~ will ^{and need you} pop up while you're gone. Call the goddam jail. ^{calmly} I'll be waiting for you ^{here} later tonight." P.S.

~~To this our thoughtful Monica had appended~~ The net result was that it was almost midnight when, supperless and still in my fishing clothes, I returned to office to find Jeremiah ^{still fuming and} pacing the floor. After I'd ^{supine} calmly calmed him, I told him the story of my jail intermission with

similar
also
state to explain that I'd learned ~~at~~ that he'd
never before had ^{any} ~~such~~ lapse of memory;
that, no, he wasn't drunk; had had no
recent falls or injuries; did not suffer
from epilepsy or somnambulism -- in fact
everything I could ^{possibly} think to ask him to account
for his strange lapse.

"Do you believe the guy?" Jeremiah
abruptly asked me in his ^{usual} ~~usual~~ ^{characteristic} fashion.

I gather that

"You pour a pretty brand of ^{corrosive} vitriol yourself, Doctor," Eugene Cunda said. "Anyway, with Esdail, still another ~~long~~ ^{long} ~~one~~ ^{disciple} of hypnosis, ^{but} ~~not~~ the dust, right?"

~~Before I answer that~~

^{condemning} "Before I answer ^{was saying} that I must straighten you out on one thing, young man" - your ^{stupid} assumption that I feel nothing but scorn and ridicule toward my fellow doctors over ^{you are wrong} this hypnosis thing. I assure you that ^{actually} I have not ^{at all} ~~one~~ ^{felt no} ~~corner~~ ^{compassion} ~~of~~ ^{toward them} ~~my~~ ^{my} ~~own~~ ^{own} ~~compassion~~ ^{compassion} toward them. My feeling being a mixture of puzzlement and ^{considerable} sadness and ^{compassion} toward them but for their ^{plight}.

"Compassion, Doctor? I hadn't noticed."

"Possibly because you haven't listened long enough to find out." He sighed. "Anyway, to answer your question Esdail was only one in a long line of pioneers who braved the ~~the~~ medical establishment of their time."

"Like?"

~~Like~~

"

Chap 11, p 3

Insert

~~we had~~
to the effect

"No, on the burlesque and vaudeville stages, as I just said." He blinked and smiled.

"This ^{is} burlesque and psychologists reminds me of ^{an} old med school job ^{is} that the

undergraduates ^{we} went to ^{the} burlesque to watch the girls ^{and} while the psychologists went to watch the

watchers, ^{audiences}. But all that was only yesterday in the long ^{upstream} history of hypnosis."

"How long back?"

remembering:

found on our case,

Chapter 13

rather unusual

heaven knows,

rather meagre law

During the recess I reviewed some of the ~~subject of today's~~

hearing, not so much because I needed any
refresher course, ^{on it, these days} as to ^{possibly} avoid having
to talk with my client and ^{with} the renewal of

our recent hostilities. And anyway the law of our
case was a ^{indeed} rather large ^{complex} subject
that the judge would ^{doubtless} want to get into before the
day was done, so I'd better be on my toes.

Old Doctor Hugh had ^{not} been

exaggerating when he ^{earlier testified} said, after worked
far into the night on ^{his} petition alone. But even

before that, virtually from the moment I first
realized we ^{possibly} had a client who couldn't
recall his crime, Jeremiah and I ^{were sure of only}

one thing: that we had a case by the tail the likes of which

wid never before seen or heard of, either in

law school or out. And since no lawyer

who ^{aspires} to remain moderately sane can

hope to carry all the law in his head,

Jeremiah and I quickly found ourselves reduced

to ^{calling} wrestling with the fundamentals of criminal
law, much as we had ^{been} obliged to ^{when}

done as ^{first} - year men in law school grappling

with our ^{my} ^{stupid} ^{case} in Freshman Criminal. It all
began that first night, after I'd returned ^{to the office} from my

craving a race of supermen

"Ah, a fellow student of Eliot," Hugh Satter said. "And I love the pun-- ^{specimens} population, babies, whimpers the whimpering of babies." He sighed heavily. "What we are touching on here is perhaps the biggest ^{dilemma} dilemma of the human race. For indeed only a ^{truly} blind elitist could bemoan the saving of all these lives." ~~He~~ ^{He} shook his head. "I mention it here at all only to point out that [now pick up 8C as
"consequent increased"

↑
[This precedes p 8-C]

X

client
~~client~~ I watched with mingled feelings as my
Randall Kirk arose and made his way ~~to~~
to the witness stand with his long-legged
stride, limping only slightly from the knee
injury he'd ~~sustained~~ told me during our
^{upkin} ~~strut~~ told me he'd ^{once} slipped while trying out for
college football, ^{to} ~~then~~ during a cell session
during which

There he was met by the court clerk,
Cloris Trepanier, who ^{had} ~~already had~~ ^{popped up with} ~~one~~ warning
hand upraised, like a traffic cop, to swear in
the approaching witness. Spinning gray-haired,
Cloris was also the county clerk and ^{who} had held
office so long that my partner, Carmelini
Donnell ^{attestated, that, to my knowledge, I maintain} ~~swore~~ had raised ^{political} ~~political~~ ^{importance}
to a form of immortality, all in ^{the area} ~~the area~~ ^{out.}

"You do solemnly swear," he sang with
evangelical fervor, "that you will tell the truth,
the whole truth, and nothing but the truth,
so help you God, ~~and~~, and please ^{set down,} ~~to state.~~"

"I do," my client murmured, sitting in
the witness chair and facing me with an amused
glint in his eyes.

"Your name, please?" I said.

"Randall Kirk," he answered in a low voice.

"Where do you live?"

"In the town of Chippewa, this county," he

X
answered, and again there was the faint smile,
"though I'm presently a guest of the Sheriff here
down at the county seat."

"You mean you are ^{a prisoner} in the county jail
~~here~~ awaiting trial on a charge of murder?" I
said, nettled at his ponderous attempt at
raillery during a hearing so crucial to his case.

"Yes."

"What is your occupation?"

"I guess you'd call me a sort of free-
land writer," he answered, ^{again} smiling. "That and
a dedicated ~~land~~ fisherman."

"Commercial or for fun?" I pressed, already
knowing ^{the path of his previous profession} but wanting to clarify the point.
"Purely for fun."

Chapter 1

Shortly before nine o'clock
the sheriff marched into court
with my client, Randall Kirk,
walking closely behind his
prisoner -- ^{helplessly} conjuring up ~~me~~ a
vision of ^{resolutely gutting!} Broncho ^{avidly}
stalking a babe ^{along} ~~in~~ ^{of} his
old man's -- ^{saw} ~~climber~~ ^{one} hand resting
with casual vigilance on the
butt of his pistol, altogether
creating ^{an impressive picture} ~~an impression~~ ^{of}
of law and order triumphant.

At least he doesn't have the
poor bastard in handcuffs,

4/3/76

(Groucho-strutting

Chapter 10

whispering trio of

at my table by

The lunch hour was over; mostly everyone was back in his place, including the bluff-haired ladies and my client, who once had ^{been} dramatically delivered ~~back~~ ^{by} the sheriff. We wanted only the judge.

"Mrs. Ludlow" I heard my client whispering, ^{at my table} he having lately abandoned calling me ~~by~~ by the more palsy Fritz.

"Yes, Randy?" I whispered back, looking into his ^{darkened} troubled eyes.

"Goddamn" "Do we have to go ahead with this childish nonsense?" he whispered.

"Do I have to threaten to quit your case every time I make ^{a name} someone to help you?"

I whispered ^{honestly} ~~straight that night~~

He blinked and pondered before he replied. ~~Maybe~~ ^{That} ^{you} might be the simplest solution for all concerned, he whispered, ~~back~~ for the first time openly showing a disposition to get me ^{to hell} out of his case -- or was it his ^{his} ^{pair?} ^{if I may coin a new word for the eye,} ^{to the quick,} I sat there debating whether to repack my briefcase and stalk out of the court in -- what's that other wounded-eye phrase? -- oh yes, in a high dudgeon -- which never seem to be median or low.

tell him to go four - utter himself

through the ^{four} ^{tray} ^{sky} ^{light}

solemn
and

fascinating
pragmatic

all deeply
sadly

Instead I sat there trying to fender find
a way to save this ^{of} case from going right
up the ~~block~~. For the truth was, ^{that} we were hooked
by this case -- Jeremiah, ^{the} old Doctor Hugh, as well
as I -- and had ~~so~~ already ^{devoted} ^{more} ^{time}
hours ^{to} and celebration ^{to} ^{of} that any ~~too~~ normal
legal ^{fell} could ^{ever} ^{possibly} ^{be} ^{so} ^{hooked}. A lawyer hooked by his
case was ^{terribly} in a ^{semi} state of ~~semi~~ hypnosis?

"A lawyer deep in his case is like a man
fallen deeply in love," Jeremiah had recently ^{aptly} ^{characterized}
"whether shaving or bathing or ^{simple} ^{living} ^{or} ^{knowing}, in bed or out,
always he is obsessed by his ^{fascinating} ^{goddam} case."

"Randy," I whispered, "let's defer any
decision until after this afternoon session,
I whispered. ^{By} ^{then} I think you'll see ^{that} that what we're
trying for is the only ^{possible} chance you've got -- that's
unless you want to commit ~~to~~ a sort of legal
suicide. What do you say, Randy?"

He sat ^{for} ^{so} ^{long} with his open hands in his lap,
staring ^{near} ^{down} ^{at} ^{his} ^{hands}, ^{and} I wondered whether ^{my}
head ^{had} heard me. "What do you say, Randy?" I
repeated.

The decision was ^{at} ^{last} taken out of our hands
by the dramatic entrance of the judge, robe
billowing and crackling, and in Nathan's flat --
"Hear ye, hear ye, hear ye!" -- my opponent Eugene
Owens and Hugh Salter were locked in their
rhetorical tug-of-war.

¶ But all contempt aside,

surprisingly

gradually

He'd hit first, ^{this} surprised me; then
until I began to see the light.

As I pondered ^{over} this new crisis in
my case I found myself more determined than
ever to stick it out. For the truth was that I
was already deeply hooked by this case, as were
Jeremiah and ^{old} Doctor Hugh. ^{himself} All of us had ~~gone~~
~~to~~ ^{all} ~~it~~ ^{for one thing,} ~~to~~ ^{it} had already devoted far more time
and celebration to it than any normal legal fee
could possibly ^{ever} repay. How could I see this
strange ^{and} fascinating ^{edge} ~~from~~ ^{suddenly disappearing} ~~off into space~~
through the courtroom skylight and soaring off
into space? How could I possibly walk out on ~~the~~
a case that was beginning to haunt ^{even} my dreams?

^{in order}
the better to stimulate

"Doctor,
Are you saying all these survivors
are amnesiacs?"

"Scarcely,
"But that many of them have had
to blot it from their memories is clinically
demonstrable." He paused. "Some ^{reciprocity is in the air,}
word I think you were just groping for war
amnesiacs. Eugene Conde ignored the shaft and pressed on.

war
veterans

"Any other forms of guiltless amnesia?"
"Many. What we used to call shell-
shock is a tragically common example. In our
factual society ^{the war} many of the victims
and witnesses of crime ^{blot the memory.}"

"Any examples?"

"The books and newspapers are full of
them. Police and prosecutors are increasingly
trapped by cases where witnesses cannot
remember either the perpetrators or perpetration
of crimes they obviously saw, since many are
victims."

"In this country, Doctor?" Eugene Conde
suggested, tossing an innocent spitball.

"Possibly not, with such a ^{memorable} memory
provoking young prosecutor as you. But ⁱⁿ ~~elsewhere~~ ^{elsewhere} it's
^{becoming} ^{more} ⁱⁿ ^{blighted} areas that lack
such brilliant ^{prosecutors,} your talents, young men are increasingly
turning to hypnosis to stimulate ^{witnesses} the recall
crimes they ^{either} saw or suffered." He consulted his
notebook. "Why not so long ago I read in

some you will find through a question may return

trained

the TV Guide, of all places, an ^{interesting} ~~interesting~~ article
on the subject increasing ^{retainer of} ~~and~~ ~~reliance~~ ~~use of~~
psychologists by the ~~public~~ ^{frightful} police departments
to stimulate recall in ^{witnesses or victims} ~~the~~

"Name one such place."

(or too many ^{more such things} split infinitives)

solemnly
interested

Author's Note: I wish one footnote & not only to
pledge no more footnotes but to inform the any
reader that this and any further ^{of that} references to
books, articles, laws, statutes, cases and the like,
legal or otherwise, are to actual books, etc. ^{all of} which
can be found listed ^{in order} at the back.

vaguely
searching) if scarcely for divine ^{revelation} ~~intervention~~
I was coming to the hard part and
I paused and ~~then~~ looked up at the
classroom skylight, hoping ~~for~~ ^{for} a ray of inspiration,
if scarcely ~~divine~~ ^{divine} intervention failed me.

studying - I was coming to the ^{hard} part and I
stood ^{looking up at} the classroom skylight, as though
expecting, ~~searching~~ ^{for} if scarcely ~~for~~ ^{for} divine
intervention, ^{for} at least a ray of inspiration.
For it was ~~now~~ ^{the} time to admit that my
wisdom had no practical experience with
memory recall - it would never do to
wait ~~and let the acid~~ ^{and let the acid} ~~acidulous~~ the ~~acid~~
acidulous Eugene Curds, ^{wrongly} bring that out.

"morning now"

other
blinking in recollection. "Then there were
a few women who simply didn't respond
to my attempts to induce hypnosis. -- he
couldn't or wouldn't
I guess: where, as in baseball, you
can't win from all."

"Doctor," I pushed on, "what are the
advantages of using hypnosis rather than
to reduce the pain, rather than ~~other~~ more
familiar means especially in this age of advanced
anesthesia."
in the sense of

of steady
advances in

found out advantage --

old boy, please ~~to~~ ^{bit} suspected

"To get them to talk. And to do this one does not go up to a spy and say, 'Look, Boris, hold still while I hypnotize you.' He looked out at the clock. "But I digress, and what was ^{it} we were ^{just} talking ^{about}?"

"Your failures, and you have ^{just} told me that ^{about} a few ^{who} some women ^{wouldn't} let you try to hypnotize ^{them}. What I am most interested in ^{is} learning of any women you failed to hypnotize though they consented ^{and} cooperated." "Oh, yes."

"There were a few, perhaps less than five, who simply failed to respond to my attempts to induce hypnosis in them. One of these women, ^{I recall, rather sadly,} ^{was} ^{notably} ^{retarded} ^{who} ^{is} ^{generally} ^{regarded} ^{as} ^{particularly} ^{hard} ^{subject} ^{to} ^{hypnotize} - another couldn't speak or understand English, the still another, ^I ^{think,} ^{was} ^{thought} ^{she} ^{was} ⁱⁿ ^{love} ^{with} ^{her} ^{doctor} ^{and} ^{had} ^{to} ^{send} ^{her} ^{where} ^{he} ^{smiled} - "perhaps ^{is} ^a ^{failure} ^{of} ^{technique} ^{or} ^{more} ^a ^{failure} ^{of} ^{of} ^{her} ^{doctor's} ^{skill} ^{than} ^{of} ^{mine} - and at least two cases I simply flubbed, ^{perhaps} all in all, not a bad batting average."

"Doctor, with all the reputed advances in modern anesthesia, what are the advantages ^{are} ^{there} ^{of} ^{any} ⁱⁿ ^{use} ^{there} ⁱⁿ using such a off-beat and controversial technique as hypnosis."

any interest, who get this far
one lone

* AUTHOR'S NOTE: I wish one footnote in order,
first, to ^{pledge} promise no further footnotes and, second, to
inform ^{any} the reader that ^{the above} these and any further
references to books, articles, laws, ^{statutes,} cases and the
like are to ~~act~~ ^{be} legal in a narrow, are
not only ^{and historic} to actual books, etc. ^{and such, which may be found}
found ^{listed and identified in the back.} more particularly ^{developed at the end of the book}

him \rightarrow ^{helplessly} making me think of ^{GROUCHO} Grobbo avidly stalking a
babe in one of his old movies---

Chapter 1

altogether creating

~~stern-faced~~

Shortly before nine o'clock
the sheriff marched into court with
my client, Randall Kisk, walking ever so
closely behind ~~his~~ ~~friends~~, one hand
resting on the butt of his ~~holster~~
pistol, ~~altogether making~~ ~~an~~ ~~impressive~~
~~ambulant and heartwarming~~ ~~tableau~~

a memorably impressive

tableau
spectacle

of law and order triumphant. [Myer take
& hook in the sentence beginning "At least he
doesn't, etc, on next page.]

done in Connie Spurrier you never before
had the slightest lapse of memory? I ^{at least}
must have asked him ^{or someone else} a hundred times.

"None whatever," he had invariably
responded ^{or something akin to it, usually adding:} ~~or something to the same effect,~~ and
that I swear.

Once ^{a brother's} up at the witness stand ^{warning} he was
abruptly halted by Clovis Trepansier, the ^{agent} clerk,
^{Saw} holding up ^{one} a skinny hand like a
ped-off traffic cop, ready to go into his
favourite act: swearing ^{on} the witness.

Some said that Clovis was also the county
clerk, whom some claimed campaigned did
most of his ^{most effective} campaigning in the courtroom. If
^{so} true so, the strategy worked: ^{being} he'd been in office
so long that ^{long as I could remember} his partner Cornelius swore he'd
raised ^{the} the ^{usual} vagaries of political ^{official} ^{formal path} ^{a question}
to a form of immortality.

^{Saw} "You do solemnly swear," he sang
^{underbreathed} out with neck-corded ^{scornful} wavelike fervor, his
voice sounding more like a challenge ^{path} than
questioning, "that you will tell the truth,
the whole truth, and nothing but the
truth, so help you God, ^{pointing} and—"
^{pointing} ^{with} ^{eyes} ^{rolled} ^{back} ^{and} ^{forth} ^{here}

hand of justice about incident
setters seldom have
above them, that's sense
to what alone his hand like a waffle
a halo
clerk,

X

slowly

"The petitioner will call Doctor Hugh Salter," I arose and said for the second time that day, all but ducking my head as awaiting I awaited still another allaying suggestion from my objection by my opponent.

Hugh Salter ^{stiffly} ^{lambly} slowly arose, or rather unbound himself, and made his way up to the witness stand, first through ^{one of the} little mahogany gates, then past the empty jury box, then just beyond the reporter's desk -- ^{where} he met by the ~~county clerk~~ ^{the} shiny ^{abruptly} Clovis Irpannier, who held up his hand like a traffic cop to ~~swear~~ ^{swear} the witness.

"You do solemnly swear," Clovis

^{sang} white-haired Clovis had been ^{social} county clerk almost as long as the "new" courthouse had been built -- "Raising the ~~uncertainties~~ ^{new} of political incumbency to a form of political immortality," Jeremiah had said -- and some ^{claimed} said he did his ^{most effective} ~~main~~ campaigning

electoral

in the courtroom.

in that ^{up} ~~up~~ ^{up} these ¹⁴ chairs! " had ~~totally~~ ^{totally} escaped at the witness ^{box} chair --

"You do solemnly swear," he sang
and with evangelical neck-corded fervor,
"that you will tell the truth, the whole
truth, and nothing but the truth, so
help you God ~~etc~~ -- pointing --" and ^{please} set
downy ~~etc~~. Modulation ~~had~~ was ~~not~~
~~in~~ ~~Clavis's~~ ~~mat~~ ~~and~~ ~~his~~ ~~to~~ ~~the~~
unwary ^{and his movement} ~~his~~ ~~own~~ ~~stated~~ ~~invitation~~ ~~to~~ ~~a~~
witness ^{command} ~~to~~ ~~be~~ ~~seated~~ ~~some~~ ~~part~~ ~~of~~ ~~the~~ ~~oath~~ ~~revised~~
version.

witness
command
witness to be seated

omission
to the started
witness to

an ^{an} ~~integral~~ ^{integral} part of ^{an} ~~official~~ ^{official} ~~of~~ ^{of}
to be seated after ~~some~~ ^{some} ~~part~~ ^{part} of the ~~oath~~ ^{oath} ~~revised~~ ^{revised} ~~version~~ ^{version} itself.

might be called
semi-senile

first

"Ever since I've been in practice," he said.
"In fact my interest began back in medical
school." He smiled. "And now in retirement I'm
still at it."

"What first stimulated your interest,
Doctor?"

"When I learned quite by accident through
some outside reading that the psychologist
William

3/24/76

Chapter 7

The ^{long} low mahogany rail that divided that business area ~~to~~ ~~business area~~ of the court from the area of the court where ~~the~~ ^{its} business was transacted from

The ^{low railing} mahogany ^{really a low mahogany fence} rail that divided the business area of the court from those who ^{observed that summer} ~~met~~ ~~it~~ had ~~little~~ low mahogany swinging ^{gates} at either end. I was going through

^{ornately carved} The ^{long} ^{low railing} ^{really a low rather} mahogany fence, that divided the business area of the court from the rest, of it had a pair of swinging mahogany gates, one at ^{each} ~~either~~ end. As I was ^{going} through the first gate to join my partner and Hugh Salter I was greeted by a familiar voice, the owner of which I'd been avoiding for days.

"Well, well," the young Gazette reporter, Miles Cuppy, was saying, "at last" ~~finally~~ ^{we} caught up with you. Where you been hiding?"
"Hi Miles," I said, shrugging, at last fairly trapped. "Been plenty busy,

some buid said
as you might guess.
lately, ^{and} then took a few days off fishing,
~~staying~~ ^{relaxing} resting up for today. At
least you ^{got} here, which is the main thing,
so you must have ~~got the word~~ ^{heard} somewhere.
Told you. ^{frassled} you the word.

dashing polyester outfit and ^{new} haircut, "thanks
to my new friend here whom I'd like
you to meet."

"Sure thing, Miles," I said, as Miles
turned and motioned to a ^{distinguished, looking man, a} stranger sitting in
the second row, who arose and came forward.

"Mr. Ludlow," ~~met~~

"Frederic Ludlow, met."

"Jason Spurrer," Miles said,
"met Frederic Ludlow."

"I enjoyed your spirited argument,"
Jason Spurrer said as we shook hands, "and
wish you luck in repairing recalling poor
Randy's lost memory."

"Thank you," I said, appraising, sizing
up Connie's distinguished-looking bearded
late husband, who bore a ^{striking} resemblance
to a ^{rough} boyhood model, ^{with} of mine. Delolphe
Meyou, even to the ^{pointed} mustache, and
wavy ^{thatch} of ^{iron} gray hair that looked less combed
than ^{scattered} ^{than} combed. "But first I got to ^{run} the ^{first} round."

one whose sophisticated had
filled me with envy,
superior

"It'll be interesting to watch," he said.

"I suppose Pardy told you about today's hearing?" I said, ^{mean} curious to learn how he knew.

"Oh yes," he said, ^{and so I told} ~~passed the word~~ ^{to an young} ^{friend} ^{here,} Mills, ^{who} ^{is} ^{sure} ^{wouldn't} ^{want} ^{to} ^{miss} ^{such} ^{an} ^{absorbing} ^{legal} ^{courtroom} ^{drama}. Ah, I see that Pardy's back, so I suppose it's ^{back} ^{to} ^{work} ^{for} ^{you}. ^{Good} ^{to} ^{meet} ^{you}, Tom Ludlow, and again, ^{good} ^{luck}.

"Thank you," I said, ^{and} ^{see} ^{you} ^{later}, Mills, and ^I ^{hope} ^{next} ^{time} ^{I'm} ^{not} ^{so} ^{hard} ^{to} ^{find} ^{next} ^{time}."

"I'll set out snares," Mills said, as I moved ~~away~~ ^{on} ^{to} ^{join} ^{my} ^{friends}.

"Mie going, boy," Jeremiah said ^{and} ^{smiled} ^{down} between them. "I especially loved your bit of duggel. Stealing me thunder, now, lad."

"Thanks," I said. ~~"Just met Jason Spurrer, and I told~~

~~Nugh Salter,~~ ^{leisurely} ^{long} ^{uncrossed} ^{his} ^{legs} ^{and} ^{recurled} ^{them} ^{on} ^{the} ^{other} ^{side}. "Glad you got the part in about the harm that too much hassling might do to ^{ultimate} ^{memory} ^{recall}," he said.

^{almost} ^I ^{pondered} ^{lifting} ^{it} ^{out}, ^I ^{said}, ["] ^{too} ^{that} ^I ^{wasn't} ^{going} ^{to} ^{bring} ^{it} ^{out} - ^{hassling} ^{himself}. ^{But} ^I ^{changed} ^{my} ^{mind}

feeling that I might have enough without your also

I realized that Eugene would, ^{merrily} hassle away ~~whether~~
~~to~~ ~~no~~ anyway, and I also wanted ~~to~~ to plant the
fear ~~seed~~ in the judge's mind that an adverse ruling
might ruin any chance at memory recall.

~~Without~~ the newspaper had introduced ^{guys?}
Jeremiah nodded to our left. "Whos
the distinguished-looking dude you just ~~saw~~?
Reminds me of that ^{suave} old movie actor, I forget his
name.

"Adolph Menjou," I said.
"That's him! Who's the guy?"
"Jason Spivack," I said, and I related our
brief exchange. "By the way," I continued, "when and
with whom did ~~he~~ ^{the old boy} arrive."

"Right after the back-up with the
newspaper lad. Maybe he also tipped
off Viola ^{the} Aphrodite -- she's sitting alone in the
very back row."

I wheeled around etc

back on the euphemism.

"How long has it been going on?" I said.
"Intermittently ever since we were in college," he said, ^{slowly} "still looking away." Then she married Dick Blair and we saw little of each other until they broke up, when we became intimate again. He paused, searching for words.

"Intimate again?" I suggested.
"Thank you," he said, giving me a grateful smile.

"Then what?"

~~He seemed to be recollecting~~ continued to speak slowly, like a man searching ^{for} his ~~own past~~ in order to compose ^{a brief} ~~a brief~~ autobiographical sketch note.

moving back to the context referring

"I do," ^{map of} my client ^{shuddering} murmured, ^{quadranting in one} facing me from the witness chair and trying not to smile, brushing his dark thick hair out of his eyes.

"Your name please?" I inquired.

"Randall Kirk," he answered in his characteristic low, ^{same} pitched voice.

"Where do you live?"

"Well, I usually winter elsewhere but since I own a cottage ^{the town of} in Chippewa, and ^{and} vote and pay taxes in the place, I'd guess the answer is, ^{the town of} Chippewa, ^{west of here,} although" -- he paused, and glared up at the judge -- "I've lately been a house guest of your hospitable Sheriff down here at the county seat."

^{all but} ^{about} ^{heard,} At this Sheriff Wallington beamed and sat ^{settling} back with folded arms, ^{factually and carefully} a close student, I began to ^{draw - acting} of all ^{draw} draw myself.

② ③
"You mean you are presently an inmate in the county jail awaiting trial on a charge of first degree murder?" I quickly said, nettled at his ponderous attempt at raillery ^{in a} during a crucial hearing ^{pretrial} hearing in a ^{case} case involving his alleged murder of a woman ^{with} whom he ^{kept} kept telling me he'd many times told me he was deeply in love.

voice, ^{blown-off,} ^{some substance,}
"Yes," he answered ^{in a flat,} ^{stuffy,} and I guessed
I'd gotten him off his raffery kick by the sudden
flash ^{sudden look} ^{in his eyes} ^{of} ^{trapped} ^{pain} ⁱⁿ ^{his} ^{eyes}.

"What is your occupation?" I pressed on.

"Well, I guess you'd call me a sort of
free-lance writer," he answered, again ^{faintly}
smiling faintly. "Also a bit of an unpublished
poet."

~~"Anything else?"~~

"What's your specialty?" nature and the

a thing
"Well, I usually write about outdoors," he
said. He ^{momentarily} ^{paused} and then added, ^{rather} ^{diffidently}:
"While awaiting trial I've been working on ~~the~~
an article about the endangering of our
greatest inland sea, Lake Superior, by an
awesome and apparently unstoppable industrial
pollution." He ^{paused} and took a deep breath.

~~"Anything else?"~~

"You see," he went on, "I can see the lake ^{clearly}
from ^{my} ^{cell} ^{window}, and what's happening to it, and our
helplessness ^{to} ^{stop} ^{it},
sometimes ~~so~~ oppresses me, I can't ~~see~~ sleep."

The judge stirred restlessly, ^{frustratedly}
hefting his gavel, and I took the hint and, ^{quickly}
turning ^{my} ^{back} ^{on} ^{the} ^{beam}.

"Did you know Constance Spurrer during her lifetime?" I asked.

"Yes," he answered softly.

"How long?"

"Ever since we were ^{small} children," he went on in a kind of ^{flat} monotone. "My family's cottage

with admirable ^{immovable} sarcasm,
2

"Just one moment, please," Eugene Conda said, rising from his table.

"Yes?" the judge said, peering down over the tops of his glasses, trying to hide his annoyance over any ~~further~~ delay in the proceedings. ^{strategy} ~~procedure or~~

"Far be it from me to suggest ^{either} attempt to teach ~~any~~ ~~department~~ ~~to~~ my crafty opponent," Eugene Conda, ~~had~~ said, glancing over at me, whereupon I made a little bow, "but it does seem elementary that in any proceeding aimed at stimulating the ^{allegedly lapsed} memory of ~~an~~ ~~accused~~ a man accused of murder, some ~~proof~~ ^{in fact} should be adduced that he ^{has} ~~lost~~ it."

"What are you driving at?"

the judge said

that ^{strikes me,} "Simply this, Your Honor: that if the accused, ~~Handley~~ ^{Handley} Randall Kirby ^{rather obviously} ~~be~~ ^{is} called, as ^{ought to be} the first witness."

"^{Mr.?} ^{thoughtfully} the judge said, rubbing his chin ^{with his} cupped fingers. "What do you say, Mr. Judlow?"

At this juncture the main ^{carroom} door breathed open and a tall woman wearing dark glasses and a kind of ^{with} ^{placid} berchief hurriedly ^{hurriedly} tied over her hair swept in and, pausing a moment, took the first seat available, like a flustered parishioner late for mass.

"Mr. Judlow?" the judge repeated.

Again the same carroom door pushed open and in walked Jason Spurrin, the bereaved husband of Constance Spurrin, sweeping off his dark beret and exposing his carefully-combed silvery ^{yellow} locks, hair so exquisitely tinted that, reversing the usual ad, it seemed to have been ~~that~~ ^{carefully} dyed that way.

Jason Spurrin also ~~he~~ made as though to sit next to the berchiefed woman,

who tossed her head and ^{angrily} turned away,
whereupon he moved rapidly to the ^{back} of the courtroom and sat ^{quietly} on the
rearmost tier of ^{full} ~~state~~ mahogany benches,
"Mr. Tullow?" the judge once
again wearily repeated.

"Your Honor," I said, rising,
"I did not call my accused client,
Randall Kirby as my first witness
because I do not intend to call him
at all. ~~because~~ The fact that he is ^{present} at
all today is ^{by} ~~my~~ pure chance; I
happened to mention this hearing to him
^{at} ~~at~~ noon and he said he'd like to attend."

"The court craves more
enlightenment," the judge prodded me
"What are you driving at?"

"Just this," I went on. "This hearing
arises not on Randall Kirby's petition but
on mine, his distracted lawyer trying
to get out from
front of them."

his witness Crown hardly visible over the tall backs of the benches of the courtroom

he has
to prepare his case for trial. The
issue is not whether he has truly
forgotten what occurred on the fatal
night but what ~~he~~ ^{he} told his
lawyer and the latter's ^{consequence} flight.

"Am," the judge repeated, looking
at the prosecutor. "What do you say,
Mr. Conda?"

by his lawyer to have
"I still think the man whom we
are told claims ~~to~~ ^{is} forgotten everything
should ^{at least} ~~show~~ ^{state} that claim in open
court and ~~the~~ ^{the} subject ^{to} cross-examination."

"I can only add, Your Honor,
that the truth or falsity of my
client's claimed loss of memory
cannot be decided here, even if he now
took the stand and ^{on} ~~swore~~ ^{an} a dozen oaths," I said. "That
material ^{in question} can only be decided at a trial by a
jury of his peers," I went on. "Moreover,
a further reason I do not wish my
client to take the stand is because Doctor
Salter, my ~~expert~~ ^{main} witness here, has

proceeds

stratagem

Moreover, ^{it} might be learned.

"Any such police statement could not replace sworn testimony," he said. "Anyway I submit that this flamboyant challenge is simply a device ^{by counsel} to learn in advance precisely what his client may have told the police."

Sworn statement proceeds from

^{police} the ^{statement} ^{reply} to Challenge revised, I said. Let's If I'm wrong ^{to} I challenge my opponent to show his honor ~~the statement~~ so that I'll remain ~~to~~ ~~more~~ ~~the~~ ~~wise~~ ~~nicely~~ in the dark.

Mr. — ?

I'd sting the young prosecutor who was flushed to the roots of his curly red hair. "The prosecution prefers to ~~produce~~ ^{offer} ~~introduce~~ evidence of what the defendant may or may not have told the police only in due course at the trial," he said. "In any case I submit that any police statement, pro or con, could not replace the defendant's sworn testimony concerning his claimed loss of memory."

The judge

We were wearing the judge down and he bowed a sigh before he spoke. "Anything else from either of you?" he said

^{flushed} A Eugene Conda ^{leapt to} on his feet and all ^{shouting} but dancing, "Your Honor, Your Honor," a flushed and damn Eugene Conda was on his feet all but shouting, "I resent the ^{void} ^{implication} that if I do not let my opponent have his way here today my bad ~~very sensitive~~ ^{permitted} ~~additional~~ ^{additional} taste in dancing to ~~prohibit~~ ^{to} what he wants him furnishes additional ^{grounds} ~~grounds~~ why his client should not be called to verify his claimed loss of memory. Moreover, since he will ^{apparently} ~~be~~ ^{appear} ~~to~~ ^{appear} to witness ^{whatever} ~~any~~ ^{hassle} that ~~arises~~ ^{if I may} -- to borrow my opponent's elegant word for ^{such} ~~an~~ ^{extremum} ~~debate~~ -- I cannot see what ~~difference~~ ^{additional} ~~additional~~ ^{harm} there can be in his ~~difference~~ ^{it} ~~making~~ ^{if} he witnesses that ~~hassle~~ ^{from} his table on the witness chair, ^{if I don't call him}

Eugene Conda had now struck me and I did a little dance of my own. "The difference would be that you ^{would} ~~would~~ not be able to work him over," I shouted across at him. "Furthermore, for ^{hundred} ^{reasons} I didn't really want my client ^{to} ~~to~~ be present ^{at all} ~~at all~~ here today, on ^{the} ~~the~~ advice of Doctor Satter, and he is ^{present} ~~here~~ here at all only at his own insistence." I pained, breathing hard,

(here ^{with} ^{panicle} ~~panicle~~ ^{grinning} ~~grinning~~ cynicism about ^{hyman} ~~hyman~~.)

here today

Eugene Canda was on his feet, blushed and dancing like a gamecock. "I resent the implication that if I do not let the petitioner have his way, that my ^{very} assistance furnishes ^{an} grounds ^{plus} at additional reason why his client need not be called to clarify his claimed loss of memory, which is the heart of this whole hearing."

"Gentlemen, gentlemen," the judge said, wearily holding up his hand. "This ~~child's~~ wrangling will get us no where. I will that ~~the~~ calling the defendant as ~~the~~ first a witness is not necessary at this juncture but ~~and~~ I reserve ^{my} ruling on whether he need be called ^{at all}, depending upon further developments. Call your first witness, Mr. Tuddan."

^{arrangement to the world:}
^{and then}
"Doctor Hugo Selter" I arose and repeated, when I felt a ^{persistent} tugging at my jacket and ~~heard~~ heard the voice of my client. "But I want to ~~testify~~ tell my story and I want to tell it first," he ^{in a loud voice.} was saying. "I have nothing to hide."

^{helplessly} sort ^{was asking}
I looked around at Doc Sutter and
my partner Cornelius and they both
seemed to emanate a fatalistic shrug, so
I gave an inward shrug myself and
abruptly decided to give my unpredictable client
his head, even ^{at the risk of gutting} ~~if it gutted~~ his case.
After all, the man had asked for it.

Correction.

"Petitioner will ^{instead} call the
defendant, Randall Kirk." I called out
loud and clear, but sweetly stung to the
quick that my unpredictable client had crossed
me up in our first courtroom appearance.

Insert (2)

Moreover, I thought to myself but did not say, I've had a hard enough time selling my client on the notion of using hypnosis at all to try to stimulate his memory, a subject which he seems to equate with black magic and table rapping and ^{an} involvement to the phases of the moon.

Instead I gave Eugene Canada a smiling glance. "That a mighty hassle lies in store for us," ^{I said,} my esteemed colleague has already richly demonstrated by his caustic ~~and~~ answer to my petition." Well.

witness

I watched Randall Kirk walk up to the stand with mangled emotions, as the saying goes; watching his negligent, long-legged ~~street~~ fisherman's stride -- he ~~looked~~ ^{seemed} as far gone on the ~~heavy~~ ^{rough} sport as I was -- ~~noticing~~ ^{noticing} that he ~~still~~ ^{was} wearing the ~~same~~ ^{same} clothing ~~clothes~~ ^{had on} ~~him~~ ^{and all subsequent} ~~during~~ ^{days} ~~our~~ ^{first} ~~interviewing~~ ^{interviewing} ~~after~~ ^{after} ~~his~~ ^{his} ~~arrest~~ -- a light-weight turtle-neck sweater over under a ~~equally~~ ^{light-} ~~weight~~ ^{weight} ~~casual~~ ^{casual} cardigan, a pair of ~~soddy~~ ^{soddy} ~~short~~ ^{short} ~~trousers~~ ^{trousers} and a ~~worn~~ ^{worn} pair of what I ~~thought~~ ^{guessed} ~~to be~~ ^{to be} tennis shoes, but which now ~~seemed~~ ^{seemed} to be ~~nothing~~ ^{nothing} ~~like~~ ^{like} ~~that~~ ^{that}. And for the first time I noticed that he walked with a slight limp, a ~~slight~~ ^{slight} ~~hangover~~ ^{hangover}, from an old injury ~~he~~ ^{he} ~~sustained~~ ^{sustained} while trying out ~~for~~ ^{for} college football. I had dredged ~~up~~ ^{up} ~~the~~ ^{the} ~~fact~~ ^{fact} ~~that~~ ^{that} ~~he~~ ^{he} ~~had~~ ^{had} ~~any~~ ^{any} ~~past~~ ^{past} ~~physical~~ ^{physical} ~~trauma~~ ^{trauma} ~~that~~ ^{that} ~~might~~ ^{might} ~~have~~ ^{have} ~~accounted~~ ^{accounted} ~~for~~ ^{for} ~~his~~ ^{his} ~~claim~~ ^{claim} ~~of~~ ^{of} ~~memory~~ ^{memory} ~~that~~ ^{that} ~~was~~ ^{was} ~~over~~ ^{over} ~~ten~~ ^{ten} ~~years~~ ^{years} ~~ago~~ ^{ago}, he ~~had~~ ^{had} ~~assured~~ ^{assured} ~~me~~ ^{me} ~~many~~ ^{many} ~~times~~ ^{times}.

I guessed,

of the fatal night of the alleged murder.
 "You mean that before that fatal night you are supposed to have

even though you should ultimately rule with ~~me~~ me.

~~further~~

warned me that for my client to be subjected to a public hassle over ^{the} ~~the~~ question of his loss of memory and on the ~~subject of~~ ~~claimed~~ utility of hypnosis to stimulate ~~to~~ recall might quill the whole effort. In fact, ^{here today} Doctor Satter had his way ^{not} my client would ^{not} even be present. "I glanced at Eugene Conda a smiling glance." And that a mighty ^{rolled} ~~hassle~~ ^{was} in store my esteemed colleague has already ^{word} ~~readily~~ promised us by his ^{word} answer to my petition."

Add Condy's objection

"Both Terse and acid" I had told my partner Cornelius ^{at once} ~~at once~~ when he ^{replied} ~~replied~~ our copy of his Eugene's answer in the ^{morning} ~~mail~~.

"One night even ^{long-suffering} ~~at~~ bath and vinegar," Cornelius ^{that agreed,} ~~said,~~ ^{after it hid} ~~working~~ ^{at} ~~an~~ ^{secretary,} ~~Monica~~ ^{Monica} ~~Donald,~~ ^{who} ~~pushed~~ ^{and} ~~pressed~~ ^{her} ~~lips~~ ^{and} ~~shook~~ ^{her} ~~head.~~ ^{predictably} ~~folded~~ ^{her} ~~lips~~ ^{and} ~~closed~~ ^{her} ~~eyes~~ ^{and} ~~shook~~ ^{her} ~~head,~~ ^{at the whole} ~~blushing~~ ^{prettily} ~~and~~ ^{she} ~~depended~~ ^{on} ~~her~~ ^{entirely} ~~entirely~~ ^{outraged}.

I said. "The sheriff bars my psychiatrists so I
file a petition. Must I call my client to the stand
to ^{bring} ~~bring~~ ^{own} ~~own~~ "insanity" ^{from his jail}"

"Moreover the illustrators counsel
quies are ^{traditionally} accepted in the law --
~~whom~~ interpreters, psychiatrists and the like --
whereas we say and are prepared to prove that
the use of hypnotism in ^{your} courts is ---

^(Insert statement)
Yes, Your Honor, I said.

Also over the wrangle
also over the utility of hypnosis to ^{regain it} ~~help~~ ~~recall~~, it
could prejudice or ruin any chance of success
might thereby be prejudiced or ^{ultimately} ruined, even though
Your Honor should ^{ultimately} rule to let the doctor try. I
I ~~glanced~~ glanced over at Eugene Conda. "And that
such a ^{wrong} ~~travelling~~ ^{does} ~~kind~~ in store ~~on both~~. I think Your
Honor can ^{rightly} deduce from ^{the sweeping nature of} my ~~opponents~~
answer which you ^{have} just quoted."

one of communication:

outside

here today is the dilemma of a lawyer preparing his case who says he needs ^{in order possibly} help to communicate with his client which the sheriff refuses. Let me ^{illustrate} give an example. Suppose my client spoke only Chinese and the sheriff ^{had} refused to allow me to be accompanied by a Chinese interpreter ~~whom~~ I visited the jail so that I might ~~communicate~~ could talk with him? ~~would not the~~

"Mr. Landa?" the judge said.

~~first, he required~~ On a similar petition would I ~~first~~ be required to produce my Chinese-speaking client to prove that he ~~could not~~ cannot speak English ~~and~~ ^{the point is not whether or not he can or cannot speak English} ~~and~~ ^{that he cannot or will not communicate in English} with his lawyer, who ^{needs and} ~~needs~~ help to communicate with him in the ^{only} way he can."

"Mr. Landa," the judge said, ^{showing a growing} ~~in his~~ ^{certain} ~~voice~~ ^{growing} ~~uneasiness.~~

"The ~~example~~ ~~doesn't~~ ~~fit~~ analogy is false and begs the question for it would be obvious that a Chinese-speaking defendant would ^{probably} need an interpreter to communicate with his lawyer which here the rationale of ~~admitted doctor~~ admitting doctor Galter into the jail is to stimulate an alleged loss of memory that hasn't been shown."

"I'll change it to ^{plain} ~~explicit~~ ^{of insanity,} then."

regard him as a
necessary witness and
therefore do not

"The reason I did not call the
defendant in this case as my first witness, Your
Honor," I said, "is because I do not intend to
call him at all."

"Please elucidate," the judge said.
"Very well," I said. "This hearing arises
not on the petition of Randall Herb but on the
part of his me, his lawyer, trying to prepare
his defense. The question is not whether or not
my client has truly forgotten what occurred on
the fatal night but what he has told ~~the~~ ^{the} lawyers
trying to prepare for trial."

"What do you say, Mr. Conda?" the
judge said.

"I still think the man whom we are
told by his attorney claims to have forgotten
everything should be required to share that
secret here ^{in open court} under oath and subject himself to
cross-examination." game of

This legal ping-pong was wearing
down the judge so he simply looked at me
and nodded.

"The truth or falsity of my clients'
claimed loss of memory cannot be decided
here even if he were called and ^{sworn and fully} supported
the claim of my petition a dozen times," I said.
"That question can only be decided at his trial by
a jury of his peers. Look, the problem presented

her pale ^{suddenly} face reddening ~~and glowing~~
she blushed like a teen-age girl, at the same time

"You men!" murmured our long-

suffering secretary, Monica Moynihan, her usually pale, tiredly beautiful, intellectual Irish features ~~rose suddenly~~ flushed like a teen-aged girl as she patiently waited for us to get on with the morning's dictation.

die →

blushing the pink and red toward the cheeks for wear from the sun

it is ^{in my case} unnecessary because

"A further reason not to call my client is that both the prosecutor and ^{and have known from the start} client sheriff already know of my client's claimed loss of memory, and

"What do you mean?" the judge asked me sharply.

"~~That~~ I mean that ~~the~~ my client told the police shortly after his arrest of his total lack of recall of the crucial events and ^{later} signed a ^{formal} police statement ~~to~~ to that effect." I paused. "I naturally haven't ^{nor do I} seen that statement ^{or know all its contents} but if I have mis spoken on this score I challenge my opponent to show I am wrong. In fact I will call my client to the stand if I am wrong."

X
from which strong escape.
Andri's tried to

who was and had for
many years been the

Sitting by herself in the last row
of benches, virtually under the ^{great} lantern
clock stuck high on the rear wall,
recognized Viola Aholm, ~~former~~ the housekeeper
of the ~~deceased~~ ^{the woman} Constance Spurrer, ~~at the~~ time of her death.
Though I had ~~not~~ ^{not} seen her ~~but~~ ^{but} once ~~before~~
at the preliminary examination in district
court when my client had been handed over to
face trial for murder -- her face was
unforgettable: ~~dark~~ ^{piercing} dark eyes
~~and~~ ^{and} ~~sharp~~ ^{sharp} nose ~~and~~ ^{and} ~~small~~ ^{small} mouth
~~and~~ ^{and} ~~dark~~ ^{dark} hair ~~and~~ ^{and} ~~metallic~~ ^{metallic}

when she

hatched

the time of her death.

and ~~was~~ ^{was} ~~mounted~~ ^{mounted} by ~~an~~ ^{an} ~~iron~~ ^{iron} ~~gray~~ ^{gray} ~~coat~~ ^{coat} of
hair a ~~thickly~~ ^{thickly} ~~coiled~~ ^{coiled} braid of metallic-
gray hair wound ~~securely~~ ^{securely} tightly around
her head. Jeremiah had a more accurate
description for her. "Reminds me of the
Barrymores - ~~as~~ ^{as} ~~propelled~~ ^{propelled} ~~from~~ ^{from}
whatever angle."

for ~~the~~ ^{my} hearing

I was ~~vaguely~~ ^{vaguely} speculating vaguely
what ~~had~~ ^{might have} brought her out today when I heard
the judge speaking, so I quickly faced front
~~ready~~ ^{ready} to continue the fray. It was a false
alarm; ~~and~~ ^{and} instead, in an aggrieved voice,
His Honor was addressing the sheriff.

watching

mechanistic

We were wearing down the judge and as he kept looking back and forth, first at this one, then at that one, back and forth, I thought of the robot head-wagging of a crowd at a ^{tennis} tennis match. "Mr. Ludlow?" he ~~managed to~~ murmured.

"The truth or falsity of my clients' claimed loss of memory cannot be decided here," I said, "even if he were sworn and claimed ~~it~~ a dozen times. That interesting question can only be resolved at his trial by a jury of his peers. Look, the problem ~~here~~ presented here is essentially one of ~~making~~ ~~making~~ a ~~communication~~ communication: resolving the dilemma of a lawyer who says he needs help to communicate with his client ~~and~~ which ^{help} the sheriff won't admit to his jail.

For example --

"Oanda,"
"Mr. Prosecutor," the judge said,

~~from~~ lobbing the ball into the prosecutor's court.

to bring in
outside
and

deliberately

^{old and simplest}
"The reason I did not call my client as my first witness, Your Honor," I said, "is because I do not plan to call him ~~as a witness at all.~~"

delayed

"Please elucidate," the judge said ^{with a resigned look}, ^{increasingly} ~~surely~~ ^{more} ~~that~~ ^{getting} ~~an hearing was up with~~ ^{more of a} ~~harrangue~~ ^{than a bang.}

"Very well," I said. "This hearing arises not on the petition of Randall Kirk but on that of his lawyer, ^{who} trying to prepare a defense by improving the communication with that client. The question at issue is not whether my client has truly forgotten what occurred on the fatal night but what he has told and failed to tell his lawyer, trying to prepare for trial."

both

"Mr. Canda?" ^{waiting} the judge said, ^{turning and looking at} ~~passing the baton to~~ the prosecution.

"I still insist, Your Honor, that the man whom we are merely told by his attorney ^{that he} claims to have forgotten his crime should be required to share that secret with us here in open court, under oath, and subject himself to cross-examination."

X
"Mr. Ludlow?" the judge said, looking back at me.

"The truth or falsity of my clients' claimed loss ^{of memory} cannot be decided here today," I said, "we'll be sworn and so claim a dozen times. That ^{question} can only be resolved by a jury at his trial."

The basic problem here is ~~the plight of~~ ^{establishing} one of ~~establishing~~ ^{that} communication and helping to solve the dilemma of an officer of the court -- as all us lawyers are -- who by ^{his} petition to ~~the presiding judge~~ ^{your honor} says he needs outside help in order ~~to~~ ^{to} ~~gain~~ ^{to} gain admission to the county jail the outside help he says he needs ^{in order} to communicate with his client

did the work for / worked for and
"You men!" murmured

the
"You men!" murmured our long-
suffering secretary, Manica Moynihan, ^{with her} ~~she had~~
~~the~~ tired, beautiful, intellectual Irish look,
who patiently put us with the antics and dictation
bath of us, now blushing like a teen-age
girl, and ^{as she} nibbling at ^{the} stenographer's
pencil, waiting for the morning bit of banter
to go away so that we might get on with our
dictation.

nibbled

the butt of

Chapter 1

holstered
gleaming

Shortly before nine o'clock
the sheriff marched into court with
my client, Randall Kirk, walking
close behind his prisoners, ^{one} hand resting
casually ~~resting~~ on his pistol, ^{creating} a
heartwarming spectacle of law and
order triumphant. [Bernie: Here follow a
hook in sentence, no H, that begins: At least
he doesn't... etc etc]

still have any say in choosing, most
~~species of~~

voters → All of which, I reflected, tended to confirm a recently-proclaimed theory of my ever-scoping law partner, Jeremiah Dundee. "Though sheriffs are just about the only cops left that the people get to elect, most of this vanishing breed seem to get picked themselves more for their (guy resemblance to ~~that~~ ^{that} Matt Wilson on TV than for ^{possessing} even the slightest aptitude for law enforcement." He shook his head ~~matter of~~ ^{matter of} combined altitude and avordupois, damned if it aint."

~~It's become~~
~~purely a~~

"Amen," I had said. "That and for ^{holding} the highest bowling average."

→ "getting elected sheriffs
become strictly a matter of which character ^{possesses} the best combination of altitude and avordupois, damned if it aint."

boasting
owning → "Amen," I had said. "That and for ^{holding} the highest bowling average."

while I was ^{cut west skins,} ~~away~~

We sat blinking ^{into} thoughtfully, like a man searching his past so that he might get down a ^{usable but} not too sensational autobiographical note.

"Then what?" I repeated.

"Then two ^{writers} summers ago Connie ^{impulsive} took her ^{suddenly} left on a Caribbean cruise." He paused and took a deep breath. "It was sort of tacitly understood that we'd probably ^{get} married the following summer. Again, the pauses and sighing intake of breath. "Instead she came home with a new husband, Jason Spurrin."

"And you and she resumed your relationship?" I ~~for~~ inquired, tactfully prodding him.

"Not right away."

"When then?"

"When their marriage started to cool. About ~~the~~ midsummer ~~at~~, I'd say, ~~for~~ just about a year ago."

"But how did you and she manage with ~~the~~ her husband around, however cool their marriage?"

He smiled ~~sort of~~ ^{rather} shamefacedly, and half shrugged. "He was often away and even when he ~~was~~ around was usually ^{sent} fishing."

"Ah, a fellow fisherman? ~~Funny~~ ^{funny} I haven't run across him on a stream."

"Well, he usually fishes ^{his own} a private stretch ^{of river} ~~of the~~ Yellow Dog, ^{where} he has a cabin, ^{there, in fact,} a rather sumptuous ^{body} lodge. ~~See~~ ^{often} ~~in fact~~ ^{he} often fished there together."

mie
When you weren't laying Corrie, I thought. "Then you and he have remained on good terms?" I said.

"Oh, yes," he said.

"When did you and he last fish ~~there~~ together?" I said.

"Let's see," he said, blinking to recall. "Just the week before he flew to New York."

I paused and patted him a ~~love~~

"Did he know about you and Connie."

"No. At least I think not. If he did he never showed it. Naturally we never discussed it."

surely ^{violate} ~~besmear~~ ^{the} ~~gentlemanly~~ ^{code}. "But ^{still don't} ~~how did~~ you two ^{manage}?" I pressed, said.

"Well, Connie's island ^{is} ~~was~~ pretty remote and isolated, ^{as you know, so} privacy ^{was} ~~no~~ ^{never any} ~~problem~~."

^{both} "I don't quite follow. Did the husband ~~fish~~ ^{day and night}?"

"Oh, that," he said, half-smiling. "Well, you see, Connie and he were ^{practically} separated."

"I didn't know," I said. "Tell me more."

"For nearly a year now."

"You mean she threw him out?"

"He left voluntarily when she threatened to file for a divorce and seek an injunction barring ~~of~~ ^{him} from her home."

~~in fact I suspect~~

"On what grounds?"

"Oh, mental cruelty or some such. Connie and I never really discussed it. For one thing, he's considerably older than she is -- he hit his big -- "I mean ~~was~~ ^{was} old enough ^{in fact} to have been her father, as the saying goes."

"How come she ever married him?"

He spread his hands. "I've often wondered that myself, though I must say I've found him a delightful companion -- urbane, cultured, and almost awesomely erudite on a wide variety of subjects." His face clouded. "While I don't want to make like a lay psychiatrist, possibly she was searching for a substitute father." Again the sigh. "Apparently she didn't find him in Jason Spurrer."

"Yes, I
"Well, I suppose the formal grounds
for a divorce or separation are meaningless
window dressing anyway," I said, "the
universal ground being that the parties can
no longer endure each other."

"You sound ^{he said} very cynical," "Are you
married?"

And ^{rapidly} divorced ^{food} by my long-suffering,
kind, so that I might ^{alluring} marry a ^{mermaid}
she suspected I must have ^{staying} met on a trout stream, ^{was} ~~stayed~~ I was
Alcibiades, ^{staying} "Any fisher, ^{sp long}" I said, shrugging.
"Stems to me, ^{But then I suppose} any man with his salt given his
wife absolute grounds for divorce at least once a
day. In fact, ^{in my work} I've seen ^{my work} so much matrimonial
wreckage ^{my work} that I suspect that the bonds
that hold ^{holding} marriages together are as fragile
as those holding friendship. ^{which brings me} ~~which~~ brings me
back to Corrie's husband. Do you and he
Joan ~~Spencer~~ remain friendly?"

"Oh yes," my client replied. "In fact
he visits me regularly in the jail.
Interesting man and I'd like to have you
meet him."

and
attended
upon

can avoid feeling

mightily if he didn't come to tell

Since you apparently cannot remember the information

"Look, Randy," I began, "while there mercifully is no law that a lawyer must fall in love with his client in order able to represent ^{him} it does help if he doesn't come to feel that his client is ^{somebody} clamming up on him, especially when that client monotonously fails to remember the crucial moments of his case. The combination leaves little room to build a possible defense."

"I hadn't realized," my client said, giving me a quick look. "Precisely what do you think it is ^{it's all about} I'm clamming up about?"

That's what I meant

"Well, for one thing, the ^{real} relationship between you and Connie Spurrer," I said, taking the plunge. "It's a question ^{somehow} but simply got to ask unless you expect me to ^{depend} on you blindly."

"Let's have it," he said

had sprung on him the ~~big~~ big unspoken question as we sat

next to each other on his narrow jail cot.

"Look, Randy, I've simply got to ask you something

^{said,} I ~~began~~, groping for words ~~both~~ ^{sufficiently} to soften and yet unmistak-

ably convey what I meant. "Did you and Connie--ah--ever

sleep together, ^{?"} ~~as the saying goes?"~~

His body had stiffened and his ~~fists had clenched~~ and

for several ^{had} ~~tense~~ moments I thought he was going to swing

at me, ~~all the while~~ ^{during which he kept} staring at this crude country lawyer

he had retained, not so much reproachfully as uncomprehend-

ingly, who could so ~~crasely~~ ^{boldly invade his privacy and} violate his ~~own~~ ~~code~~ code of

honor.

"Well?" I said, ^{feeling my own hackles rising,} reaching for my briefcase ^{as if to go, go.}

"How could you ~~possibly~~ ^{me} ask such a question?" he finally

managed to say, still staring at me as though I were some

who ^{was also the lawyer} ~~was also the lawyer~~ ^{of the county jail,} ~~was also the lawyer~~ ^{of the county jail,}

X

between us
A showdown rapidly became inevitable, and ~~we~~ came abruptly one drizzly afternoon up in his third-floor cell, ~~where, to save time and privacy, I had recently begun having my~~ ~~huddles~~ ~~instead~~ ~~I had lately preferred to confer~~ ~~with him there, rather than downstairs in the crowded and noisy regular conference room, all~~ ~~interests of saving time and more privacy.~~ ~~Old~~ ~~was~~ ~~somehow~~ ~~charmed~~ ~~by~~ ~~the~~ ~~fact~~ ~~that~~ ~~the~~ ~~custodian~~ ~~logic~~ ~~that~~ ~~moved~~ ~~the~~ ~~custodian~~ ~~sheriff,~~ ~~to~~ ~~bar~~ ~~from~~ ~~the~~ ~~premises~~ ~~a~~ ~~doctor~~ ~~who~~ ~~merely~~ ~~sought~~ ~~anyone~~ ~~who~~ ~~might~~ ~~stimulate~~ ~~my~~ ~~client's~~ ~~memory~~ ~~but~~ ~~permitted~~ ~~me~~ ~~the~~ ~~freedom~~ ~~of~~ ~~his~~ ~~cell~~ ~~to~~ ~~bat~~ ~~my~~ ~~head~~ ~~against~~ ~~his~~ ~~lack~~ ~~of~~ ~~memory.~~

I was considerably

rapidly became the ^{custodian} sheriff

So a showdown between us ~~was~~ perhaps inevitable, and ~~was~~ came rather abruptly one drizzly afternoon up in my client's third-floor cell, where, in the interests of time-saving and securing privacy, I had earlier persuaded Sheriff ~~Matz~~ to let me huddle with my client, rather than in the ^{too so down stairs} crowded, noisy, ~~phone~~ ^{phone}-clanging, whimsically-named, ~~first~~ ^{first}-floor "conference" room. →

I ~~then~~ introduced my pitch with a little speech to soften calculated to soften him. "Look, I want Randy" I said, ^{and} ~~what~~ I meant to ask him. ^{him,} ~~delivered~~ ^{delivered} while sitting next to him ^{him} ~~in~~ ⁱⁿ his narrow jail cell.

Interview
He rather abundantly in the hope of stimulating his
my almost daily professional background
at him, not only to stimulate his
faulty memory but to learn some possibly helpful things
that he could recall, perhaps naturally created
a growing tension between us. For even lawyers
have a certain pride and if they must lose
a case they prefer not to do so because their
own client's ^{own} ~~best~~ ^{best} ~~interest~~ ^{interest} ~~is~~ ^{is} ~~at~~ ^{at} ~~stake~~ ^{stake}
that might have changed the result.
out on them.

~~may have~~ held out on them, a sort of
shared loss, one might say.

X

with Constance Spurrier, dating back to the days he first began summering at his parents' cottage on the ~~sandy~~ ^{would} shores of Treasurer Island Lake

While there ^{constant} ~~mercifully~~ ^{any had, I suppose} ~~is~~ ^{perhaps naturally} no law that a lawyer had to

fall in love with his client in order ably to represent him,

it ~~rapidly~~ ^{does} gets a little wearing to observe that client

stoically clamming up whenever he is asked anything ~~less~~ ^{more}

innocuous than, say, the color of his eyes--especially when

^{same} that client ~~also~~ ^{monotonously} fails to remember the really crucial moments of his case ^{any possible} upon which ^{reasonably} a defense might ^{possibly} be built.

So a showdown was perhaps inevitable, and ours came abruptly one drizzly afternoon up in my client's third-floor cell--at least Sheriff Matt had accorded me that little time-saving concession to privacy--when, gathering my courage, I

obtain common sense between. For while

In the interests of saving time
and gaining greater privacy

Which ~~was~~ ^{at the time was} ~~it happened~~

The inevitable
showdown between us rapidly became

inevitable, and ~~was~~ came abruptly one drizzly
afternoon up in my client's third-floor cell, the
only occupied cell on the floor. I had lately
begun selling him there rather than in the
noisy and crowded ~~conference~~ ^{down closed} ~~regular~~ ^{was}

whimsically
so-called

"conference" room, ^{while} grateful to the custodian
sheriff for granting me this privilege ^{and} ~~at the~~

~~that~~
moved
just

~~some time~~ ^{also} charmed by the logic that ^{could} ~~make~~
him ^{to} bar from the ~~premises~~ ^{his jail} a doctor who
might ~~have~~ ^{and yet leave} recover my client's ~~lost~~ ^{lost} memory
while leaving me free to spend hours ~~with~~
battering my brains ^{out} against ~~the~~ ^{that containing} lack of memory.

then so be it."

say something,

~~face~~ ^I ~~had~~ ^{continued} "If your ~~best~~ ^{dam - up} is
 supposed to ~~be~~ ^{be} telling me that you
 prefer to keep a stiff upper lip ~~than~~
 and ~~you'll have to~~ ^{you} hire another lawyer to
 guide ~~from~~ ^{you} this ~~crummy~~ ^{my} cell to a prison
 cell, "because I'm not ~~going to~~." I glanced
 at my watch. "Two can play this wounded
 game, ~~and if you don't~~ ^{my} ~~operate up,~~ ^{friend,} ~~and just,~~ ^{say it}
 I've had no ~~you've~~ ^{not} only had it
 with me but I've had it with you."
~~He added to~~

from

father - sukunin

various

that day

91 Interesting indeed, I thought, looking at my watch ~~and~~ suddenly ^{grew} weary of hearing any more ~~today~~ ^{about} ~~the~~ lovely restless Carrie Spurrier and the ~~men~~ ^{men} in her life.

"That's enough for today," I said, arising and holding out my hand which, after a pause, he took. "I'll brood over these new developments, Randy, and see what I can ^{come} ~~come~~ up ~~with~~ with."

"Goodbye, Fritz," he had said, calling me that for the first time and then ^{suddenly} ~~his face clanking~~ turning away and staring out ~~his cell window~~ ^{leaning against} and ~~clattered~~ ^{starring out} ~~down the circular~~ ^{my way} iron stairs, my head full of speculations over ~~this newest~~ ^{these latest} revelation ~~from~~ ^{by} my secretive client. ^{and tormented}

"The poor bastard," I found myself murmuring ~~and~~ as the turnkey left unlocked and let me out of the barred and steel-plated main door to of the jail. "The poor ~~to~~ bastard," I repeated ^{as I emerged into} ~~and~~ ^{trilliant} ~~in~~ the ^{suddenly} open air, feeling as full as ^{the lone gull I saw} ~~for~~ ^{for} ~~my~~ ^{for} ~~head~~ ^{for} ~~head~~.

drizzle

"Actually we haven't ~~fallen out~~," he answered,

"~~Yes~~" though I ~~probably~~ don't see him quite so often," he said.

Things were coming fast and I lunged to ~~grab for~~ ^{whip out} my notepad ^{and record something} but thought I'd better not risk it, ~~but~~ ^{and} instead take mental notes. "Tell me," I said, "Did Jason Spurrier know about you and Connie?"

bearing holding aloft

Lunging against

"Yes, your Honor," the blushing
 sheriff murmured as he lumbered off in
 search of the judge's water jug. Pushing open the
 big ~~stagnant~~ mahogany door he almost collided
 with the missing bailiff, triumphantly
 sheepishly returning ~~with~~ the judge's water jug -- "Had
 to send out for ~~ice~~, he apologized, ~~and~~
 explained -- ~~and a courtroom crisis was ended~~
 whereupon a ~~courtroom~~ ^{gathering} ~~crisis~~ ^{storm} was ~~dispelled~~ ^{halted},
~~the judge's thirst was appeased,~~ ^{averted,} ~~and he found his voice to proceed.~~
~~recovered sufficient voice to proceed.~~
 and, ~~hostilities were~~ ^{over again} ~~resumed~~ almost before
 I could say ~~that~~ ^{all} ~~allergy~~, hostilities were
 once again resumed.

sterling
a point - with pride ~~out of~~

"Typical response by our fighting young DA," I ~~had~~ ^{secretly} had told my partner Jeremiah when we'd ~~secretly~~ gotten our copy of his answer in the morning mail, "fighting, that is, to build ~~a~~ record so he can ~~run~~ run for Congress."

Quick

"God damn place is too full of ^{orating} ex-DA's already," Jeremiah said. "What's his answer like?"

"Terse and acidly ^{trinkety-eyed and} caustic," I said, ^{rubbing his chin} tossing it over to him. ^{and passed judgment.}

"Hrm," the old boy said as he ^{carefully} read the pleading and ^{troughly} looked up. "One might even say it's full of pith and vinegar," he ^{remained} said.

"You men," murmured our long-suffering secretary, Monica Mayrihan, whose ^{stenographic} services we shared, rolling up her eyes, blushing like a girl, ^{patiently} holding her ^{in readiness} stenographic pad and pencil ^{passively}.

waiting for until our banter ^{to waver} subsided ^{could get} and we ~~got on with the~~ our dictation ~~so that we might get on~~ with ^{the remaining} dictation in the morning, so we could ^{get on with} the morning's dictation.

turning it back.

I had, only recently

young 199, "Typical pleading by our fighting
we'd ^{recently} received our copy of the prosecutor's answer
in the morning mail. "Irrise and acidly caustic."

"One might even say ~~it was~~ its' full
of pith and vinegar," my partner agreed after
reading ~~it~~ and slipping it back to me and
winking at our predictably shocked ^{long-suffering} secretary,
Memoria Mayrhan, ^{whose address} whom we shared, ^{and} who now,
predictably ^{shooked} blushed like a girl and nibbled ^{away} at her stenographer
pencil, murmuring something that sounded like
"You men!" one of her favorite ^{shocked} murmurs.

X
Judge Bratherston took a ^{my table;} final sip of water and looked down at me. "Call your first witness, Mr. Ludlow," he said.

"Doctor Hugh Salter," I rose and said.

"Just one moment, please, Your Honor," Eugene Conda said, rising from the prosecutor's table. "Miss ~~Mr.~~ Prosecutor?"
"Yes," the judge said, ^{peevishly,} peering ambrosly through his glasses, not quite hiding his annoyance over any further delay in the proceedings.

"Since the whole basis of ^{Mr. Ludlow's} the present petition is the claimed loss of memory of his client, the defendant in this case, I rise to inquire whether Your Honor doesn't share with me the view that ^{ought to} rather obviously, Randall Kerk ~~should~~ be called as the first witness."

The judge rubbed his chin thoughtfully and looked up at the ^{round circular stained glass} ~~large~~ courtroom skylight -- one of the few objects in the room not made of mahogany -- before he spoke. "What do you say, Mr. Ludlow?"

~~Leffing~~ to me
"I'm allergic to ^{all} jails," my
partner had explained ^{clearly} in
our association.
~~# Why?~~

"But why?" I had asked,
mystified.

"Because all jails stink,"
he had replied. ^{anyway} ^{all kinds of}

"It's all in your imagination,"
I said. "And Sheriff Matt's jail
annually wins ^{awards for its}
cleanliness."

"All jails stink," he ^{firmly} repeated, shaking
his head. "All jails ^{everywhere} stink of a combination that
invariably makes me ill: ^{stale} sweat, urine,
whole ^{tidal} waves ^{at} and disinfectant."

"Come on, Jeremiah, you're pulling
my leg."

"Look, Fritz," he said, holding up a
hand. "Don't argue with your old partner
over ^{his} ~~a~~ gentlemen's allergies. You handle all
our ^{performed} jail clients and I'll ^{stay home and} look up the law."

confide this tidbit to

x

"When a fuddled lawyer
got a client who's accused of
murdering a beautiful neighbor
he's ~~long~~ been sleeping with --
I'd naturally had to ~~tell~~ ^{maintain} my own
law partner ~~what I'd~~ ^{as} ~~learned~~ ^{and can}
~~from my reluctant client~~ --
"and who swears he can't recall
even seeing her on the fatal
night, let alone harming a
hair of her head, ^{maintaining as} ~~so~~ profound a
silence ^{as} ~~sums~~ ^{up} ~~much~~ ^{highly} in order,
at least till he gets his lost
memory back."

Our toughest decision so far
had been that of persuading
our client to waive his right to
lower ^{court} to a preliminary examination in
where the prosecution would be
forced at least partially to show
its ~~his~~ hand. And since my
senior law partner, the
acknowledged intellectual and
backbone of our firm, ^{only} rarely
consented to talk with any of our
clients, and never those who
reposed in jail, that left the
persuading up to me.

Anyway, last memory or no,
Jeremiah and I had decided, after
~~many~~ much discussion, including
several ^{late-evening} prolonged huddles attended
by Hugh Satter, ^{to} ~~to~~ ^{avoid} ~~to~~
all ~~any~~ pretrial maneuvers ^{that} ^{generate} ^{any}
might attract ~~attract~~ ^{further} ^{the} ^{attention}
publicity. This included ^{warning}
any ^{to} preliminary examination in
district court, a ^{particularly} ^{hard} ^{decision},
especially since all ^{we} ^{really} ^{knew}
about ~~the~~ ~~case~~ the case was
the contained in the cryptic initial
newspaper report; that and
lacked in the recalcitrant
memory of a baffling client
who ~~other~~ -- intriguing thoughts.

bravely

up an facial strategy

either wouldn't talk or, as my sworn petition claimed, couldn't talk because of a genuine loss of memory. I showed old Doctor

~~that~~ ^{pretty well} ~~that~~ ^{summed it} ~~up~~ ^{at} one of our

preliminary ^{no} ^{sternal} huddles. "Look, gentlemen, much as you ^{long} to learn more about about the prosecution's ^{plots} ^{plots} -- especially whether there is ^{any} ^{one} ^{eye} ^{witness} -- demanding an explanation ^{this and other} well only splash ^{the} ^{lewd} ^{details} all across the county and, since your man ^{still} insists he can't remember, inevitably result in his being ^{land} ^{used} ^{for} ^{trial} ^{anyway.}"
"The ^{man} ^{just} ^{want} ^{to} ^{take} ^{you} ⁱⁿ the firm, Doc."

Through a ^{kind of} mahogany fog
I noted with satisfaction that the few
remaining spectators were mostly
scattered singles and pairs, probably
in turn mostly hockey-playing
courthouse employees, I guessed, seeking
a possibly titillating respite from the
day's usual ^{usual} routine of their day.

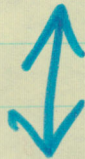
separated only by the usual
countreroom rail

Sepe. enough, in the very front
row of high-backed mahogany
benches, sat my napping and
smiling law partner, Jeremiah
Dunnell, alongside of his old
friend -- and, ^{I hoped, my very star} witness at
today's hearing -- Doctor Hugh Soller,
sitting cross-legged, his long legs
looking troubled less crossed than intertwined,
like old photos I'd ^{once} seen of a
recent ^{sitting} Lytton Strachey...

Behind them sat a trio of
busily whispering women, their
blue-gray hair ^{done up} in billow
curlers, like billows forever preparing
for a ball never to be held; all
^{inhabited} ^{magic}
out ^{of} ^{the} ^{air}, it suddenly swept over me,
that lurk behind the pattering of
every countreroom in the land,
magically ^{emerging} when structural
downings are about.

~~So my client and ^{my} partner had
yet to meet~~

So the job of persuading was
left up to me, which took a bit of
doing, and in fact my client and
my ^{alleged} partner, Jeremiah, had yet to
meet, though I hoped to cure that
later during intermission.



had
"I recommend we require a
preliminary examination," I told
Randall Kirk after explaining his
constitutional right to demand one.

~~spontaneously~~ rather soberly

And so the ^{delicate} job of persuasion had
been left up to me.

~~"But won't that mean~~

"But why worry?" Randall
Kirk had asked me after ^{they} made
recommendations. "Wouldn't an
examination ^{yield} give us some clue to
the nature and strength of the
prosecution's case?"

"It would," I agreed, "and
it's a clue we're dying to ~~learn~~
~~from revealed~~ learn. But I've
gone over the pros and cons ~~twice~~
of the thing many times with my
law partner, and we both agree

puzzling which had long puzzled me and
a phenomenon, on which I had
recently sought enlightenment
from my partner Jeremiah, ~~who~~
after all, had been a growing lad
back in the days when the "new"
county courthouse had been planned
and built, and ^{would} ~~should~~ surely have
an explanation.

again inevitably ^{their} plastic

x
There was,

Looking beyond them I was relieved to see how few people there were in court, despite the notoriety of our case. ~~But~~ the inevitable trio of whispering blue-haired women wearing curlers, like aging belles forever waiting preparing for a ball never to be held, and who seem magically to pop up ^{all across the land wherever} ~~whenever~~ any ^{room} ~~situational~~ court doings are afoot, lurking ^{presumably} between sessions ^{behind} the ~~room~~

~~seen~~ courtroom panelling, and yet, ~~turn~~ behind the ~~thick~~ ^{antique} mahogany panelling of this

~~courtroom~~ though I vaguely wondered how they could survive behind the thick mahogany panelling of this courtroom...

As I stood brooding over the ^{presence} ~~strange phenomena~~ of the unfailing ladies in ^{plastic} curlers, I was again also struck by the prevalence of mahogany in my professional courtroom life,