

busily

and I decided to oppose it, come what may, before my note-scratching opponent did.

"Randall," I pushed on, "how long now have you known Doctor Salter?"

"Since the first time he tried to hypnotize me in my jail cell many weeks ago," he said. "In fact you accompanied him there."

"How many times have you seen him since?"

"So many times I can't recall," he said.

"At least once a week and sometimes oftener."

"And usually up in your <sup>own</sup> cell block?"

"That is correct." <sup>right</sup>

I decided to take a more direct tack.

"Randall, what I'm driving at is this: why, after all the times he must have tried to hypnotize you, Dr. Salter should have succeeded only last night?"

"Mr. Ludlow," the witness answered, smiling faintly, "I'm afraid the liaison between you and Doctor Salter has not been perfect."

"What do you mean?" I asked, both startled and puzzled.

"Because the only other time Dr. Salter has <sup>ever</sup> tried to hypnotize me since that first time was last night."

I wheeled around and looked at Doctor Hugh, who gave the barest of shrugs, and once again I faced the witness. "But what did you and he do and talk about all those other times?" I demanded, seeking enlightenment as much for myself as for the ~~absorbed~~ intently listening jury.

"Many things."

"Such as?" I prompted.

"Things like gardening and flowers and the amazing variety of <sup>wild</sup> song birds in this vast Peninsula. Varieties of wild mushrooms, a fascinating subject. Also books ~~and~~ and pamphlets on these and other subjects, including some by Alex Smith and Ingrid Bartelli."

"Any on hypnosis?" he asked

"Oh yes, and they ~~change~~ <sup>changed</sup> my whole ~~attitude~~ <sup>attitude</sup> thinking on the phenomena, though we rarely if ever discussed it. ~~In fact we never did,~~ <sup>came to think of it.</sup>"

I somehow

doggedly

trance

"Mr. Kirk," I ~~said~~ <sup>doggedly</sup> pushed on, wondering whether I had myself been ~~hypnotized~~ <sup>lately</sup> groping around in a state of hypnosis, "please tell me, if you can, why Doctor Salter failed to hypnotize you the first time and succeeded only last night."

"He could, <sup>doubtless</sup> explain that, <sup>far</sup> better than I," he answered, "but I do have several guesses of my own."

"Please share them."

something

"One, I'm not sure he really tried to hypnotize me the first time, which I even felt <sup>at</sup> the time. Two, because he used a much different approach last night. Another possible reason is that this other person repeatedly forbade me to recall what had happened that fatal night and, above all, to allow myself to be hypnotized by another. From my reading, I gather this is technically known as post-hypnotic amnesia, I believe, plus <sup>accompanied</sup> a ~~definitely~~ <sup>deliberately</sup> planted ~~or~~ <sup>purposeful</sup> resistance to any revival hypnosis. But, I repeat, Dr. Salter can surely explain all this better than I." There was the faint hint of a smile. "I seem to be a far better guinea pig for the ~~the~~

you speak of &

~~subject~~ of hypnosis than a student."

"Then why didn't this planted aversion work last night?"

"Perhaps because I've grown to know and like and trust Hugh Salter," he said, glancing at our table and then raising his head and looking beyond, "and been so long out of touch with this other person, since my visitors were stopped, that both my planted amnesia and aversion to rival hypnosis may have weakened." He paused for a moment and went on. "I also suspect I've <sup>just</sup> begun lately, begun beginning to see this other person in a new light." *and more revealing light.*

*to the first table*

This was pretty dense going, I saw, as well as possibly objectionable, so I switched to another approach. "Randall," I said, "when did this other person first hypnotize you, if you know?"

"I'm not <sup>quite</sup> sure."

"Guess?"

*had one*

"I'd say many months ago, possibly even a year, sitting before a blazing fireplace playing a little game this person suggested of picking out faces and shapes

in the flames, <sup>periodically</sup>  
 "was it ~~these~~ during these little games, Randall," I asked, on a sudden hunch, "that you first heard of a strange woman who mysteriously appeared and vanished on yours and Connie's lake?"

"Yes," I first heard and saw her."

"What do you mean, saw her?" I said, startled.

"This person <sup>often</sup> frequently described this <sup>to me</sup> mystery person <sup>to me</sup> woman, describing her in detail until I <sup>began to</sup> could see her in the dancing flames."

"While you were in a state of hypnosis?"

"I must have been, it was <sup>all</sup> so real -- she <sup>terribly</sup> was so real."

"What was the purpose of this <sup>little</sup> game?"

He shut his eyes for a moment before he spoke. "To build me up to do what I finally did."

"You mean, to kill her?"

"I mean that."

"But how can you say that? How was it done?"

"I didn't realize it then, but I was being put through a subtle course of grooming to hate and fear this woman."

"Please explain?"

"Hours were spent explaining to me that this woman was some sort of dangerous half-human siren who haunted rural areas, particularly resort lakes, and more particularly, haunting the lake where her arch-rival dwelt."

"You mean Constance Spurrer?"

"I do," he said. "And only last night did I first learn that this strange creature was ~~an~~ <sup>purely</sup> hallucination <sup>created and</sup> planted by this other person."

The courtroom had grown hushed with an almost ticking silence as I returned to my table and took a gulp of the sheriff's dependably tepid water. "Randall," I said, standing close to Doctor Hugh, "what else were you told about this strange woman?"

one day

-11-

especially her,

"As time passed this person <sup>game-playing</sup> also planted in me a growing fear that this woman might try to molest and harm both Mrs. Spurrer and me, and I was repeatedly warned me to remain alert to protect ourselves when the time came."

"But why?"

I was told

"Because this woman was falling in love with me and growing insanely jealous of her beautiful rival."

"Again meaning Commit, of course?"

"Yes."

"How were you supposed to know when danger impended?"

"This person said I would be adequately warned, either in person or by telephone, when danger was imminent, and that I must act at once to subdue her."

"You mean, you were told to hit her?"

"Never quite that, Only to subdue her."

"How were you supposed to do that?"

"That she was essentially a water creature, rebelling against her realm, and that the only way to calm and subdue her --"

in her natural environment

12

to me

-- always that word -- was to hold her under water until calm set in and all resistance stopped." He took a deep sighing breath. "In effect I was told that I would not only be helping Connie and <sup>myself</sup> me but society if I calmed this creature. It became a sort of civic duty, however crazy, this may seem."

flattering

The courtroom now seemed bursting with pent excitement as I pondered my next question: "Since your arrest, Randall, have you seen this person you keep speaking of?"

unnamed "Many times."

"Where?" I asked, knowing there was only one place.

"In my jail cell."

I sat down and

The field of candidates had now sharply narrowed, and I tried to keep the thrill of excitement out of my voice as I pushed on.

"What did this person keep visiting you about?" I asked.



"Out of friendship and concern for me, I then thought, but I now know differently."

"Why, then?"

"To keep re-hypnotizing me and renewing my amnesia and again warning me to avoid against

allowing anyone else -- particularly Mr. Salter -- even to try to hypnotize me." He paused for a moment. "Also to find out our latest plans for my defense."

"You mean," I went on with a shiver of horror, "this person could make you tell anything he or she wanted to know?"

"Not only could but did."

"Even to repeat events in your life, whether personal or sexual?"

"Everything," he answered grimly.

"Including your frequent visits to Connie Spurrier and whatever went on between you two?"

creeping into  
with all the  
distractions  
mate of 14  
"Everything," he repeated, a note  
of anger in his voice.

"But how could this person  
keep re-hypnotizing you in a  
crowded noisy jail?"

previously  
"Easy. By simply uttering a  
code phrase I'd been taught  
over and over I could be instantly  
be put back into deep hypnosis, and  
become  
vertical putty in this person's  
hands."

"What was this code phrase?"

"I-- I'm almost afraid to say  
it."

"Try it," I said. "Your friend  
Hugh Selter sits right here."

"Marcel Proant," he said, almost  
in a whisper, then, seeming to gain  
confidence, repeating it almost in a  
shout. -- "Marcel Proant!"

presto

"You mean this person would say these words and you would be hypnotized?"

"Instantly."

I found it eerie even to listen to this and studied the skylight for a moment to gather myself. "Randall," I went on, "did this person use this signal on you the day of Connie's death?"

"Yes," he said, again convulsively gripping the arms of his chair.

"When and where did you see this person that day to give you the signal?"

"There was no visit -- it took place over the telephone."

I stood frozen by my table as a revealing bell rang in my mind. "You mean," I managed to say, "this person re-hypnotized you over the phone?"

"Yes." "But how could that be?"

"We had practiced it many times," he answered, "except that this day something more was added."

"Go on."

"I was told to go to Connie's island to protect her from this evil woman."

"And so you did?"

"And so I did," he echoed me, banging his head.

"When, if ever, were the code words again used?"

"After I was in jail."

"For what purpose?"

"When this person learned I'd told you something about the ringing of a little bell. The purpose was to erase this blurred and vestigial memory, which was done."

"But how," I pressed on, fighting the chill in my spine, "how could this person know you had told me that?"

"Simply by ~~order~~ making me review everything I'd already told -- which occurred regularly."

what was now an  
 I glanced down at Hugh Satter,  
 almost hating to ask ~~the next~~ inevitable  
 question, and his lips silently formed the  
 word "Push."

Again I faced the witness. "Randall,  
 when was this code last used on you?"

"Yesterday, about mid-afternoon."

~~But~~ "In person or by phone?"

*When* "I ~~was~~ received on emergency phone call  
 at the jail."

This time a big bell rang, a resounding  
 echoing gongbeat, and I fought an impulse to  
 wheel and see if anyone was leaving the courtroom.

"To what purpose?"

"To make me discharge you as my  
 lawyer."

"And did you fire me?"

*wryly* "I did, sir," he answered with a  
 pained half smile.

"When you fired me last night,  
 Randall, were you aware you had been ordered to  
 do so?"

again urged

18

"I was not," he said, looking almost grateful for my question; "because at the same time I was ordered to forget that order -- as well as to resist any attempt ~~to~~ at hypnosis by anyone."

"Then the pungent reasons you gave me last night for forcing me were not your own sentiments but those of other persons?" I could not resist asking.

"They were," he answered, "and ~~but~~ the latest in many previous efforts to poison my mind against you."

"But why me?"

"~~Mainly~~ Really to reach Dr. Sutter."

"I don't follow."

"With you out of the case this person evidently thought that would end any attempt at memory recall -- this person's greatest fear."

"But why?"

"Because if my memory were restored this person's whole clever plan would lay exposed."

"And Doctor Sutter succeeded?"

"He did," came the grim answer. "I now recall everything."

"Randall," I said, "when you say you recall everything, do you mean you now remember during what you did to Connie that night or only that -- that other woman?"

He breathed deeply and closed his eyes for a moment. "Only that other woman, thank God," he answered. "Mercifully it is the only memory I have." *that terrible night.*

I pretended to consult my notes while I tried to order my racing thoughts. "Randall," I finally said, "is the person who earlier hypnotized you and made you do the things you did still in this area?" *take 2nd person*

"Yes," he said, "in this very room."

*bluntly*  
*^ my* This is it, I thought, all but *hearing* gulping out the *words*. "Will you please identify that person?"

Randall Keri was suddenly on his feet, pointing in my direction, but beyond me, as though aiming a rifle, and being speaking rapidly, almost in a chatter. "He's sitting there in the front row... No, he's getting up and leaving... He's <sup>opening his courtroom</sup> at the main door... The person is ^ Jason Spurrer!"

~~It's a lie! Jason Spurrer~~  
 shouted from the ~~back of the room~~, ripping off his dark ~~glasses~~, his pale eyes blazing. "It's a lie, it's a lie," he kept shouting, then turned and fled, the door banging closed behind him, but the same words still echoing back to me in a ~~hand of <sup>another</sup> person's voice~~ stifled.

in a ~~hand of~~ <sup>voice of</sup> Spurrer,



phonograph

21

and brandishing  
them,

Sprover

"It's a lie!" Jason shouted

from the open door, ripping off and  
brandishing his dark glasses, his pale  
eyes blazing. "It's a lie, it's a lie,"

he kept <sup>repeating</sup> repeating, chanting, like a  
stuck record, then turning and  
hurrying away, still shouting, then  
same phrase, the door sighing shut behind him,  
still repeated.

the words still seeping back to the  
stunned courtroom, growing fainter,  
finally gradually ~~subside~~

still ~~diminishing~~ gradually into a kind  
of dying sob. incoherent dying  
sob.

lst.  
11 104 11 78

Chapter 31

B: 1 draft, please.  
Jno

giant  
~~skin away~~  
thrashed and

The courtroom buzzed with the insistent hum of a dynamo and <sup>the</sup> judge, visibly disturbed, even forgot to brandish his gavel. When sufficient calm had been ~~was~~ restored he turned and spoke to the jury. "We'll now take <sup>our</sup> noon recess till one o'clock -- no, <sup>make it</sup> one-thirty today," he said. "Meanwhile I'd like counsel to join me <sup>at once</sup> ~~now~~ in ~~my~~ chambers, as well as the sheriff <sup>and</sup> along with the <sup>gentry</sup> sheriff."

✱

1A

still highly agitated,  
 Randall Kirk <sup>shoutily</sup> rejoined us at our  
 table, and as Doctor Hugh <sup>quietly</sup> sought to calm  
 him, I rounded up my gear to go ~~see~~ join  
 the judge. That done I decided to <sup>case the</sup>  
 courtroom and quickly <sup>discovered</sup> that many in  
 the recently <sup>jammed</sup> courtroom were evidently  
 staying on through the <sup>noon</sup> recess, <sup>including</sup> to  
 A <sup>still</sup> smiling Gary Hallis, <sup>this time</sup> who gave me a  
 little wave, still sitting next to the state cop.

My, my, I thought, at last I'm  
 playing before a full house, with <sup>waiting</sup>  
<sup>champing</sup> lines <sup>outside</sup> and in the corridors. As I  
 arose and tugged at my <sup>awesome</sup> array of briefcases  
 I wondered vaguely when the S.R.O. signs  
 would go up and the scalpers move in.

some of the crowd already <sup>discovered</sup> <sup>by</sup> <sup>subliminal</sup> <sup>power</sup> of <sup>the</sup> <sup>cinemas</sup> then

had <sup>already</sup> <sup>arranged</sup> in

Start

1 B

just

~~the~~



(tramping) "Hi," the sheriff greeted us as he  
 came ~~plodding~~ <sup>plodding</sup> up. "I've fixed it for my  
 deputy Kallio to take <sup>you may</sup> ~~her~~ back over to jail  
 this <sup>noon</sup> on account of the judge wants to see me."

After <sup>as</sup> ~~we had~~ <sup>we</sup> ~~absorbed~~ <sup>absorbing</sup> this <sup>momentary</sup> ~~stop~~

SCOOP

Doctor Hugh began unclenching from his  
 chair. "Mind if I tag along with them?" he  
 said to the sheriff.

"Be my guest," the sheriff said <sup>with a wave of his hand,</sup>  
 with a magnanimous <sup>gesture,</sup> and he and  
 I then headed for the judge's chambers.





good 4 often the way,"  
"your deputy, Gary Kallio knows <sup>young</sup> <sup>the way,</sup>  
said I said "because he's told ~~me~~ <sup>me</sup>  
about all the luck he's had <sup>front up there</sup> <sup>poaching</sup> there  
when Spurrer is away. <sup>In fact</sup> ~~I just saw him~~  
~~and in court sitting next to a state cop.~~

said. "Hey, how about he and the state  
cop taking the state helicopter up there?  
the sheriff. "It's parked on the way there  
and that way, if they stir their ass, they  
could even be back ~~for~~ <sup>in</sup> time for the  
afternoon court session."

giving us a wink and  
reluctantly <sup>under his desk and sheepishly</sup>  
producing one old-fashioned <sup>metal</sup> <sup>dish</sup> dinner-pail  
that <sup>of the kind the underground</sup> <sup>share</sup> <sup>your</sup> <sup>resistless</sup> <sup>charm.</sup>  
the iron mauls used to use, "Go forth and  
your wand and <sup>share</sup> your resistless charm.  
See all of you <sup>back</sup> in court at one-thirty, gentlemen."

\*

engaged in a <sup>5</sup> \* duel at forty paces.  
maybe find Doctor Hugh

From chambers I went looking for Jeremiah and Doctor Hugh, but found neither of them, concluding they must be held up somewhere ~~duelling at cribbage~~ <sup>away</sup> ~~across~~ <sup>two</sup>. So I went over to the jail to visit my client and to get ready for what promised to be an eventful if <sup>however</sup> unpredictable afternoon.

with the cast assembled:

Promptly at one-thirty we were back in court, the judge on the bench, the jury in its box, my client <sup>back</sup> on the stand, my opponent at his table and me at mine.

The only missing members of the cast were Jason Spurrier <sup>himself</sup> and my <sup>own</sup> law partner and, most perplexing, old Doctor Hugh <sup>sitting</sup> <sup>at</sup> <sup>my</sup> <sup>side</sup>. Cribbage must be served, I thought, shrugging, waiting for the call to arms.

Head and on level  
if we were still on speaking terms; that



"Mr Ludlow," the judge said, "you may proceed with your examination of the defendant."

"No further questions," I arose and said. "The witness is tendered to the People."

"Your witness, Mr. Prosecutor," the judge said.

"Your Honor," Eugene Conda arose and said, "if ~~at all~~ possible I should like to defer my cross-examination of the defendant until <sup>a little</sup> later, if I may."

"How much later?" the judge demanded, scenting a further loss of time.

"Until we can resolve certain of the matters we discussed <sup>this noon</sup> in chambers during the noon recess, Your Honor." It could ultimately <sup>save time.</sup>

The judge got the message and looked down at me. "Any objection, Mr. Ludlow?"

"No, Your Honor," I arose and said, wondering <sup>just</sup> who the hell I would call next and also where <sup>the hell</sup> my wandering associates were ~~to~~ hiding.

at least

7

"Very well," the judge said. "Call your next witness."

"Your Honor," I arose and began, about to ask <sup>on the verge of asking</sup> for an informal recess or something to explain my dilemma, when I felt someone tugging at my <sup>sleep</sup> and looked down to find my law partner sitting in Doctor Hugh's chair, "may <sup>please</sup> have a moment to confer with my associate."

"Confer away," the judge <sup>huddle</sup> said as I <sup>fell into a whispered conference</sup> gratefully sat down and ~~then conferred with my~~ partner.

"I'm up a tree, pard," I whispered. "I've got to call a witness and I don't know who in hell to call, <sup>or whether to</sup> Maybe I'd better recall Kirk or maybe even ~~rest~~ our case. But I hate to do <sup>anything</sup> that without <sup>first</sup> talking <sup>checking</sup> with Doctor Hugh. By the way, where is the old boy?"

"Out looking for Jason Spurrin."

"You gotta be kidding... he can barely find his own <sup>way</sup> home let alone roaming around in the Yellow Dog boondocks looking for <sup>frigitivis hypnotists</sup>!" "He flew up there in the state police helicopter," my partner said. "Anyway, you can call me <sup>to</sup> the stand."



"Only this," he answered easily.  
 "During the noon recess I checked the records of the probate court here in this same building."

"Yes?" I said, deciding to simply give the old boy his head and <sup>that</sup> he would surely find a way...

"There I learned that ~~Mr~~ Jason Spurrier had just preceded me there and filed two documents <sup>for probate</sup> upon which the register's stamp was barely dry."

"What kind of documents?"

"Two last wills and testaments."

"Whose were they?"

"One <sup>the wife's</sup> of his late wife, Constance Spurrier, and the other his own <sup>last</sup> will."

I glanced over at Eugene Canda to see if he was about to pounce, but found him sitting there just as absorbed as the enrapt jurors. "Could you briefly <sup>summarize</sup> summarize their contents for us?"

with a flourish

10

Capitally

"I ~~made~~ <sup>had</sup> photo copies made, and certified both ~~of~~ documents," he said, producing them from his <sup>inside</sup> breast pocket, "and to answer your question, yes, I can summarize them, they're that simple."

The prosecutor was on his feet and, I thought to myself, here we go again.

"Before the witness answers I'd like to inquire <sup>of counsel</sup> ~~into~~ the purpose of this line of testimony."

"As <sup>of counsel</sup> ~~of counsel~~ in this case," my partner <sup>spoke up,</sup> swiftly ~~promised,~~ "I'd like to answer that one, if I may."

"With my blessings," the judge <sup>sworn</sup> ~~as~~ <sup>by</sup> swiftly put in. "Support our client's ~~stand~~ <sup>stand</sup>."

"To show the motive of Jason Spurrier for <sup>my</sup> doing what he did." our client <sup>my</sup> ~~says~~ <sup>my</sup> ~~he~~ <sup>said</sup> ~~did~~."

"Please explain," I said.

"I'm afraid I must object," the prosecutor said.

"I'm afraid I must overrule you," the judge <sup>immediately</sup> ~~said~~ <sup>said</sup>. "Proceed, Mr. Dundee."

"Mrs. Spurner <sup>virtually</sup> left everything to Jason and Jason <sup>by his</sup> left everything to some dame in New York City or, in the event <sup>they came</sup> she predeceased him, to her little son Jason." Both were filed at 12:07 this noon. I arrived there at 12:11."

I <sup>then</sup> proceeded to have <sup>offered and</sup> both wills marked as defense exhibits <sup>and they were received</sup> and offered them in evidence, my opponent <sup>raising</sup> making no objection.

"Mr. Dundee," I continued, "you speak <sup>proof of</sup> of motivation. Could you explain further?"

"No problem," he said. "Look, Connie had made a will leaving him peanuts. ~~By he knew about~~ **So he takes her on a trip to New York and - - presto - - she makes a will leaving him the peanut orchard. Then she up and files for divorce. If that goes through he's her latest will <sup>in</sup> automatically revoked and Jason's out, <sup>and</sup> so...**" He panned and gave a Gallic shrug while the judge had to raise his gavel to gain enough quiet to proceed.

12

at the same time  
punishes

neatly gets

"And so what?" I finished.

"That way he gets rid of her  
and saves the <sup>second</sup> ~~well~~ and sends the guy  
who's been two-timing him <sup>by sending him</sup> to  
prison." He snapped his fingers. "Meat  
as <sup>the plot of</sup> a <sup>the</sup> prime-time soap opera."

"Your witness," I said, turning  
to my opponent.

1st. 1/13/78

B: 1 in draft, ~~less~~ <sup>less</sup> ~~juv.~~

# Chapter 32

chambers

quickly

Eugene Conda arose and moved forward to lock horns with my partner, who sat ~~forward~~ <sup>seated</sup> ~~bristling~~ in the witness chair like a boxer <sup>crunching</sup> in his corner, ~~glaring~~ <sup>glaring</sup>

(at his opposite) across the ring

Just then the door to the judge's chambers sighed open and in it stood Gary Hallio, with <sup>some young</sup> state policeman <sup>standing</sup> close behind him, gesticulating and beckoning the sheriff to <sup>come</sup> ~~join~~ <sup>join</sup> him.

STOP

series of

~~The sheriff, true to form, went through a fit of dramatic pantomime which included a perplexed "who-me?" look. I longed to photograph - as though his young deputy would have dared to so peremptorily be~~

wigwagging

~~the judge and then, <sup>the message penetrating</sup> ~~blasting~~ <sup>blasting</sup> ~~hearing~~ out of his subside, adjusting his gun leather belt and holster, and lumbering away toward the judge's chambers.~~

lumbered

(Yes, must \*ti in)



hinterland

spell

high

(went promptly)

immediate

The sheriff, true to form, <sup>plunged into</sup> through quite a bit of dramatic pantomime, including a series of perplexed and questioning "who-me?" looks and pointings ~~that I longed to photograph~~, all this despite the fact that the ~~only other person his young~~ deputy <sup>proprietor</sup> could have meant was the judge himself he ~~was~~ <sup>would dare to</sup> so peremptorily ~~beguagging~~ <sup>beguagging</sup>. When finally the message penetrated the cranial ~~outskirts~~ <sup>chamber</sup> the sheriff levered out of his straw cubicle, narrowly avoiding an epic pratfall, and lumbered across to join his waiting deputy, the door <sup>slowly breathing</sup> ~~signing~~ shut behind them.

STOP

(next)

TIE IN

obvious

within

3

the

his

fact that the only other possible person possibly in range of his young deputy's peremptory wigwagging was the judge himself. When this <sup>small</sup> penetrated <sup>at</sup> the cranial resistance hinterland the sheriff suddenly lurched out of his cubicle, startling the judge and narrowly avoiding an epic pratfall, and lumbered across to join her beckoner, the heavy door breathing shut slowly behind them.

They've got Jason, I excitedly thought, already making <sup>mental</sup> notes on some of the ~~many~~ burning questions I itched to ask him. The judge, evidently thinking the same thing, lifted his eyebrows at me and my opponent before he spoke. "I think we'll ~~take~~ <sup>take</sup> a little <sup>an</sup> informal recess right here until the sheriff returns," he said, at the same time <sup>grasping and</sup> snugging his black gown more tightly <sup>down</sup> around his <sup>shoulders</sup>, though bracing himself for the fore<sup>words</sup> almost sure to follow. <sup>Meanwhile</sup> The puzzled jurors kept glancing curiously at one another, wondering what the hell was up.

Court

with one <sup>resting</sup> hand on his <sup>hurling</sup> pistol butt. <sup>engaging</sup>

5

Once again the judge's door flew open and the sheriff all but <sup>galloped</sup> across to the judge's bench, and there <sup>engaged</sup> him in earnest whispered conversation. Then he withdrew and instead of returning to his maggoty cubicle stood <sup>waiting</sup> at the opening of the <sup>chambers</sup> door, whereupon the crowded courtroom, <sup>thinking that</sup> sensing something was up, <sup>again</sup> began the <sup>whispering</sup> dynamo hum of suppressed excitement. <sup>So</sup> The judge turned to the jury and spoke.

concluding  
holding  
sensibly

Meanwhile

"Members of the jury," he said, "something has arisen that requires my <sup>at once</sup> presence in chambers at once. I'd like the <sup>and counsel</sup> sheriff to join me there -- including you, Mr. Dundee -- and <sup>the</sup> jury bailiff to <sup>maintain</sup> order while our recess continues."

with pleas

He then switched off the bench off the bench and, the sheriff holding the door <sup>for him</sup> and <sup>and</sup> disappeared into chambers, <sup>the</sup> followed <sup>and</sup> closely by the sheriff.

6 rounded up my moment of

off

~~hurry~~

When had ~~and started~~  
After I collected some of my

also

scattered files and papers. Jeremiah and I  
hurried to chambers and there <sup>we</sup> joined a  
tense group crowded around the judge's desk.

Included ~~was in the group~~ was the wandering  
Doctor Hugh but no Jason Spurrier. The

judge grabbed for and ~~down~~ a <sup>glugged</sup> glass of  
water before he spoke. ~~thought of~~

PALL ->  
seemed  
almost

<sup>more</sup> "Jason Spurrier is dead," he <sup>quietly</sup> said,  
and the silence that followed

was like the ~~thud of a falling tree~~. "All the  
details aren't in yet," he continued, "and a new

fresh crew of state police ~~had~~ flown up there to  
continue the investigation. But this ~~was~~

much <sup>already</sup> we ~~do~~ know: his death was <sup>almost</sup> ~~surely~~  
one of suicide by pistol shot, his <sup>body</sup> being

<sup>apparently</sup> <sup>deliberately</sup> ~~obviously~~ set <sup>and</sup> ~~before~~ <sup>which</sup> the police <sup>were</sup> fortunately ~~able~~

able to ~~quench~~. I say fortunately because  
they <sup>were</sup> ~~able~~ <sup>to</sup> retrieve ~~evidence~~ <sup>which</sup> ~~was~~ <sup>about</sup> to be

~~destroyed~~ that <sup>clearly</sup> reveals ~~beyond a doubt~~  
that the ~~grave~~ <sup>charges</sup> against him in

court this forenoon were all too true." He  
turned to Hugh Salter. "Will you please

fill <sup>us</sup> in <sup>on</sup> some of <sup>the</sup> ~~details~~?"

in making

(5)



~~quite~~ 8  
the judge said, ~~an old ex-DA~~  
~~himself~~ <sup>14</sup>) trying to cool the  
~~young~~ <sup>still excited</sup> young deputy.

"There was jazzy Jeon --  
just a nickname we had prone  
the jail, Judge -- half sitting  
up in ~~the~~ <sup>the</sup> burning bed --  
really more smile than <sup>actual</sup> flame --  
huggin' himself like this --"  
~~whereupon~~ <sup>here</sup> he <sup>embraced</sup> grabbed his own  
rib cage with both arms like  
a wounded football player --  
"which probably saved that  
there book Doc's holdin'."

"What book is that?"  
the judge said put in, getting  
his eye.

B: Spelling  
OK

9 like that there.

"Doc <sup>says</sup> said it's a dairy  
Jason kept full of hypnosis  
and stuff. Anyway, ~~while~~ just  
as we're reachin' to pull him  
out, he slumps forward,  
the foot dairy falls free, and  
we ~~shoot~~ <sup>shoot</sup> ~~for the first time~~ <sup>himself</sup> in the  
head, no blood, not nothin',  
just like a <sup>snore</sup> ~~snore~~ <sup>snore</sup>.

"Go on." even

"Then we see the pistol  
lyin' beside him still

"Might ~~of been~~ <sup>we figure,</sup> ~~still~~ a  
little life in the guy, <sup>so</sup>  
while Orville here tries to  
bring him to I put out the  
fire, ~~judges~~, an' I guess that's  
mostly <sup>about</sup> it. Oh, <sup>yes,</sup> he'd evidently

set ~~started~~ the fire with charcoal starter  
'cause we found an empty can

~~half-~~  
~~burnt~~

lyin' on the floor real close, <sup>and</sup>  
~~still some~~ <sup>was</sup> ~~under the~~ <sup>ragged</sup> and rumpled paper



young Have you  
"Anything additional to offer,  
officer," the judge said, turning to  
the state policeman.

the highlights, it, judge. I removed the <sup>empty.com and</sup> ~~frontal~~

~~with my handkerchief and~~  
~~put to smudge on fingerprints~~

had then arrived, and <sup>he</sup> retrieved the book  
and after we'd dragged the  
smouldering mattress outside,  
we flew back here, leaving the body  
behind.

"Do you <sup>really</sup> think there was  
still <sup>any</sup> life?"

quite seemed quite  
"Hard to tell, judge. His  
eyes were ~~still~~ open but  
unfocused and I <sup>also</sup> could feel  
no heartbeat or pulse, <sup>although it's</sup>  
quite possible he <sup>had</sup> just died. Well

know more after the medical  
exam -- which is, <sup>probably</sup> Gary <sup>was there</sup> ~~now~~.

Oh, one more thing, he was <sup>still</sup> ~~wearing~~

with a follow-up case -- as a next to arm of ~~the~~ fingerprints and all --  
and some other stuff.

"Do you think he <sup>really</sup> meant to burn the place down?"

"No question in my mind, Judge. He'd left <sup>several</sup> doors and windows open to insure a through draft, and these mattress fires are funny -- they can smoulder <sup>and smoulder</sup> for hours and <sup>then</sup> flare <sup>up</sup> like a torch. My guess is we <sup>probably</sup> got there in the nick of time."

"Anything else?"

Q "He was still wearing <sup>12</sup> in town,  
empty and

^ a concealed shoulder-holster under  
his scorched jacket, so he may  
have been carrying his pistol  
around. I checked our ~~own~~

latest concealed-weapon-permit ~~on list~~  
and he's not on it or Gary's."

He paused and glanced at Doctor  
Hugh. "So maybe it's just as well

I joined Gary sitting behind him

<sup>there</sup> in court this morning after Gary'd  
told me Doctor Hugh had asked  
him to keep <sup>an</sup> armed vigil.

^ <sup>testimony</sup>  
And ~~the~~ Mr. Spurrier surely knew we were  
there because he kept glancing back,  
especially when the defendant <sup>began</sup> lowered the  
boom <sup>on him</sup>.

13

all Hugh?

"What's this?" the judge said.

"About setting up a courtroom guard?"

"Only this, Preston, after my long session with the defendant last night I felt that all hell just might break loose when his story came out <sup>today</sup> in court. Just a little precaution."

Hugh:

"You mean that Jason would dare try to harm him in open court?"

"There was <sup>have</sup> not the chance."

Preston:

14

"Does his diary -- I mean diary --  
confirm any of this, Hugh?"

a long time  
for years

15

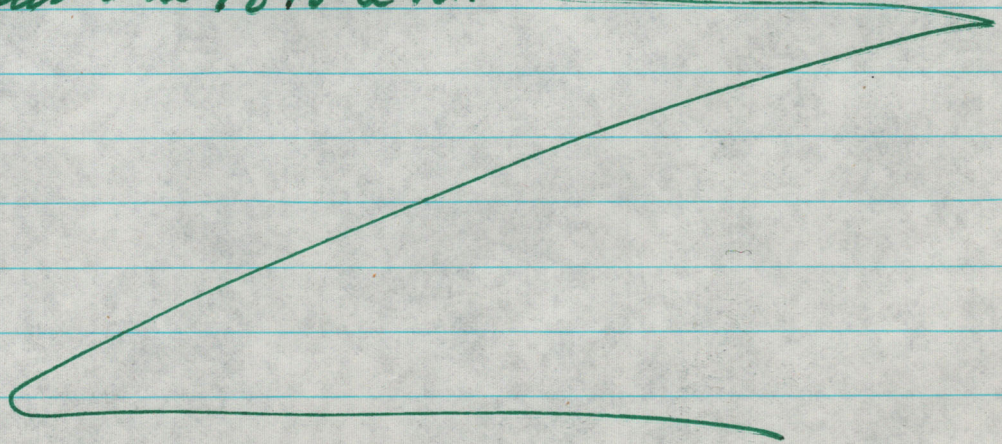
"All that and <sup>much</sup> more, Preston.  
~~His diary~~ <sup>it</sup> fairly reeks with the  
hypnotic games he's played with  
many people for years and reveals --  
perhaps brags is a better word --  
that he'd planned <sup>that</sup> his grandest <sup>hypnotic</sup> coup,  
even before he met Connie."

"You mean, Hugh, he had his  
plot before he <sup>even</sup> had his cast of characters?"

"Exactly," <sup>Preston</sup> <sup>this</sup> <sup>other</sup>  
<sup>who</sup> I retrieved up there just about clinches it,  
Doctor Hugh said, reaching in his doctor  
valise and producing a <sup>large</sup> worn leather-bound  
volume.

"Looks like an old law book to  
me, Hugh."

"Right on, Preston. It's a duplicate  
of that old 1898 LRA



16

clipping in <sup>my</sup> shadow of a

daily

I don't know

how far:

"One is a diary going back for several years. I've been reading it all the way back and it shows beyond any doubt that he'd planned this thing for years -- even before he met Connie."

"You mean, Hugh, he had the plot before he had the cast of characters?" the judge said. "he said, heh-heh" clenches

"Exactly, Malcolm, and this other leather-bound book proves it -- yes, lads, once upon a time books were <sup>actually</sup> bound in real leather."

"Looks like an old law book to me," the judge said.

"It's a duplicate of that old IRA <sup>1898</sup>

START

annotation: Frederic here and the <sup>our</sup> young prosecutor were <sup>over</sup> <sup>during</sup> <sup>last</sup> <sup>summer's</sup> <sup>hearing</sup>, heavily underlined passages, especially <sup>the</sup> <sup>of</sup> <sup>the</sup> <sup>case</sup> references to that old California Worthington case where the lady defendant unsuccessfully tried to show that defend <sup>as</sup> <sup>spoke</sup> <sup>up</sup> <sup>by</sup> <sup>hypnosis</sup> <sup>her</sup> <sup>husband</sup> <sup>had</sup> <sup>by</sup> <sup>hypnosis</sup> <sup>part</sup> <sup>of</sup> <sup>it</sup> <sup>to</sup> <sup>do</sup>

"Hugh, <sup>my</sup> <sup>partner</sup> <sup>of</sup> <sup>some</sup> <sup>years</sup> <sup>ago</sup> does he mention any wills or a dame called Yvonne something?"

17

in the first place,

often and in great

"In detail, Jeremiah, including how under hypnosis had persuaded Connie to marry him, learned about her first will leaving him pecans --"

"Peanuts, Hugh."

"Peanuts, thank you, and then by the same means, lured her East to leave him virtually everything."

legal attaches by it

is it?

"Whadya mean, virtually?"

"A pittance till he's out of school is provided for Connie's son, Marcus, a sort of sly cosmetic touch to ward off you baying will-breaking lawyers."

BAYING

"And Yvonne?"

"The light of his life, what the old fogies would call his favourite paramour rather than ~~the~~ <sup>instead of his</sup> pet chick, the gal who bore him the son <sup>the one person</sup> he addressed almost as much himself."

the evidently addressed

?



18

"Sad, sad," the judge said.  
"What's the latest entry?"



\*

20

Eugene Canda, who had <sup>been</sup> listening <sup>silently</sup> <sup>intently</sup> with a sort of <sup>troubled</sup> incredulity, now spoke up. "Pieces are now falling into place," he began. "Jason Spurrier has often visited me privately about this case and even written me from the East. It was he who <sup>first</sup> called my attention to that old LRA annotation, explaining that he'd <sup>once</sup> run across it <sup>while</sup> gratifying <sup>his</sup> <sup>long-standing</sup> amateur interest in psychology. It was <sup>also</sup> he who privately urged me to insist upon calling Kirk to the stand to tell whether he actually wanted ~~an~~ attempted memory recall by hypnosis." And there were other things.

"Doubtless hoping Randall would <sup>obediently</sup> respond to the aversion <sup>he had</sup> <sup>planted</sup> <sup>against</sup> hypnosis and all its works," Doctor Hugh said, smiling. "Instead, young man, he seems to <sup>most successfully</sup> have planted it in you."

"The effect is rapidly wearing off," Doctor Canda <sup>said, with a wan smile,</sup> fought back, turning to the judge. "What do you recommend I do, Your Honor?" "Business and <sup>even family</sup> ~~quit the information.~~ "I've never run into anything like this."

possible of course  
 "One thing would be for you to <sup>formally</sup> move to  
<sup>the case</sup> dismiss and quash the indictment, filing detailed  
 reasons, <sup>all of</sup> which I would of course have to  
 approve."

"I know, I know Judge -- I've been  
 mulling <sup>forming</sup> it over in my mind. <sup>Do</sup> would you  
 recommend that course?"

~~many~~  
"That's <sup>surely</sup> one consideration," the judge agreed,  
"but there are <sup>also</sup> others -- such as how  
the public <sup>might</sup> react to such a move."

"I don't quite follow?"

"Let me give you a purely  
imaginary hypothetical situation, son," the judge  
said with a faint tongue-in-cheek smile.

"Conjure up the unlikely event of a President on  
the verge of impeachment <sup>suddenly</sup>  
~~resigning~~ and then his successor,  
with before the country still reeling from that  
trauma, suddenly pardoning him."

"Too fanciful to dream of, Preston,"

Doctor Hugh put in. "But do go on."

"There'd be no <sup>legal</sup> doubt <sup>that</sup> the successor had  
the right. We can even grant he did <sup>right</sup>  
the right charitable, compassionate, <sup>right</sup> Christian thing -  
or Islamic or Hebraic <sup>if you prefer</sup> or ~~you name a few~~.

But -- and this is the point -- to millions of  
confused <sup>people</sup> citizens it <sup>wouldn't</sup> look right and leave  
them filled with <sup>or among</sup> ~~as many~~ questions and doubts <sup>as</sup>  
solved <sup>than</sup> the pardon solved."

"And maybe, <sup>even</sup> <sup>in</sup> your hypothetical situation  
to his successor's chances <sup>should</sup> of he ever <sup>again</sup> ~~to~~  
succeed himself," the inexpressible Doctor Hugh put in.

to the end, Preston

sighing deeply. 23

once  
"It's a lesson I learned early as a young lawyer, son," the judge continued, "and have never forgotten." He sighed deeply. "My old circuit judge, Frank Bell -- bless him -- told me something I've never forgotten."

"What's that, Judge?"

ambitious young

"One day he told me that a judge should <sup>always</sup> ~~not only~~ ~~always~~ ~~try~~ to be right but <sup>to</sup> look right." Again the sigh. "Simple, isn't it? And just maybe it <sup>should</sup> also apply to everyone in public life, even prosecutors."

"What do we do, Judge?"

24

"Precisely, Hugh, and many thanks," the judge said.  
"I'm beginning to see a faint light,"  
Eugene Canda murmured, half to himself. "Tell  
me, Judge, what do we do?"

C. 32

25 ~~Insert 4~~

~~"What do we do, Judge?"~~

"Churchill once said that democracy was the worst form of government ever invented -- except all the others," the judge said. "He might well have added that, for all its ~~apparent~~ weaknesses, democracy had the one great ~~cleaning~~ <sup>saving</sup> strength: its willingness to wash its dirty linen in public.

"But what do we do?"

~~[New text]~~



with my blessing) -- if you can <sup>ever imagine</sup> ~~dream of~~ such a situation.

26

The judge reflected for what seemed minutes before he spoke. "The People could move to dismiss the case and quash <sup>almost</sup> the information, filing ~~the~~ reasons, but that would be akin, say, to pardoning a <sup>reigning</sup> President <sup>hovering</sup> on the verge of impeachment, and raising as many <sup>doubts and questions</sup> problems as it solved." He sighed deeply. "When I was a young lawyer our then <sup>old</sup> circuit judge, Frank Bell -- bless him -- told me something I've never forgotten."

"What's that, Judge?" the <sup>to a group of us roving lawyers</sup> prosecutor asked. "He <sup>once told me</sup> said that a judge should <sup>always</sup> not only <sup>try to</sup> be right but <sup>to</sup> look right." Again he sighed. "I <sup>guess</sup> that also applies to public prosecutors."

"What do we do, Judge?"

**Start** → "I think we go out there and let the truth prevail and the chips fall where they may, no quarters <sup>asked or</sup> given. There's been a violent homicide in our county and it's your duty to <sup>publicly</sup> explore it. Mind, I didn't say win it <sup>at any price</sup> or <sup>lose</sup> explore it. And I'm inclined to think that <sup>possibly</sup> the defendant <sup>may</sup> have <sup>by now</sup> learned the <sup>right</sup> changes to <sup>win</sup> have a public vindication if he can."

"But suppose he doesn't, Judge?"

27

suddenly from his chair and  
flaming out his gun.

"will face that when we come to it,"  
the judge said, rising to his feet. "Come on,  
gentlemen, let's all get back to work." There's  
some dirty linen to be washed."

men,

<sup>might</sup> <sup>anyone</sup> <sup>wasting</sup>

1st.  
1/20/78

## Chapter 33

B: 1 in draft, plus J.

Once back in the tense and crowded courtroom a visibly weary and unshaven Doctor Hugh begged off from joining me at my table. Instead he performed the remarkable feat of persuading my partner to take his place. "This is the time for all good partners to come to the aid of each other," he chanted, and I dimly recalled he was paraphrasing the deathless words of some deceased patriot or politician whose name eluded me.

"What you up to, Hugh?" my partner demanded. "Gonna work on some new cribbage ~~stays~~ plays?"

"Gonna sneak off to our conference room and bone up on this," he said, hefting Jacqui's diary which he was still hugging like a child her favorite doll. "Better delay calling me to the stand long as you can to give me more time for that." He stifled a yawn. "Also maybe catch a wee nap. Haven't had such a long vigil since I delivered

"  
my last child."

"Have you had any sleep, Doc?"  
I contritely inquired.

"Oh yes. Several catnaps up  
in Randall's cell."

"But where? There's only the  
one that single cot."

"Sitting on his can, son," he  
said. "Baby doctors early learn to  
grab a wink when and where they can--  
no rhyme intended."

"Keeps ~~much~~ Kohler that way,"  
my partner explained ~~whispered~~. "No  
fun unintended."

"Better get going, Doc," I said.  
"Here come de judge."

sobriety  
"Ladies and gentlemen," <sup>of the jury,</sup> the judge  
announced, once he'd swished in from  
chambers and settled ~~in~~ his leather chair,  
"we've just learned that Jason Spurrier  
is dead, apparently by his own hand.  
Further details will become available as  
both the police investigation and this trial continue.  
We shall now get on with the latter."

all right, <sup>found</sup> <sup>darkest</sup> <sup>during its course</sup>  
The trial ultimately did continue,  
but only after many minutes, during  
which for the second time the judge had  
to brandish his gavel and give the  
seething assemblage his clear-the-court  
look. When the ~~day~~ <sup>day</sup> had subsided, initial  
tumult had <sup>completely</sup> subsided to a ~~whispered~~  
~~hiss~~ I couldn't resist looking around to  
behold the spectacle; knots of <sup>whispering</sup> people  
still huddling like conspirators; many people  
others <sup>arranging</sup> ~~walking~~ prowling the aisle. ~~Then~~  
I spotted Viola Aphelm <sup>her face wreathed</sup> wreathed in smiles,  
and tugged at my partner's ~~arm~~ <sup>arm</sup> to turn  
~~around~~ and witness the ~~incredible~~ <sup>miraculous</sup> feat, ~~miracle~~.  
"There goes Miles Coffey, <sup>racing out</sup> with his  
second <sup>big</sup> scoop of the day," I whispered, ~~to my~~  
partner. "I mean third," I hastily amended,  
thinking of our client's bombshell testimony  
followed by Jason's dramatic <sup>courtroom</sup> exit.  
"Fourth," my partner ~~whispered~~  
back "You're forgetting the biggest scoop  
of all - Aphelm actually <sup>caught</sup> smiling. It's a  
day of scoops of scoops."  
11

DRAMA



~~sheer~~  
~~sheer~~

whispering

"Fourth," my partner corrected me.

"<sup>Heik and</sup> Jason might win, ~~on~~ <sup>decibels</sup> but for

sheer ~~drone~~ the biggest scoop <sup>as all</sup> ~~in~~ <sup>of</sup> ~~Alholm~~ ~~was~~  
actually caught smiling. ~~Anyway, but, one~~

~~night~~ "It's a day replete with scoops of scoops."

might thereby  
the word ~~the message~~

During the hubbub, Doctor Hup  
managed to convey to me, not to call him to  
the stand early so that he ~~could~~ have more time to  
read Jason's diary. "I also suggest you  
keep <sup>your examination</sup> brief and only hit the highlights.  
I seem ^ to be more effective on cross-  
examination."

"OK, Doc," I said, wondering  
whether I now needed to call him at all.

"Are you now ready to cross-  
examine the defendant, ~~Per~~ Mr. Prosecutor?"  
we heard the judge saying.

"Yes, sir," Eugene Conda said,  
still remaining seated after my client had  
resumed the stand. ~~He then proceeded~~ in  
a lowered voice to carefully review ~~his~~ the  
testimony <sup>with</sup> ~~had~~ given that forenoon, less  
in an effort to ~~sharp~~ challenge it, I  
soon saw, than to clarify it and even,  
<sup>in a few spots,</sup> ~~conceal~~ a few points I'd overlooked.

either ~~passed on purpose~~ or had  
~~overlooked~~

still  
STOP  
HERE



712 IN 1001, <sup>also</sup> ~~recall~~ <sup>the events of</sup> "Tell me, Mr. Kirk," he began, "do you remember the events of last night when you <sup>can you</sup> recovered your memory?" "Only vaguely, sir," my client replied after reflecting awhile. "It seems <sup>as though</sup> I'd been asleep and dreaming <sup>several</sup> for hours, when at least that's my <sup>found</sup> impression. When I woke up I could for the first time recall that fatal night. I'm sure Doctor Salter could explain it better."

Q ~~"Did you find you had you~~ <sup>stages</sup> ~~"had you recalled everything?"~~

"No, it seemed to come in ~~stages~~ <sup>phases</sup>, as Doctor Salter later explained to me. On my first awakening, if that's quite the word, all I recalled were the memories I'd had under hypnosis, ~~that had been~~ <sup>erased</sup> by" -- he paused, as though ~~frating~~ trying to avoid uttering Jason Spurrier's name -- "by the operator."

"Meaning Jason Spurrier?"

"Yes, I also recalled the long and careful buildup that operator had made about this strange woman."

~~but~~  
"When you realized that weren't you furious at this operator?" the prosecutor asked, going along with the witness's desire for anonymity.

"No, sir, because at that point <sup>having</sup> about all I felt was gratitude over being wained about this creature. Later last night, as Doctor also <sup>still</sup> explained <sup>my</sup> amnesia over the true significance of those memories was removed, and for the first time my conscious memory included those I had heretofore recalled only <sup>while</sup> under hypnosis. While it all seems very complex I guess <sup>it is</sup> pretty simple."

"And did you then become furious with this operator?"

"Furious is scarcely the word, sir. Rather I was horribly shocked and disillusioned with someone I thought a friend." He paused and breathed deeply. **As** I tried to explain here this morning, the only memories I have or will ever have of that awful evening are my hallucinated ones while in a state of deep hypnosis."

**now. second** "Then you still regard this operator as your ~~pal~~? **friend?**"

**shouted,** "I do not, sir!" the witness fairly ~~leaped~~, all but lunging out of his chair. "What I'm trying to say is, as Doctor Satter carefully explained to me, **last night** ~~trying to~~ to me -- is that for months I'd been like two persons, one with **certain** <sup>revised</sup> memories under hypnosis; others the other with <sup>more recent</sup> unaltered memories <sup>of</sup> later learned from others. **Last night** for the first time

removed  
for the first time

night)

finally

that planted  
"You mean when the amnesia  
of your hypnotic memories was last  
removed, you realized you'd  
done in Connie?"

The witness closed his eyes  
and shook his head before he spoke.  
"I've tried to answer your <sup>2</sup> questions,  
sir, but I'm afraid I can't <sup>yet</sup> make you  
see. I repeat: the only memories  
Doctor Satter recalled last night  
were my hallucinated ones. They  
are mercifully my only 'reality' of  
that awful night."

"You mean that in them  
Connie is alive and well?"

"She is."

"And when you are not  
under hypnosis you remember nothing  
because of the amnesia planted by this  
operator?"

"Yes, although when I am  
when although I consciously know the

finally

by other.

later

bracketed truth from what I'd been told.  
Only last night were the two sets of  
memories joined. "Can't you see?"

"I'm afraid I'm beginning to,"  
the prosecutor said, as much to  
himself as anyone, turning to me.  
"No further questions."

brutally

"Well, you, Mr. Jordan,"  
the judge said.

"No further questions," I

rose and said, ~~getting the feeling that any further questioning~~  
~~more interested in what I had~~  
~~had really revealed the truth.~~





"In all the excitement, lad, I clean forgot. This noon I phoned the office to check on the mail and things and ~~\_\_\_\_\_~~ told me we'd just got a letter telegram ~~for~~ "telligram", he said, excitedly, lapsed into his altar-bay Irish brogue, "askin' us to represent the ~~bad~~ Helarsons Connors' lad in the upcomin' will contest."

"We'd better first win this one," I said.

"I'm already workin' on ~~to~~ it," he ran on.

"But how could you, hangin' around here all day?"

"In me noodle I mean, lad," he said, tapping his forehead. "The very best place."



the judge said,

trial very  
"Call your next witness,  
Mr. Ludlow," he said, suddenly  
went on ending the case that day if  
he had anything to say.

"The defense will call  
Gary Kallis," I rose and said.

\*

1/23/78

## Chapter 33

B:2 final, please.

of Jason's death

Once back in <sup>the crowded</sup> courtroom, Doctor Hugh and I bluntly ~~for~~ broke the news to my client, who took it with <sup>an</sup> unblinking stoicism I could not much blame him for. This done, out an unshaven and visibly weary [now to p. 1 of yellow marked Start & continue]

1/23/78

B: 2 final, please.  
J.

~~Chapter 33~~

Start

Once back in the tense and crowded courtroom a visibly weary and unshaven Doctor Hugh begged off from joining me at my table. Instead he performed the remarkable feat of persuading my partner to take his place. "This is the time for all good partners to come to the aid of each other," he chanted, and I dimly recalled he was paraphrasing the deathless ~~work~~ <sup>words</sup> of some deceased patriot or politician whose name eluded me.

was it a

? --

POULTRY

as →

sensed dimly that

some

utterance of a <sup>or other</sup> ~~or~~ <sup>country</sup> farmer?

Agggingly

"What you up to, Hugh?" my partner demanded. "Gonna work out

Sk: is  
PLAYS →  
PLAYS

some new cribbage plays?"

"Gonna sneak off to our conference room and bone up on this,"

he said, hefting Jason's diary which he ~~was~~ <sup>hugged</sup> still hugging like a child her favorite doll. "Better delay calling me to the stand long

as you can ~~in order~~ give me more time for that." He stifled a yawn. "Also

maybe catch a <sup>we</sup> ~~see~~ <sup>quite a little</sup> nap. Haven't had such a long vigil since I delivered my last child <sup>baby</sup>."

"Have you had any sleep, Doc?" I contritely inquired.

"Oh yes. Several catnaps up in Randall's cell."

"But where? There's only ~~the one~~ <sup>that one</sup> single cot."

"Sitting on his can, son," he said. <sup>we</sup> ~~N~~aby doctors early learn to

grab a wink when and where <sup>we</sup> ~~they~~ can--no rhyme intended."

because the end now loomed so near. [a new back: when the tumult, etc.]

a threat which he failed to carry out fearfully

"Speaking of <sup>mapping on</sup> ~~two~~ cans, one probably helps much

"Probably <sup>said.</sup> keeps Kohler that way," my partner <sup>managed to say.</sup> whispered. "No pun unintended."  
"Better get going, Doc," I <sup>said.</sup> "Here come de judge."

"Ladies and gentlemen of the jury," the judge soberly announced, <sup>leaned forward</sup> once he'd swished in from chambers and ~~sat~~ in his leather chair, "we've just learned that Jason Spurrier is dead, apparently by his own hand. Further details will become available as ~~both~~ the police investigation and this trial continue. We shall now get on with the latter."

The trial ultimately did continue, <sup>a prolonged</sup> ~~all right~~, but only after <sup>a prolonged</sup> ~~many~~ <sup>minutes</sup> ~~minutes~~, during which for the second time during its course the judge

had to pound his gavel and give the seething assemblage his <sup>some of most ominous</sup> ~~darkest~~ clear-the-court look. <sup>scowls, which he probably did</sup> When the initial tumult had somewhat subsided

SCOWLS)

I couldn't resist looking around to behold the spectacle: knots of <sup>mouths agape</sup> ~~stupid~~ whispering people still huddling like conspirators; others aimlessly <sup>some even leaning back in a kind of faint</sup> prowling the aisles; Then I spotted Viola Axholm, her face wreathed <sup>and alit</sup> ~~with~~ smiles, and <sup>I quickly after I'd rallied</sup> ~~from the shock I~~ cugged at my partner to turn and witness the miracle.

"Ah, lad, I wish I had me Brownie." <sup>back.</sup> There goes Miles Coffey racing out with his second big scoop of

the day," I whispered. "I mean third," I hastily amended, thinking of <sup>earlier</sup> our client's bombshell testimony followed by Jason's dramatic courtroom exit.

...of seeing the end.

reporter's cream, last  
- one might say  
I see where you

"Fourth," my whispering partner corrected me. "Jason might win on decibels but for sheer drama the biggest scoop of all is Axholm actually caught smiling. It is a day replete with scoops of scoops."

t'is)

"Are you now ready to cross-examine the defendant, Mr. Prosecutor?" we heard the judge saying when place descended.

"Yes, sir," Eugene Canda said, still remaining seated after my client had resumed the stand. "Tell me, Mr. Kirk," he quickly began, "do you also recall the events of last night during which when you say you recovered your memory?"

Q "I'm probably going to turn in due time."

"Only rather vaguely, sir," my client replied after reflecting awhile.

"It seems as though I'd been asleep and dreaming for several hours, at least that's my impression, and when I woke up I found I could for the first time recall the events of that fatal night. I'm sure and bound that I could for the first time I could recall the events of that fatal night."

Doctor Salter could explain it better."

"And had you recalled everything?"

"No, because my recall seemed to come in stages as Doctor Salter later explained

to me. On my first awakening, if that's quite the word, all I recalled were the memories I'd had under hypnosis that had been expunged by"-- here he paused, as though trying to avoid uttering Jason Spurrier's name--"by the operator."

## Insert

"Did you ever know or ~~think~~ suspect  
~~what this first operator~~ that you were ever  
being hypnotized by this first operator?"

"Never -- until last night, that is."

[ Now back to bal. of p. 4 ]

"Meaning Jason Spurrier?"

*he fairly hunched, gripping the arms of his chair.*

"Yes, I also recalled the long and careful buildup ~~that~~ operator

*this same*

had made about this strange woman."

*finally* "When you realized ~~that~~ *that* weren't you furious at this operator?"

the prosecutor asked, going along with the witness's desire

*apparent to avoid even hearing the man's name.*

anonymity

*to for not wanting even to hear much less*  
*utter Jason Spurrier's name.*

"No, sir, because at that point ~~about~~ all I felt was gratitude

*restless (he'd conjured up.*

over having been warned about this creature. Later last night, as

*the Doctor* Doctor also still later explained, my amnesia ~~over~~ the true signifi-

*was not only removed but*

cance of those memories ~~was removed,~~ and for the first time my conscious

*filled in so that*

memory included those I had heretofore recalled ~~only~~ while under

*only partially*

hypnosis. While it all seems ~~very~~ complex I guess it is ~~pretty~~ simple."

*very quite*

*it's really quite*

"And did you then become furious with this operator?"

*other*

"Furious is scarcely the word, sir." He breathed deeply. "As

I tried to explain here this morning, the only memories I have or

will ever have of that awful evening are my hallucinated ones while in

*I gained*

a state of deep hypnosis."

*[Here take Insert B]*

"Then you still regard this now-deceased operator as your friend?"

"I do not, sir!" the witness fairly shouted, all but lunging out

of his chair. "What I'm trying to say, is--as Doctor Salter spent

hours last night ~~was~~ trying to explain to me--is that for months

I'd been like two persons, one with certain vivid memories <sup>gained</sup> under

hypnosis <sup>I couldn't consciously recall,</sup> the other with more recent anguished memories I'd only

<sup>after the fact</sup> ~~later~~ learned from others."

"You mean that when the planted amnesia of your hypnotic memories was last night removed for the first time you finally realized you'd-- ah--done in Connie?"

The witness closed his eyes and shook his head before he spoke.

"~~no,~~" <sup>he said.</sup> <sup>hard</sup> "I've tried to answer your questions, sir, but I'm afraid <sup>I can't yet</sup> make ~~you see.~~ <sup>myself clear, possibly because I myself can not.</sup> I repeat: the only memories Doctor Salter recalled last night were my hallucinated ones. They ~~are~~ <sup>are and remain</sup> mercifully my only 'reality' of that awful night."

"You mean that in them Connie is <sup>still</sup> ~~always~~ alive and well?"

"~~She is.~~" <sup>briefly</sup> "Yes," he murmured, <sup>closing his eyes</sup> <sup>to gather himself</sup>

"And when you <sup>were</sup> ~~are~~ not under hypnosis you remember <sup>ed</sup> <sup>of those memories</sup> nothing because

of the amnesia planted by this operator?"

"Yes, although I <sup>consciously</sup> <sup>ly</sup> knew the brutal truth from what I'd

later been told by others. Only last night were <sup>those</sup> <sup>sets</sup> <sup>disparate sets of</sup> the ~~two sets~~ of

<sup>in some</sup> <sup>in a measure for once</sup> memories finally joined--can't you see?"



"I think

"I'm afraid I'm beginning to," the prosecutor said, as much to himself as anyone, turning to me. "No further questions."

"Up to you, Mr. Ludlow," the judge briskly said.

"No further questions," I arose and said, *quickly* surprised at the suddenness of my client's reprieve from further examination.

"Mr. Prosecutor, you were also about to cross-examine Mr. Dundee *earlier* when we were--ah--interrupted, "Are you ready to *get on* proceed with that?"

"Your Honor," Eugene Canda said, *impromptu* arising for the first time since our recess. "While we were in chambers I had my assistant check over *certain things* at the probate court. I've now received his report and find I have no questions on cross-examination."

"Chicken," my partner leaned over and whispered. "And here I had a whole bloody speech prepared. Ah, well, I'll save it for *our* the will contest."

"Will contest?" I asked, puzzled.

"In all the *commotion*, lad, I clean forgot *late* this noon I phoned *from a Boston law firm* the office to check on the mail and things and told me we'd just got a tilligram," he said, *excitedly* lapsed into

his altar-boy *locally* Irish brogue, "askin' us to *ripresent* Connie's lad in *his* the up-comin' will contest. *Seems someone clued them* about *THIM* *had just* *about* *just filin'* *his* *febbin' them* *with* *will* *that* *illigant man, lad!*"

"We'd better first win this one," I said.

"Just *another scoop*," *pretending a calm I didn't feel.* "I said, "But maybe we'd better *try on* *win* *one* *this contest* *at a time.*"

Now ain't that

*sometimes under pressure, as he often does when excited.*

"I'm ~~already~~ <sup>lumpy (already, lad,</sup> workin' on it," he ran on. <sup>"I'm bristlin' with quistions."</sup>

"But how could you, hanging around here all day?"

"In me noodle I mean, ~~lad,~~" he said, tapping his forehead. <sup>"Always the</sup>

~~very~~ best place."

"Call your next witness, Mr. Ludlow," the judge <sup>quickly</sup> said, evidently

<sup>trying to end</sup> bent on ending the trial that ~~very~~ day if he had anything to say.

"The defense will call Gary Kallio," I arose and said.

"Partner," I heard <sup>my partner</sup> whispering,

"I'm getting the faintest intuition that <sup>my opponent's</sup> ~~no longer~~ <sup>tryin'</sup> ~~not~~ so much to win <sup>as</sup> ~~to~~ conduct a <sup>decent</sup> ~~an orderly~~ retreat."

dACENT

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