

VOLUNTARY ACTS

PHILIP N. MEYER*

In early foliage season . . .

Eastwood, Vermont is a picture postcard town. An upper class fantasy. A myth made real. Quaint shops and brick buildings and globe lamps line carefully reconstructed streets. Large colonial frame and brick houses lie just beyond the shops as you cross over the covered bridge on Sleeping River to the other side of town. Here the houses become larger. Mini-estates. Large and carefully reconstructed to look like updated versions of the originals. The Eastwood townspeople are wealthy and self-satisfied. But it is a bought and paid for town, a colony filled with old-line money, taken over long ago by the flatlanders from the south towns of Wellesley and Newton, Greenwich and Darien. Even the name of the sports team at the local high school is, I kid you not, the "Wasps." But it is the physicality of the Eastwood Valley, carefully dramatic, that is special.

Early foliage season. Outside the window, the rush of color already dwarfs the significance of townspeople and *touristas* alike. I watched the show with wonderment and awe as I waited for Bertram Davis, my law partner, to return from court.

I removed the bottle from my desk as I waited. There, stuck to the bottom of bottle, was the clipping from the New York Times about my wife's death. I picked out bits and pieces skimming over the words: Eleanor F. Walters, holder of the Rockefeller Distinguished Chair at the Medical School, nationally recognized medical researcher in heavy metals and cancer, dead from exposure to radiation. She contracted radiation poisoning while transferring a rare and deadly form of mercury—dimethyl mercury—from one container to another. Several drops fell on one of her latex gloves. Apparently, the dimethyl mercury liquid permeated the glove and penetrated her skin, an infinitesimal amount on the finger of one hand. It wasn't until many months later that the damage began to show, her gait faltering and her words slurring. But by then it was too late. The damage had already spread to her brain and nothing could be done to save her. As her condition deteriorated, she faded into a coma and died. Her death was agonizingly slow and painful but this is not mentioned in the article. Nor is Eleanor's steely strength and stoicism and selflessness throughout those months before she slipped into the coma. Nor is the fact that we seemed closer to one

* Professor and Director of Legal Writing, Vermont Law School. I should warn the reader that "Voluntary Acts" is part of a novel-in-progress.

another during those final months when she became completely dependent upon me.

The article talks about the significance of Eleanor's work and her efforts to draw public attention to the dangers of industrial contaminants that enter the eco-system; specifically the industrial contaminants that induce cancer by disrupting specific proteins that repair damaged DNA. The article reminds us that the accident was nobody's fault, certainly not that of Dr. Walters. Eleanor, eulogized in her memorial service at the University with a new endowed Chair and a Scholarship Fund at the Medical School created in her honor, was vaunted as "a latter day Madame Curie." I am identified in the New York Times article as Joseph Feldstein of the Eastwood firm of Davis and Feldstein, and even quoted briefly. There seems anger in my remark that this "shouldn't have happened." And, had it been anyone other than Eleanor I probably would have sued the university, the lab at Harvard that prepared the dimethyl mercury for shipment, and the pharmaceutical company to learn how it had happened. And why. I would have cut a swathe of righteousness a mile wide.

Of course, any legal judgment I could have gotten would have been reduced for Eleanor's contributory negligence. Eleanor was wearing gloves and goggles. But, inexplicably, she wasn't working beneath a fume hood where gasses and contaminants are sucked away by ventilation. Basically, Eleanor was a cautious researcher. Whenever Eleanor worked with colleagues on deadly heavy metals and strange contaminants she demanded that they work in the containment area of her lab and use robotics equipment. And no one knew the deadly properties of these compounds better than Eleanor. By habit and inclination, she was a meticulous and careful person. She had once dismissed a gifted teaching fellow from Harvard for working with toxics outside of the containment room. Inexplicably, she wasn't using the equipment the evening when the contamination took place, although that is not mentioned in the article.

The article also names our children, Davis and Gabe, Eleanor's early career at Yale and how our first child, Davis, died of cancer. The article mistakenly makes it appear that Eleanor began her cancer work after Davis' death. But she began the work years before while she was at Yale. She was always an environmentalist; fascinated by the properties of toxic industrial pollutants and their link to cancer. There is a deep cosmic irony in that Eleanor's work in cancer research anticipated Davis' illness as well as her own. The article said little about our second child, Gabe, grown now and off on his own. We hardly communicate anymore. But in the article the world will know us as a

wholesome and upstanding family. And, except for me, in many ways we probably were.

Perhaps this is why I never took legal action against the University, the lab at Harvard, or the chemical company. I allowed the statute of limitations to expire, Bertram Davis's legal complaint that would have initiated the lawsuit sitting on my desk. Bertram thought that I needed to, at least, use the lawsuit to get to the bottom of what had happened and why. Give the judgment you collect to charity, he told me. But I did not let him file the lawsuit. It was not to save Eleanor's reputation as a scientist or because of the pain the lawsuit would have caused me as I suggested to Bertram, but, rather, simple, selfish, inertia, an effort to save my own reputation. Because it would have all come out then, in the discovery, about my love affair with Amy, and about Billy, the child of that affair. None of this had any relevance to Eleanor's "accident" but it would have come out.

Bertram, my law partner, knew this, I think, and never pressed me on my reasons for holding up on the lawsuit. I still have another life that I go to now, one that requires attention when I can get myself away from the yellowed bottle-ringed New York Times article. I heard the sirens coming from the prison outside the town . . . the bursts of noise grew progressively louder and louder . . .

Things were hot at the Eastwood Correctional Center. My client, Billy Alexander, had just blown a walk-away from a work detail that turned into an escape attempt. Dino Loveless, Billy's fellow inmate, was charged with helping him. I knew I should have referred Dino to another attorney, immediately, especially since the preliminary incident report and his initial statement given after his waiver of rights indicated a possible conflict of interest if I were going to represent Billy. But I wanted to hear what Dino had to say first before I talked to Billy. And I think Dino knew this as well as I did. Knew that he was on the preliminary card, the opening act before the main event. Still, he felt obliged to put on a performance for me, even demanded payment for what he had to say. Any information that Dino had that would be helpful to me in defense of Billy would be costly.

Dino was a professional prisoner, adept and shrewd and hyper-aware, combined with a curious female impersonator's persona . . . a loose theatrical hysteria available upon demand that could juice up the atmospherics, as if he could just cross over from the masculine to the feminine at will. Outside, Dino began as a Boston Irish townie, doing insurance fires for hire, a perfect conjunction of aptitude and inclina-

tion, but soon took up more spiritual work, and found his true calling as a church arsonist.

Dino's hair was cut across his forehead in a Friar Tuck monk's fringe stopping in a hard line just above his eyes. A short man with a body builder's physique created from endless hours of pumping iron. He wore an assortment of primitive prison body tatoos (all in crooked-lined black and white) like *film noire* plumage. He combined a strange physicality and sexuality with a working-class Boston Irish lisp. He was freakishly grotesque.

Eastwood County is a warden's prison. No interview or conference rooms. I interviewed Dino at a table in a corner of the cafeteria. The guard unclasped the cuffs from his restraining belt.

"It was a pretty day see, and we was takin' a smoke and relaxin' undah the bushes. You know, they don't let us outside once the snows come," Dino began his story.

In another month, once the snow started falling, the exercise yard would be closed and the prison locked down until spring. The prisoners fester inside, outside it's a harmless looking enough place, just out beyond the edge of Eastwood. The locals say that if you rip off a flatlander's home or car, the Hon. Amos Ritter sends you straight to Eastwood Correctional.

Bertram Davis, my law partner, sued the warden in federal court alleging that conditions of confinement at Eastwood was a form of Cruel and Unusual punishment. Bertram undertook causes as well as cases. No one ever expressed gratitude; the publicity was bad and it hurt Bertram politically. He would never get the judicial appointment he wanted so badly. And it hurt our practice too. But that was Bertram's way. Bertram's lawsuit, like much of what he did nowadays, went nowhere and his federal civil rights complaint against the prison was dismissed.

"What were you doing out on a work detail?" I asked Dino.

"Dunno counselor," Dino eyeballed the pack of Camels I carried with me.

I offered him one.

"You wouldn't be holdin' no mentholated wouldja counselor?" he asked.

I laughed, because I did have a pack of mentholated unfiltered in the jacket pocket on the back of my chair. I gave him one. He rolled it delicately between the fingers of his cuffed hands clasped together as if in prayer. I finally lit it from a butane pocket lighter. His eyes widened peering into the flames.

"A work detail," I repeated, incredulous. Work details are for honor prisoners. Billy was an unclassified pre-trial detainee awaiting transfer and arraignment.

Dino savored the drags. "Must'a been a mistake in some paperwork or sumpthin'. The Moron musta signed the wrong forms. Couldn't believe the way they was leavin' us. And then there was this fuckin' bread truck deliverin' Wundah bread or somethin'. Gate was wide open too. Like they was just beggin' us to make a break for it."

"Did you?"

"I was considerin' the possibility counselor," he said.

"Billy?" I said, too eagerly.

"He was just takin' a snooze undah the bushes. But then Lawrence-the Shift-Supervisor, this fat mean motherfuck comes rushin' out with these pruning shears used to cut the hedges. Starts up the motherfucker."

"But you stopped him. Report says you bit his ankle," I said.

"Fuck no."

I showed him the Polaroid photo of Lawrence's leg taken at the Eastwood Emergency Clinic: deep teeth marks, the grooves of purple and violet, canines and incisors. The typed caption: Medical diagnosis: human bite. I wondered whether Dino was HIV positive, whether he could be charged with attempted murder or capital murder if there was transmission of the virus.

"That fat motherfuck was rammin' his boot down into my face. See this discolored area. No call for that," Dino said shyly.

"Billy dropped him?" I asked.

"A right I think. A beau-tee-ful right. I picked up the prunin' shears, they was still rumblin' back and forth in their groove, contemplatin' whether I'd remove some part of his lower anatomy," Dino savored the drag and the imagery.

"What happened then?" I asked.

"Those sireens popped off. Like someone had been watchin' us all along. Just waiting for us to make a move."

"That Wundah bread truck was just sittin' there counselor. Backed up to the loading gate. Pointed out onto Main Street. And you won't believe this, the motah was running. Little farty noises like some cute little whoore . . ."

"You telling me it was a set up? Someone wanted you to escape?"

"Eksc-scape," his eyes glistened tearfully when he said the word, "Don't know counselor. But the next thing I do know we was in the Wundah Bread truck careenin' down Main Street. Cars and people and sireens poppin' off and wind whooshin' around me."

Dino's story ended with the crash of the bakery truck flipped up over the stone wall at the end of the common at the Eastwood War Memorial, "See I knew I wasn't really goin' nowhere's man. But it didn't really matter . . ."

Miraculously, no one had been killed or injured.

"You were in the truck," I said, too eagerly, "Billy didn't go with you?"

"No he did not, counselor," Dino said.

This meant that the new charges added to the pending federal charges wouldn't include escape, or grand theft auto. He would be charged with assault, and most likely, accomplice liability.

Dino finished off the interview, "I have this dream counselor. Cindahs off the top of some church. Me, I'm watchin' 'em rise. And the next thing I know I'm goin' up wif em. Floatin' lighta than air into the winter darkness. Jeez counselor ain't that a beau-tee-ful sight?"

I interviewed Billy next. Billy's ears stuck straight out from the sides of his head like two large flaps. His nose, large, was a curious version of my own. But his mouth and eyes were softer than mine, his lips thinner, much more like Amy, his mother: with his thin lips, and squint eyes coming down from the darkness of the S.A. (Security and Adjustment) Unit, I see something inside of him all pressed together tightly, his emotions squeezed painfully. That slight thinness of his Waspy features, in contrast to my thick Jewishness, revealed no intelligence and sensitivity, and certainly not a young man capable of deep and severe aesthetic judgments. I thought Billy an extremely handsome man.

Now he conveyed a sad and wounded quality, hurt and bent and permanently twisted. I knew that I deserved some of the credit. His movements were just slightly out of rhythm, and their fluidity barely concealed a newfound violence. Yet his body had a certain graceful and athletic torque, and the compressed power of a weight lifter was evident. And in his torn white sleeveless T-shirt, he looked like some poster-boy perfect prison musculature.

Physically, he was the person I wanted to be so many years ago. He sported a light fu-manchu beard and stasche with the beard growing on his face. All two hundred thirty-five pounds of him. Six-foot-seven. When I looked at him I saw parts of myself. He was always far more of an athlete than I could ever have hoped to be. I used to love watching him play. Regardless of the sport and regardless of the season. His hands cupping a long pass in the fall as he stumbled forward over the goal line. Fielding at third base, backhanding a sharp grounder down the line, looking at the ball in his glove, almost surprised yet smiling,

taking an extra moment to savor the pluck and then turning and planting his feet and firing that long overhand strike to first base to get the runner. Or driving the ball deep up into the lights when he got good wood on it, carrying higher and higher into the outfield night in American Legion summer air. Billy ended up Connecticut high school All-State in three sports. Football. Baseball. Basketball. He turned down athletic scholarships at more prestigious Division One schools, and scholarships at Princeton and Penn, Ivy League basketball powers, to return to the University in Vermont. This seemed inexplicable to me at the time, although I was deeply gratified as I wanted him to be a part of my life and family, especially after Amy took off for parts unknown with what was left of her inheritance.

Billy and I had more in common, than I ever shared with Gabe or even Eleanor. Basketball was always his number one game. He loved it. Just as I had.

I asked the guards to remove Billy's leg shackles and unchain the handcuffs from the leather and steel restraining belt around his waist. They refused. But it was the handcuffs that seemed to bother him. He didn't know where to put his hands, or how to get them out of his way.

I asked the guards to leave us alone.

"Hey 'pops'!" Billy raised and lowered his cuffed hand on the chain still tethered to the restraining belt, blending rural nasal twang and inner-city irony in his curious salute.

"Hey' Billy," I said, tiredly ironic.

The guards hesitated.

"Leave. Lawyer-client privilege," I said.

"Yea. Get-the-fuck outta here," Billy followed up, angry, and then, as they departed, chuckled. But it was a strange and pathetic laughter.

"Billy? Jesus. This on top of the other crap," I said, looking down at the notes in my file and then up and over the top of my half-frame reading glasses, "Jesus H.," I sighed.

He was sitting uncomfortably in the metal chair. He was too big for it, an adult in a child's seat, waiting for punishment. It was all so degrading. I wanted to erase the whole scene. But more immediately, I just wanted to get up and leave, and to take Billy with me. He was all I had left of a life. For a short time, after he had come back to Vermont and to the University where Eleanor worked, we hung out together. He came to dinner at the house. He played ball twice a week on the nicely lit outdoor courts along the edge of the Sleeping River on my summer league team. He was the only person I could talk with aside from Bertram. We had gotten close, reconciled. But then Billy got into trouble at the school. And then there was a horrible automobile accident and

Billy's conviction for DUI and reckless endangerment. Amos Ritter did not play favorites and sentenced him to eighteen months in Eastwood County Correctional. He served his jail time. And then, after his release, came Eleanor's slow and horrible death.

We were both now dealing with a past that wouldn't turn us lose. It was my relationship with Amy that brought me Billy, and this had resulted in Billy's fate and, Eleanor's as well. I was still trying to figure out all the connections. Before I knew how it all fit it was too late.

Sitting with Billy, I realized how lonely I was without him. With him now, in the same room, some part of him had been lost; it was not the same Billy, and this made me impossibly sad.

"Fuck it," Billy was manically disinterested, raising and lowering the cuffs over the table like a benediction, trying to get comfortable.

We spent several moments this way; his eyes now glazed over, white, absorbed at watching the spectacle of his massive hands and fingers stretching out into the light.

I suspected Billy felt abandoned. Amy had become such a distant person after she left Eastwood; pursuing her education and career and then living vicariously through her clients at the social services agency and finally falling into abstraction and a strange spiritualism when her parent's died (her father who had been institutionalized, and her mother's Alzheimer's). Amy cut herself off from Billy, as if he too were a part of her life that could be forgotten.

I should have been there for him earlier, many years ago. More than merely attending his games and sending him money. But father to father we learn how to abandon our sons. By the time I realized how much I needed him it was already too late.

Billy's dreaminess had turned to darker fantasies. In college he was once arrested for his role in a frat house game, a shotgun discharged, another student took pellet shells in the buttocks. The charges were dropped. And then there was the accident: Billy was intoxicated, driving a car with two other basketball players right after it was announced that the University team had made it into the NCAA tournament for the first time in the school's history. None of them were wearing seatbelts. Billy's best friend, Avery, was thrown from the car. Billy was prosecuted. The charges were reduced from manslaughter and vehicular homicide to reckless endangerment and DUI Billy pled guilty. The prosecutor did not make a sentencing recommendation, and we asked that Billy be put on probation and serve no jail time. But Amos Ritter sentenced him to Eastwood County and he served eighteen months. He lost his scholarship and the possibility of ever playing pro ball.

After he was released he managed to land a job with Bertram's old rival, Gordon Leacock, our governor, as a chauffeur and handy man. (The Governor always had prison men working around him. A tradition I guess.) I don't know whether The Governor knew Billy was my son, but I suspected and assumed he did; there were no secrets in Eastwood.

After his release from prison, Billy began a quick downward spiral, getting into drugs and dealing and, apparently, at least according to what I knew from Casey Harris, involved in a smuggling operation. It was as if he had decided that his life was over, and that what he did no longer mattered. Or stranger still, that he wanted to be apprehended and punished. He was caught in a joint Vermont/DEA sting operation smuggling crumbly chocolate and chocolate froth into the states from Canada. Sounds harmless. But the stuff is used in the start-up of chocolate manufacturing, and is restricted by import quotas. He was smuggling chocolate stuffed into lead-lined containers; at least it wasn't Uzis and cocaine.

There were state drug possession charges pending against Billy along with the federal paperwork up in Burlington. With the election coming up, Gordon Leacock was doing his best to avoid scandal: The Governor had arranged to have the federal charges piggy-backed with the state indictment, and pushed his friend and political appointment Judge Amos Ritter, into handling them in Eastwood County. Leacock probably knew that I wouldn't want to cause trouble for them either, and would try to dispose of this business as expeditiously as possible.

"Billy . . .," I said.

"Yea pops," he answered, a parody nickname, said without ever looking at me, with neither affection or anger. He stood up, towering over me.

"Sit down," I instructed him.

He laughed at me, a bit disrespectfully, as if I had long ago given up any right to authority over him. And then he looked down at his hands. He didn't seem to know what to do with his hands. They opened and closed, outside of himself.

"What's this about?" I asked, trying again.

"I don't know man," he said.

"Talk to me."

No answer.

"Come on Billy."

"Maybe you can talk to some of your mob guys. They can do a better job in planning my next break," he said.

"Stop it," I said.

"I was set up," he added.

I'd heard the line so many times it had lost resonance for me.

"When I was busted. Fuckin' chocolate. How was I supposed to know it was illegal?" he said.

I knew that he had made a run for it, tried to escape from the police, but I didn't say anything to him.

"And now . . . this shit. They left the gate open. They tried to have Lawrence push me out the door . . ."

"Who's they?"

"I can't talk about it pops," he said, and laughed, "I'd end up like Hans Solo in *Star Wars*, you know, pickled in formaldehyde in some therma-heating panel in the capitol in Montpelier," he laughed uncomfortably at his own images, sucking the air through his nostrils.

"What's that supposed to be, funny? A clue? I'm your lawyer, talk to me," I said, although what I wanted to say, 'I'm your father.' I'd never acknowledged paternity, publicly anyway, even after Eleanor died.

I knew that I would handle the interviews and the pre-trial, and then let Bertram take over for me if Billy's case went to trial and perhaps well before that if my feelings for Billy got in the way.

"Get me transferred to some place more restful, pops. So I can talk with someone, maybe get some therapy, some insights, some perspective on why I do some of the things I do."

"Jeez, Billy, what have you got yourself into," I said, my voice tasted sad with bitterness, deep-throated disappointment about who he was and who I was and what we had both done with our lives and what we had become.

"I'm in danger every minute that I'm in here, pops" he said.

"From who?"

"The Governor man, the State," he said, somewhat uncertainly.

"Let's start over. What's this about?" I said, frustrated, like we were circling around one another, two fighters feeling one another out in the early rounds.

"Love man."

"What?" I said, unsure of whether he was trying to be funny, "be straight with me."

"I am."

"I don't get it."

"She opened up a part of me that I didn't even know was there. It's like I'm falling endlessly inside myself and no one's ever gonna break the fall," he said.

"That's very poetic. Who?"

"Catherine . . ."

"Catherine Leacock?" I said, "The Governor's daughter?"

"Not a Capua huh?"

"Capulette," I corrected him.

"Older than Juliet anyways. Different times, huh, man," he said.

He was suddenly distracted, watching his hands, opening and shutting them powerfully, as if trying to capture something not yet trapped.

"You ever think about her, pops?" he said, changing subjects.

I knew who he was talking about, or at least I thought I did, "Amy . . . your Mom?"

"Eleanor . . . your wife," he looked up at me, something hard in his eyes.

Then he changed directions, "You're my lawyer, right?" he said, no longer looking at me.

"Right," I answered.

"What if I told you I did something," looking down, squeezing his powerful fist open and shut faster and faster, like a junkie pumping before shooting up.

"Like what Billy?"

"Never mind."

We sat there without speaking, like the interview had run its course. I didn't know where to go with it, and so I tried something else. I changed the topic.

"You heard anything from Amy?" I asked.

No response. He just froze up.

"Your mother . . .," I said.

"You got some change, pops? For the machines," he said, manically disinterested now, his thoughts veering hard away from the question, into another direction.

I gave it to him, over a dollar's worth. He took it, awkwardly, turning his cuffed hands away, palms up. I turned back to my notes, the scrawl on the yellow legal pads.

He stood up and followed the arc of light across the room to where it reflected off the top of the COKE machine. His leg shackles scraped together and his leg irons dragged as he shuffled over. He stood before it like it was a primitive altar. His large cuffed hands pressed tenderly against the red metal. He fed all the coins I had given him into its slot. And then he jerked down on the metal lever like it was a slot machine. There were internal rumblings. A derisive electrical hum.

"Those slugs? Or twisted? Or Canadian?" he demanded.

I shook my head no, "Machine must be busted."

He slammed the flats of his fist against the machine, and put his head down into his hands against the machine. He mumbled something to himself.

"Billy?"

"What?"

"It won't give the money back?"

"Fuck it won't . . ."

I should have seen it coming. He grabbed the machine, and rocked it side-to-side. I got up, but it was too late. The machine tipped to a side, paused, and then toppled sideways, landing in an explosion of metal and glass, followed by secondary explosions, the coke bottles shattering open, coke pouring out over the busted glass on the concrete floor.

"Jeez Billy," I said.

"There man, see . . .," nickles, dimes and quarters rolling across the concrete onto the linoleum.

"See what Billy?" I asked.

He stood there studying the puddles of coke and glass and silver, as if reading the patterns for deeper meanings.

The din from the nearby cellblock stopped momentarily. Lawrence, the psychopathic three-hundred pound supervisor, rushed in. He was smiling. Like this was the chance he had been waiting for. Billy raised his hands submissively over his head.

"You don't hurt him . . ."

"Nahhh . . . I won't touch up your pretty boy," Lawrence whacked his metal club down from one hand to the other.

Two other guards came into the room. They shackled Billy's wrists together, and attached the manacles to the restraining belt around his waist with chains. I could feel the pressure building up behind my eyes.

I could heard the noises as Billy was dragged up the stairs back to the small cages of the Security and Adjustment Maximum Security Unit in the attic of the Eastwood Correctional Unit by the officers who had come to assist Lawrence.

"You don't hurt him!" I shouted after them.

"You gotta shake the trees, pops, to make the coconuts fall," Billy called back down the stairs, defiantly, a prisoner's line to walk off on.

I studied the debris too. We had both made a mess of our lives. I couldn't take my eyes off of it.

When I first met Amy, Gabe's new teacher in the public school, it was just after we moved to Eastwood. She was the same age as Billy is now. She struck me as bright, intelligent, somehow distant and cold. At first, I wondered why someone so attractive seemed so alone. I remember lying in bed with Eleanor one evening, joking about Amy's

sexuality, wondering if maybe Amy was a lesbian. Eleanor, always protective of other people, especially women, was offended on Amy's behalf. "Come on," I laughed and said something like, "Give me a break." After all, we were married, for Chrissakes. This precipitated an argument, one of many arguments, one that Eleanor ended by saying she had to get up at 5 A.M. for medical rounds in pediatric oncology and that we could continue the conversation another time. She got up and went into the other room. Eleanor had changed so much over the years. She had become a true "Upper Valley," university feminist. Her feminism seemed severe, judgmental and absolute. And, along the way, she had made me into the comical seventies husband, the heavily caricatured professional misogynist, the perpetual male that her woman's study group analyzed weekly.

As I said, Eleanor and I had two children: Gabe is my oldest son. He is a businessman nowadays, with children and a career of his own, something to do with computer generated economic models. He went to college but quickly retreated into the safety of marriage and career not unlike his father. He avoids me as much as possible these days. We don't have much in common and I know he blames me for Eleanor's death. He has never accused me directly, but it is as if the unhappiness in our marriage made Eleanor inattentive and careless, and it was this unhappiness that was the real cause of Eleanor's "accident."

Davis, who we named after Bertram Davis, is—was—my other son. He had just been born when Gabe started first grade. Eleanor had been named head of her department at the University Medical School, her lab had received major grants and was busy working with heavy metals and cancer, and I had become Bertram's partner practicing law in Eastwood.

I don't even remember how it happened that first time between Amy and me. Whether it was before or after Davis became ill. There were simply forces compelling us toward each other. I know this is the same justification criminal clients use but I don't present it as an excuse. Perhaps I should have felt ashamed or guilty. But I didn't. Like so many of my criminal clients, my only worry was getting caught.

I married Eleanor after I returned from Vietnam and finished law school. Perhaps I married her out of fearfulness of what I had done. Although I had been drawn to other women, it was diffuse, nostalgic and romantic as to be an adult version of adolescent longing. With Amy it was something else. Something dark and powerful.

* * *

I wanted Amy to have an abortion. And then Amy reciprocated and demanded that I get a divorce from Eleanor. Eleanor found out about us. She hired a private detective agency in Burlington, and the detective took those clichéd but all too compromising pictures of us. It was your usual cheap melodrama, a wasted afternoon soap. The one twist on the plot was when Eleanor presented her photo spread like a scientific paper documenting her findings. I confessed to Eleanor and she ordered me out of the house. I had started to leave.

But then Davis, our baby, became ill. Leukemia. We took him to Sloane Kettering for chemotherapy. I remember the endless drives down the interstate to New York. They put him in isolation and reduced his white blood cell count to zero for the marrow transplant. We thought the transplant successful but then there were secondary infections. Eleanor and I continued the marriage but it was so transparently pragmatic. She needed me to help her with Davis, his treatments at Sloan, the chemotherapy. As penance, I ended my relationship with Amy.

When Amy had the baby she never acknowledged publically that I was the father. Amy wanted to prove to me that she was as strong as Eleanor. When I tried to help her, she pulled farther away from me and eventually left town.

Bertram Davis, my law partner, had to go in for a visit to have his medications adjusted and some blood work done. Bertram is H.I.V. positive. I would cover his calendar call in Montpelier. We (more specifically, Bertram) represented several of the named plaintiffs in a class action lawsuit against E.V.P.S. (Eastwood Valley Power Service), Hydro Canada, and the State's Public Service and Utilities board. Bertram's complaint alleged price fixing, fraud, collusion, bad faith negotiation and breach of contract. His complaint also included tort counts for negligence and intentional interference with contractual relationships against the private companies although the state could only be sued for intentional conduct and not for negligence. The multiple-count many-paged complaint was typical Bertram, it was, as lawyers say, a real piece of work.

E.V.P.S. was a private utility that had a monopoly on providing electrical service in most of Vermont. E.V.P.S. ran The Vermonter, a nuclear power plant, in fact one of the original reactors in the nuclear power demonstration project that, during the cold war, combined production of nuclear energy and weapons grade uranium as a by-product of the fuel generating process. It was a short-lived idea. Now, with the recent difficulties at The Vermonter, and the state and

environmental groups simultaneously pressing to permanently decommission the plant, E.V.P.S. was purchasing ever more power from Hydro Canada as the state transitioned from nuclear back to traditional power sources.

Legally and bureaucratically, it was an extremely complex matter that not even the lawyers, including Bertram, could get a complete handle on. It was one of those legal disputes that take on a life of their own, then seem to turn on the lawyers. Here is a skeleton of what had taken place: E.V.P.S., negotiating with the Public Service Board on behalf of the State, had entered into an exclusive contract to purchase the electricity from Hydro Canada during the energy crisis in the late 1970s. The option on the fixed-price purchase agreement was renewed during the mid-eighties when the troubles began. But in the late 1990's, and the move to decommission the reactor, a glutted oil market had seen the price of oil plummet. But the state and the power company still paid an exorbitant premium for an ever-increasing amount of electrical power purchased in an exclusive contractual arrangement with Hydro Canada (a privately held corporation) at the prices leftover from the 1970s energy crisis. That expense was passed onto consumers. And E.V.P.S. and Hydro Canada, both privately-held corporations, made out like bandits profiteering from the contract authorized by the State at the expense of the consumers and taxpayers.

It was even more complex than this: Hydro Canada, the private Canadian supplier, had expanded services and constructed elaborate hydro powered generating facilities by purchasing and flooding native lands in rural northern Quebec, to fulfill the contract. It did so primarily in reliance upon the demand of the exclusive supply contract. These projects pissed off ecologists and Native Canadians. Hydro Canada then sold the energy produced in Canada to Vermont and now to several other northern New England states as well (at a much lower price, however). In fact, the production and exportation of expensive hydro generated power had, along with tourism, become one of Canada's biggest and most profitable industries during the past twenty years.

Bertram represented several plaintiff consumer groups in a class action suit. The defendants were: Hydro Quebec, E.V.P.S., the individual named directors on the Public Service Board, and the State of Vermont. The defendants had first moved for dismissal of Bertram's complaint. And then for summary judgment. Amos Ritter, the trial judge in Eastwood County where the suit had been filed, had dismissed all of their motions, even though he was Leacock's appointment and the lawsuit would create bad publicity for Leacock and the state in an election year. The defendants had taken the denial of their motions up

on a consolidated appeal before discovery began. There is no intermediate appellate court in Vermont, and so the matter was to be heard in State Supreme Court. Bertram thought that the appeal was a delaying tactic, that the defendants were merely stalling to get past the election and, perhaps, past the decommissioning of the nuclear power plant, *The Vermonter*. They were trying to avoid the bad publicity Bertram would create at the trial.

Since the Vermont Supreme Court had placed the consolidated appeal on the docket, there seemed to be little possibility that the court would reverse the trial court's rulings and dismiss Bertram's complaint on these pre-trial motions—especially since it was a consumer lawsuit being heard during an election year when three of the Supreme Court Justices were under election review. Bertram had submitted a simple brief, emphasizing the procedural argument that the Supreme Court should defer to the trial court's ruling unless there were egregious errors in the record and there were no arguable disputes of material fact. The brief did not, however, lay out the substance of Bertram's complaint; it did not set forth or substantiate the factual basis of his allegations or reveal what his proof at trial would be. He was apparently holding these cards close to his vest, and did not want to allow the defendants to use the motion arguments as a cheap form of discovery.

In fact, he hadn't even briefed me on what he was going to do at trial. Still, I would do the oral argument, and I felt a little uncomfortable since I did not fully understand what the case was about, or what Bertram would present as the basis of his lawsuit.

The Vermont Supreme Court sits in small chamber; the room is spare and stark for a state Supreme Court. There is a high ceiling and skylight with acoustics that makes the words of the advocates difficult to hear. The defendant's lead attorney was a flatlander, an aggressive bald-headed man from New York who looked like a caricature of Kojack. And the Court did not ask him many questions.

As best I could figure out, the attorney was arguing that the lawsuit was a simple contract case. He recited the terms of the contract and argued that there were no disputes of "material fact" and that the court should simply uphold the contract; even a bad contract deserves legal protection. When he recited the clauses of the contract it almost put me to sleep. I had the strange sense of listening to the argument while sitting with Billy in the prison. And then it was my turn.

I was surprised by the way Justice Doolittle greeted me. Doolittle was the court curmudgeon, feisty, overweight, single, with long hair and

long mutton-chop sideburns. He reminded me of a character in a Dickens novel. He was suffering from advanced prostate cancer, and would soon be stepping down from the bench. Many in the state would miss him, but I was not one of them. I didn't mind him testing my ideas, but this was something different, there was a nasty decisional edge to his questioning, like he was looking for a basis for an unfavorable ruling.

"Where is your dispute of material fact regarding the terms of the contract? The petitioners argue that the contract is clear, and that this should have been properly resolved on a motion for summary judgment," Doolittle came after me, as if the court was actually considering an adverse ruling. This was strange because the court only put matters on the brief hearing docket where a hearing must be granted as a matter of right, so Bertram and I had assumed we were not in any danger of an adverse decision. We thought that there was no chance that the court would overturn Ritter's rulings.

"Yes, your honor. But this isn't a breach of contract case. Representing the consumers, we are arguing that there was collusion between E.V.P.S. and Hydro and Canada and the State to fix a price that was . . ."

"You're saying the State, the Public Service Board intentionally tried to defraud our citizens. Where's your evidence? Wasn't this just a bad business decision on the part of both the State and E.V.P.S.. Neither could predict market conditions. I don't see any indication, any facts alleged of collusion and fraud. Isn't your complaint just a fishing expedition? An effort to create some bad publicity during an election year?"

"No, your honor. Respectfully, no," I said.

Doolittle went on, as if he was teaching contracts back at Harvard, giving me a lesson in basic contract law, "just because an agreement wasn't a beneficial agreement for one or more of the parties doesn't mean we don't uphold the terms of the agreement."

"Theoretically. But we're not alleging simple breach of contract."

"Shouldn't the State, and E.V.P.S., just like any other parties entering into a contract, be bound by the terms of the agreements they enter into, especially when the parties that have entered into that agreement have operated in reliance upon that agreement," Doolittle didn't stop to listen to me.

"It doesn't matter that the company that benefits from a bad agreement is Canadian does it?" Morrison chimed in; Morrison was the liberal former Chief Public Defender from Montpelier who Bertram Davis had worked with when he had been the Prisoners' Rights office.

"No, of course not."

"You can't just void an agreement because it doesn't work out well in the end. The risk calculation was factored into the decision," Doolittle said.

"That's not what we're alleging."

"What are you alleging? Your complaint alleges collusion, fraud, conspiracy, intentional interference with contractual relationships. Well, where is your proof. Where are your evidentiary affidavits?" Doolittle asked, "procedurally, this is a Motion for Summary Judgment. Not a motion to dismiss. We've gotten beyond the pleadings stage . . ."

As I argued, I realized that Doolittle's anger was not directed at me. It probably had to do with Amos Ritter, who was scheduled to replace Doolittle when Doolittle's prostate cancer forced him to give up his seat. We all knew that when Doolittle stepped down, Governor Leacock would appoint Ritter to replace him. What was strange to me was that Ritter had denied all of the motions to dismiss, even though the publicity from the lawsuit would make the state, and by implication, the Governor look bad, and why Bertram Davis had chosen to file the lawsuit in Eastwood with Ritter on the bench.

The light blinked signaling the end of my five minute argument but the argument continued:

"You can't make that determination now. We need to proceed to trial," I said.

"You need to have the evidence before you formulate your complaint. You could have put that evidence into affidavits in opposition to defendants' motions . . ."

"It's a balance, your honor. The trial court, who heard the evidence and ruled on the summary judgment found that there was sufficient evidence to proceed to trial. It is not for this court to second guess the trial court's ruling . . .," I continued, staring at the red stop light.

"But where is your evidence counselor," Doolittle smirked, "what is your evidence. Just tell me that. For my own personal edification."

"I'm not counsel of record," I started, "my partner, Bertram Davis . . ."

"You are the attorney who is before us today, representing your clients. And I'd just like to know how any evidence in the record as it exists today would indicate collusion, fraud, or bad faith. These are serious charges against some of the most reputable corporations in the state and the state itself," Doolittle was enjoying himself.

"As I said, we have yet developed a complete record yet. Judge Ritter, who heard the oral arguments and a summary of proposed testimony and evidence, clearly believed that there was sufficient

evidence of collusion and fraud on the part of defendants for the case to proceed to trial . . .”

“What evidence did Judge Ritter have that we don’t have? Why isn’t it in your brief?”

“I don’t know.”

“You’re out of time counselor.”

“May I have an opportunity to conclude?” I asked.

“You may sit down.”

In addition to the contentious nature of the argument, I hadn’t anticipated the protestors outside. Perhaps I had been too preoccupied to notice them on the way in. There were environmental protestors dressed in green and anti-nuclear protestors urging that The Vermonter be decommissioned. There were native Canadian Indian protestors (many of the dams and the new flood plains to create power for Hydro Quebec were on Canadian tribal lands, flooding burial grounds). Public citizen protestors protesting the rates. All were straggling up and down on the steps outside the state Supreme Court building next to the State House looking for reporters from the local media to squeeze into television coverage somehow.

Perhaps it was just a manifestation of my own state of mind, but they all seemed depressed, as much in conflict with each other as they were with the parties to this complex lawsuit.

Catherine Leacock was one of Governor Leacock’s two step-daughters, and a potential campaign liability when the time came for him to move up from Vermont politics onto the national stage. And then, well . . . Catherine appeared as a high-spirited sun-drenched patrician sex object, who had long been the subject of libidinal cravings of delinquents across three states. Before Gordon Leacock’s first term in office, the Leacocks had sent Catherine away to an exclusive boarding school in New Hampshire. But she took a horse from the stables and rode from the campus on Lake Sunapee to the banks of the Connecticut River. Her step-father, then serving as Vermont Attorney General, had sent private detectives to head her off at the border to Vermont. She ditched her horse, and tried to swim to her rendezvous with an escapee from a juvenile detention facility. Word had gotten out to the newspapers that Catherine had almost drowned in the icy current, but the story was never picked up by the national press. It was just right for *Hard Copy* or *Globe*. Nevertheless, despite minor scandal, the socially liberal and economically conservative Gordon Leacock was elected by a landslide against the incumbent overweight and

perennially boring conservative Republican Governor who presided over Vermont during the oil embargo in the late 1970s. There were still darker rumors about Catherine even back then. Both of her natural birth parents, rich socialites from Darien, had died tragically in an automobile accident while Catherine rode in the car right behind. She had witnessed her parents' death. And her step-mother, The Governor's wife, Elena Thornhill Leacock from an old money family in Greenwich, was under treatment for depression and alcoholism . . .

Catherine was standing on the courthouse steps, just off to the side. I put on as much of my lawyer self as I could muster, and I told her that I needed to talk to her. About what? She asked. About Billy, I said. What's your relationship with Billy? she asked, stiffly, parodying my formality. He's my client, I said. Your client, she repeated. I represent him in several matters, I said. Several matters, she repeated, criminal-type matters. She spoke playfully, poking at my stiffness and formality. I could tell by the way that she looked at me, intimately, refocusing her golden green eyes as if the slanting light was affecting her vision, that she knew Billy was my son. Although I recalled pictures of Catherine from the papers, they didn't do her justice; they failed to reveal her luminescence, the way she seemed to capture light and the ionic charges in the late afternoon foliage season air. What struck me was the way she squinted up at the light with her thin and WASPy features, and the collapse of her long strawberry hair softly around her face, reminding me, strikingly, of a much younger Amy, Billy's mother.

She was playfully flirtatious. She was probably stoned. I didn't know what on. I knew I was being manipulated, but at least it was a connection, a human connection, to Billy and Amy and with my own past.

"Buy me a cappuccino Feldstein," she announced in a thick throaty slur, a mocking of voices in a *noir* movie, beckoning the local private dick to some nearby liminal bar.

I laughed, extravagant and alive, my first laughter in a long while. And I felt viscerally how Billy had been so smitten by her.

We went to a restaurant on Main Street near the courthouse, run by the Culinary Institute. We sat upstairs on Courthouse Square watching the lawyers come out past the protestors now gradually dispersing. The bright light cut across the top of the capital dome, the proprietor and the wait staff slid the vertical blinds across to block it out. The light cast shadows, hard perpendicular bars, across her face. My mouth was dry and I asked her whether she would mind if I ordered something stronger than a cappuccino. You don't need to apologize to me, she said. It was just what Amy would have said. I ordered a J&B

and soda and then another, telling them to forget about the soda. I forget what Catherine ordered.

* * *

It was late by the time I returned to the office and Mary, our long-suffering and ever-loyal secretary, had gone for the day. Bertram was in his office, his door closed, finishing up with a final client. The oral argument before the Supreme Court had not gone well and I did not have a good sense of what the court's ruling would be. Why hadn't he included the affidavits necessary to defeat the motion or set forth a more detailed factual basis of his complaint in the brief? Perhaps he didn't want to give too much away. But it was a dangerous strategy. It was such a high-risk go-for-broke strategy. Perhaps I was just Monday morning quarterbacking. After all, the Supreme Court seldom reversed a trial court decision on motions. Perhaps Doolittle's questioning did not indicate the drift of the court; Bertram knew the court far better than I did.

And then the door to his office opened. I recognized Bertram's client. It was not an "Eastwood" client. It was the silhouette from the courthouse stairs. Little John E. Sylvestre. His back was to me as he finished talking with Bertram as he stood by the door. His long straight shiny hair hung to his waist and looked as if it had been scrubbed and polished with Ultra Sheen. When he turned to face me his eyes were dark slits, and he peered out at me from beneath the edge of a subterranean universe with green radium implant pupils that belonged to a creature from another planet. There was a certain serpentine quality to his walk as he crossed to the door—the long front step, and the slight drag in his second step, pulling the back leg up behind him. Not a limp exactly. It had happened to him a long time ago, when he had come off the reservation with his older brother during deer hunting season . . .

Johnny Sylvestre, fifteen, had accompanied his brother on a deer hunting expedition that had become a search for amphetamines heading from-drugstore-to-drugstore all the way down from the Northern Kingdom to Eastwood Village. The local Eastwood sheriff had come into the drugstore, and Johnny's brother had blown him away with a hunting rifle. The state and local police completely leveled the trailer where the Sylvestre boys holed-up after the shooting. Little John E. crawled beneath the porch stairs and survived, but just barely. Later, the other witnesses from nearby trailers testified the sounds that came from under the porch stairs were horrible, nonhuman, like some badly

mangled and dying animal. And when the police saw movement beneath the smoke and rubble they pumped additional hollow-points into the pile of smoke and metal. Unfortunately, perhaps, John E. did not die. He was transformed into the bionic boy at the University Medical Center, one leg shorter than the other, with an artificial trachea, and many feet of plastic tubing in his gut.

John E. was assigned a Public Defender from Burlington who was converting a downtown Eastwood house into yet another trendy B&B. Eventually, after numerous plea discussions with Casey Harris, the local State's Attorney, the charges were bargained down to accomplice liability. Unfortunately, however, the Burlington P.D. was unfamiliar with the sentencing practices of the Hon. Amos Ritter who, at that time, had only recently been appointed to the bench. Amos, of course, had determined to send a message to anyone who dared to disturb the sanctuary of his Eastwood Village, his private protectorate, and ignored the sentencing recommendations. Not only did he max out Sylvestre's sentence as if he had been responsible for pulling the trigger, but, in his discretion, he sentenced John E. as an adult offender to serve hard time in the state's maximum security facility in the dark fortress still open at St. J.

That's when Bertram entered the picture. Bertram claimed that Sylvestre had been denied effective assistance of counsel by his P.D., that the recommended sentence had not been followed by Ritter, and that John E. had been heavily medicated when he entered his plea and so could not do so knowingly as the law required. Bertram's appeal and his habeas petition to the Vermont Supreme Court were unsuccessful. But this did not stop Bertram. At his own expense, Bertram filed a Civil Rights lawsuit against the state police for the injuries Sylvestre incurred in the shootout. The police claimed immunity, although the court ruled that the police had only qualified immunity for unintentional acts. Of course, the Civil Rights lawsuit generated bad publicity for the State, for the police, for Bertram and our practice as well.

Meanwhile, Sylvestre, who was the youngest inmate ever incarcerated at St. J., had been selected by one of the gladiators at the prison from the new fish in the tank. Apparently, the gladiator tried to make a move on Sylvestre in the shower. Sylvestre crushed the gladiator's skull against the cement until the brains were the texture of warm *papier mache*. It took three guards to pry Sylvestre off the corpse; his rage was pure white hot fury. Bertram represented Sylvestre pro bono at the administrative hearings, and had the charges dropped. Self-defense. I remember Bertram's eloquence. I also remember little

John E., then sixteen, turning to us immediately after the administrative law judge had issued her ruling in Sylvestre's favor:

"I could kill the both of youse," Sylvestre said, instead of a thank you, "Crack off your necks like they was chickens."

"No doubt," Bertram said, closing up.

"Couple of faggot lawyers . . ."

Even then Sylvestre reminded me of the frightening hammers and jungle stick-men I encountered in Vietnam, the LURPS who had gone out on too many patrols into the blackness and jungle. They returned with ears strung on chains like pieces of dried fruit, or eyeballs pickled in jars of formaldehyde. There was nothing left of civilization in them. For these men there was nothing to do but look into that vast flatness of their eyes, set against the brightly swirling colored pieces of parachute draped across their chests and tied around their foreheads. Sylvestre had Vietnam eyes.

When Sylvestre turned eighteen, he was shipped out of state to Marion simply because the Vermont prison system was not equipped to handle him. Once again, Bertram represented him pro bono, arguing that he could not be shipped out under an interstate compact without a due process hearing guaranteed by state and federal constitutions. The case went all the way up to the United States Supreme Court. The Court held, unanimously, that the State did not have to provide due process hearings when making administrative decisions about problem prisoners, that the constitutional protections afforded prisoners did not extend to such luxuries as a hearing. The opinion is included in several Constitutional Law casebooks and is often cited by the State or the federal government when authorizing administrative sanctions against prisoners . . .

Bertram could tell I'd been drinking and I could feel his silent disapproval. Bertram tolerated my drinking, as long as it did not interfere with our law practice. I started to talk with him about the events of the day. About how he had misconceived the nature of the oral argument on the appeal of Ritter's denial of defendants' Summary Judgment at the Supreme Court, and how ill-equipped I had been to handle Doolittle's questioning. He seemed surprisingly unconcerned, as if I was not telling him anything he did not anticipate, although a ruling in favor of the defendants would terminate the lawsuit. I asked him about Sylvestre, and Bertram said that he had recently been released from Marion. He wanted to do everything he could to make sure that Sylvestre didn't go back. "We're not our brother's keepers," I said, an attorney's maxim. "Not legally in any event," Bertram added, an aside.

The alcohol made me surprisingly animated and I talked with Bertram as he drove. I told him about Billy and his comments about The Governor, and about Catherine, and even about the oral argument at the Supremes, and my feeling that Doolittle was looking for a way to rule against us. I don't know what any of it means," I said, "there's too much stuff going on and I can't get close to it," I said. "I see," Bertram said, weighing my words. "Maybe I'm just paranoid," I said. "You know. Conspiracy theories. Like something out of the seventies. Everyone else knows what's going on, except me. I'm on the outside. Maybe The Governor's trying to cover up a scandal until after election." "Or at least until E.V.P.S. goes public and the shares of the IPO are issued," he said. "What?" I asked. "Let me put another blip on your screen," he said, enjoying himself now, savoring my distress, just slightly, or at least the energy created by my apparent confusion.

Bertram tapped at the computer keyboard and the swirling snake-like patterns of red and green and blue went away; something else came up on the screen, a one-page Hoover's On-Line newsletter about forthcoming IPO start-ups. I still have a fragment from the article here, as I write this now: "Ho, ho, ho . . . green power.' Hoping that the Internet will help it sprout into a giant, EastwoodValleyPower.com will retail one product—electricity generated from renewable and environmentally safe resources—through its Web site. Eastern Valley Power has previously operated in the traditional energy market, selling electricity generated by coal and nuclear power. But recently the utility has decided to explore new markets resulting from industry deregulation. The hook? Green power." The blurb from the Investor Research Center continues where I've used the highlighter: "Eastern Valley Power will form a consortium with partners Hydro Canada and a Pennsylvania wholesaler. In customer choice programs, Eastern Valley will mail out spruce seedlings, send up hot air balloons . . . still, the company plans to take some hits from environmentalists. Hydro Canada hydroelectric plants have flooded Indian lands, and E.V.P.S. still owns part of the troubled Vermonter nuclear plant." "What-the-fuck," I said to Bertram. "Come, my son," Bertram announced, thoroughly enjoying himself. Despite his illness, and the sadness of his life's follies and failures, perhaps even more involved than my own, he had been like a father to me, and I had even named my son, Davis, after him. But there were still things I couldn't talk about even with Bertram. And so I drowned my secrets in alcohol.

It certainly was an unbelievably beautiful sunset as we headed up the back roads into the mountains. The sky was drenched with color. Shafts of bright white light cut through the mountains at hard angles.

A rainbow of reds and greens and oranges danced up off the skin of the wet mountain road. The colors were irradiated, aglow. In the first of the shadowy mountain cut-backs, foliage season leaves swirled up and danced mysteriously in the circular wind funnels. Nature's show dwarfed the significance of our own lives momentarily, as if we were just bit players, walk ons in some larger mystery.

"Gawd! Look at the colors!" Bertram observed, as if he was a flatlander, a leaf-peaking tourist himself, awed by the autumn foliage. Most of the leaf-peakers from out-of-state drove a Benz or a BMW or a Caddy. But, despite his reputation as the finest trial attorney in Vermont and a still, on occasion, flourishing legal practice Bertram drove an old Ford, with the floors littered with broken cassette tapes.

Bertram popped a Wagnerian opera into his tape player. A female voice scurried hysterically across the octaves, a perfect parody of my story. We were just outside of Eastwood somewhere near the small town where the Russian prophet lived. He had spoken at my law school graduation. Afterwards, Eleanor and I couldn't get rid of the image of him. I don't know why we found him so compelling. But we used to joke about him cruising the franchise strips of America in his big black Lincoln Mafia town car, going through the bands of his radio searching for something to remind him of home.

We were at an arching gateway entrance to a construction site in the middle of nowhere. It was the access to the newest section of a condominium development owned by the dummy corporation into which Gordon Leacock put his assets when he became Governor. Bertram and I knew this from the depositions and discovery in the personal injury litigation against Suicide Six last year.

"What are we doing way out here?" I asked.

There was a sign. "Final Phase, Eastwood Village." "The Other Village" the cutesy ads in the Luxury Living section of the Sunday New York Times proclaimed.

"Do you know the Catherine Leacock story?" he asked.

"Her parents were from Darien. They died in an automobile accident. She was riding in the car behind the accident. She was adopted by the Leacocks, friends of the family . . ."

"That's the official version," Bertram said cynically.

"So tell me the unofficial version."

"Look it up on the Internet sometime. I don't want to distort anything. My recollections are often filled with distortion these days. And I don't want to make your reading superfluous or anticlimactic," Bertram said, darkly cynical and cryptic, and then he began his musing on the Internet and how it had robbed us of our privacy and made us

the objects of search engines, about how all the mysteries were now gone. As Bertram aged, and he succumbed to the burden of the daily dosages of anti-virals and his physical impairment, there was more drift and wander to his speech, although he was still generally regarded as the best trial lawyer in Vermont.

Bertram detested the Leacocks, especially Gordon Leacock, and this hatred seemed to renew and invigorate him. Bertram's hatred of Leacock had a history. It was quite an incestuous relationship between Bertram and Gordon Leacock, as all consuming professional relationships are in little storybook towns. It went back to when Bertram had been Gordon Leacock's roommate at Harvard. Later there was Bertram's lawsuit against the Leacock's blind trust holding company that Bertram had refused to settle but brought to a jury trial exposing Leacock's personal life to public scrutiny. And then Gordon had recommended passing over Bertram when Amos Ritter was appointed circuit judge in Eastwood. And now, with Amos on the fast-track for a Supreme Court appointment, it was Bertram's turn for revenge. It was sadly comic and petty with equal amounts of selfishness and nobility—it was Bertram.

At first I hadn't liked Bertram; it was something about his style. He wore his black hair combed high into a pompadour and brushed back. He was heavy-cheeked and had a paunch like an overstuffed Richard Nixon. Back then he wore calf-skin leather boots that were incongruous with his soft wooly three-piece suits. For a man so ostensibly concerned with aesthetics and art, I wondered where he had developed his taste in clothes, precisely where he had gone wrong.

Yet, Bertram had an activist's social concern, and a heartfelt humanity and compassion, that went far-beyond the painless ever-popular liberal pieties. Bertram genuinely cared, about his indigent pro bono clients and the contract public defender work as well. And the depth of his caring made him radical. He did far more pro bono work than he could possibly afford to do. Indigent clients drifted in and out of our upscale Eastwood office as if it was a branch of Legal Aid.

Not only did Bertram not get paid, but his pro bono work often angered our paying clients. And the publicity generated by Bertram's class actions and civil rights work hurt our reputation, the WASP Eastwood Republicans who wanted no part in subsidizing Bertram's good works.

But there was another side of Bertram too, an angry and dissatisfied aspect. Bertram chewed down the plastic ends of office pens and filled up yellow legal pads with strangely violent graffiti. He was a man constantly in pursuit of his own shadow. Bertram had started his

legal career as President of the Harvard Law Review and everyone, including Bertram had expected great things. But when he gauged his life's achievements against those of his boyhood friends who, like himself, had returned to Vermont after law school to practice law and take up politics it bothered him. Jessup was a Congressman. Coffey had life-time tenure as a federal judge in Brattleboro. And Leacock, who had gone to Harvard with Bertram, and roomed with Bertram, but did not make Law Review, was, of course, Governor. In fact, Leacock had barely managed to pull through his first year of law school with the help of Bertram's tutorials and note-taking.

Yet, despite the politically advantageous positions of all his boyhood friends, Bertram was passed over time and again for choice political appointments. The cruelest blow, perhaps, occurred years ago when Leacock, then a State Senator and head of the judicial nominating Committee, bypassed Bertram and recommended Amos Ritter, originally a flatlander, to the Eastwood Superior Court judgeship. Bertram had felt, with justification, that the appointment was rightfully his. Perhaps Gordon Leacock, then preparing to run for Governor, wanted no part of Bertram's expansive sense of humanity, and feared Bertram's politics, and perhaps even seemed the potential for embarrassment if Bertram's past life was ever aligned with Gordon's.

"Gawd, look what he's doing up here!" Bertram lit up a thinly-tapered hand-wrapped Panamanian cigarillo, sucking on it delicately.

The views from this high up on the mountain were spectacular, overlooking the town of Eastwood in the distance, and the winding river valley that makes its way south along the edge of the interstate. Eventually, not far from here but safely out of view, the river curves back around the mountains. And that's where The Vermonter is, the power plant partially owned by E.V.P.S. that is currently being decommissioned, as E.V.P.S. reforms itself as a publically traded corporation selling energy over the Internet, and the state searches from alternative sources of power.

Bertram turned up the sound on his Wagnerian opera so loud that I could barely hear what he was saying. At first I thought the accompaniment was exclusively for dramatic background. But then I realized that he was being careful as well. He hadn't wanted to talk with me at the office for fear that someone might be listening. And, even now, he was afraid that his Ford might be bugged. I know what it meant to be paranoid. The defendants in the Hartford mob trial this past summer, including my client Louie, had all been convicted on the basis of government surveillance tapes. And now the technology was so

easily obtained and that private surveillance could be easily carried out by anyone.

"All states had statutes regulating the private ownership of public services. Vermont had a statute that limited yearly profits to a percentage ratio proportionate to initial capital expenditures. That's what made nuclear power so attractive to the serious investor," Bertram observed, an interesting nonsequitur.

"How so?"

"Nuclear power plants have the highest initial costs and, supposedly, the lowest maintenance and upkeep. Consequently, profits are theoretically unlimited."

"So?"

"Years ago during the oil embargo the AEC was under a presidential mandate to push through as many nuclear reactors as possible, to facilitate the conversion to nuclear power. No one knew what they were doing. There were some construction problems. Design defects. Criticisms and complaints were papered over. Critical reports shredded . . ."

"Did you find out anything in D.C.?" I asked, Bertram had gone down to D.C. with a court order secured under the Freedom of Information Act to do research in preparation for filing the consumers' lawsuit against E.V.P.S. during the thirteen weeks last summer when I had been on trial with the Liarcos family in Hartford.

"No," Bertram said, but he said it in a way that intimated that there was more to it.

I didn't know whether Bertram was telling me everything, or how rationed his candor might be. But I also knew there were some things that we did not share even though we were law partners. I knew stories about the Liarcos family that I could not share with anyone; I knew, for example, the precise location of a Liarcos family burying ground in a dirt floored garage in Wethersfield. I knew, for example, that a certain hotel executive from a suburb of Boston, who had the misfortune to become friendly with the wife of a member of the Liarcos family on the lam, was buried there. I knew firsthand of a meeting between Al Liarcos Sr., Nicky B., and my client Louis, that had ended in a shootout with two thugs hired by a rival and renegade faction of the Liarcos family. I know plenty about the Liarcos family that would be valuable to the Feds. But I could not share this information with anyone, not even Bertram. These secrets were not the markings a restless soul.

"What would happen if there were serious questions about The Vermonters safety before the reactor is decommissioned?" I asked instead.

“Assuming it was just bad publicity, a rumor, it’d depress the real estate market and the condo’s wouldn’t sell . . .”

“For how long?”

“What’s the half-life of uranium?” Bertram was almost amused, savoring the end of his panatella as it melted slowly and evenly down to ash. He detested Gordon Leacock and his hatred fueled the fires of his imagination, and it made him strong, pulling him outside of himself and giving him a reason to struggle on against his illness.

It was late by the time I finally returned home. I nosed the new 4-Runner into the garage, still tipped slightly to one side, next to my old Porsche, an aging toy, an old 356SC rag top roadster that I only took out in good weather. The house was an old rambling white colonial across the Sleeping River from Eastwood, midway up the side of Mt. Cindy. Until she died Eleanor and I were still renovating the house room-by-room. The money for some of the work had come from personal injury work, including our victory against Leacock’s Silver Mountain Development Corp. for the young skier injured on an ungroomed trail who had slammed into snowmaking equipment left along the side of a trail. This had generated a \$2.7 million dollar jury verdict with the one-third contingency fee split between Bertram and I. Our fee came at the time of Eleanor’s salary increase when she was named to the University Professorship at the Medical school and received a Rottinger Lifetime award for her work with heavy metals and cancer. The kitchen and dining room looked like something out of a magazine. We had been a family in this house.

I bought the house after I joined up with Bertram Davis. I had fallen in love with the house for its views. I fell in love quickly in those days. A first impression was enough. The view on a summer’s evening was breathtaking . . . through the lush trees and the skins of leaves dappled with moonlight . . . down the side of Mount Cindy to the lights of the village and the soft globe lights of the bridge reflected in the widening river . . . and then up again beyond the grandeur of the Eastwood Inn and Leacock and Rockefeller and Billings estates into the mountains and the soft velvety darkness. Soon, at the end of the foliage season, there would be even more clarity in the hardness of night vision after all the trees had shed their leaves and the mystery was gone.

I took a bottle of my favorite single malt and a glass and a goose down comforter with me out onto the porch. This stuff, aged and delicate and sweetly smelling of oak, was much softer than the Johnny Walker I kept in the drawer at the office. It was cool out now and my teeth were chattering. The alcohol went down smoothly. I slipped easily into the familiarity and drift of internal conversation.

What was it Billy said that had almost slipped past me? "What if I had done something?" he said, "Could I tell you about it?" Something like that. Why did he say that? What did it mean? An uncharacteristically bad aftertaste stuck in the back of my throat. An Old Man taste and smell.

I drank the malt and fell off into a string of obsessive thoughts about Eleanor. You know, playing an old tape over and over. Eleanor was such a careful and "meticulous" person, she always worked inside a fume hood, shielded by glass, using robotics equipment to handle deadly compounds. What had happened to her? How could she work with only a thin pair of standard hospital latex gloves? Half awake and half-asleep, drifting on alcohol currents. Standing outside it all. Watching. Some bardo of half-remembered dreams.

I watched myself as a much younger man returning home on one of those nights years ago after being with Amy, returning to Eleanor and Gabe and Davis, the baby. Was the smell off of me yet? Could she read anything in my eyes? Eleanor knew. She had something akin to radar and could tell exactly where I had been and what I had been doing. She didn't even bother to ask me where I had been any longer. The compression of emotion in her silences made her anger apparent. These were the days before Davis was diagnosed with cancer, and I would later feel that our fury, our sadness and rage had somehow infected the baby.

Eleanor was having a horrible scene with Gabe when I arrived home: he refused to wear a little woolen suit that Eleanor was trying to force on him that made him look like a little businessman. She was demanding that he wear it to an event at school. He threw a tantrum when the wool touched his skin, and Eleanor countered with a rage of her own. Gabe rolled on the floor of the newly remodeled Leacock Memorial Kitchen, crying and shaking, streamers of green snot running down his face. Eleanor chased after him, shaking the jacket of the suit after him like a matador waving the cloth in front of bull.

I tried to intercede. She looked at me with real fury, as if I had no business even being there. And then she went after Gabe and latched onto him. I grabbed Eleanor and yanked her off. I felt Eleanor's arm jerk in the socket and she screamed. I feared that I had, inadvertently, dislocated her shoulder. I let go. Gabe was screaming. The baby was crying in the other room. Eleanor was running out into the breezeway. The car started and she drove away. I tried to calm Gabe down. He cried and shook. "I'm sorry." He seemed as repulsed by me as by what Eleanor was trying to do to him. As if he too knew about my relationship with Amy.

Another time. About the time that Davis was diagnosed with the cancer. I came in late. The note on the table said that Gabe had been bitten by Teddy, our neighbor's German shepherd.

I had warned Mrs. Biggs to keep Teddy chained up, but somehow he always managed to break free of his tether. The dog was crazed. He had chased me several times on runs down Mount Cindy and up across the fairways of the Eastwood Country Club. Afterwards, I wished I had turned on him and fought back. Sometimes, I felt him studying me scornfully from the end of his tether across the way as if I was a coward. After Vietnam, I tried to rationalize my passivity, but I could not ease the pounding of heart and the fear that I had felt on those grimly humorous early morning chases.

And so I rushed down to the Eastwood Emergency Center. Gabe was under sedation. His lip and chin had been split open. I couldn't believe Teddy had gone after his face. Eleanor said that Mrs. Biggs had said that it was not Teddy's fault, that some neighborhood children had been tormenting him all afternoon. I went into the doctor's office. Eleanor tugged my arm as if she did not want me to go in. The overhead fan was whump-whump-whumping like the blades of some dust-off chopper beating down the foliage and heavy air into steam onto the jungle floor.

Gabe's lip and cheek had taken sixteen stitches. The young doctor who had sewn him up said it looked much worse than it was. I couldn't look at him without coming up short of breath as if something was caught in my throat and no air was getting through. I carried him in my arms to the Volvo wagon. We picked up Davis at the neighbor's on the way home. We put them to bed. Gabe had been given a heavy dose of I.V. Demerol and was in a drugged stupor. The doctor, another refugee from the 1960s, had given Eleanor a supply of sedative samples to get her through the night. Eleanor was laying down beside Davis, her arms wrapped around him, as if she was afraid to let him go.

I went out onto the porch into the moonlight. I couldn't let go of the image of Gabe, rocking side-to-side, his face torn open. Innocence and youth lost and he would be marred forever by that scar. There would be no correcting the wrong done to him. Across the way Teddy the shepherd bayed victoriously at the moon. I went back inside the house into Gabe's room. I averted my eyes and went into his closet. I took the Louisville Slugger bat that I had recently given to him for his eighth birthday. I went back out onto the porch. From where I sat the shadows spread out across the lawn in the bright breezy moonlight. At the end of the shadows, Teddy the shepherd lay basking in the glow, self-satisfied, still smirking. I sat with Gabe's Louisville Slugger in my lap,

overlooking the lights of town, the Inn and the Estates on the other side of the river in the faraway distance . . .

I dozed-off into a half sleep. As if falling back in time. I watched myself getting up off the porch and tracking down Teddy across the shadows with Gabe's Louisville Slugger scouting the perimeter of my old Vietnam base camp. I revisited the shadows. Teddy read my thoughts. He saw me coming. Leaping up. Gums bared to teeth. Running out at the end of his long-chained tether. I swung the bat with all my strength into Teddy's belly. His ribs crackled and shattered. He shrieked and crumbled and spun circles on the ground. I finished him off with blows to the head. The light on Mrs. Biggs porch came on and she came out of the porch of her small pink cottage located in the jungle forest. She spoke in a garbled language that I could not decipher. When I awoke, strangely, Gabe's Louisville Slugger was in my lap, as I sat overlooking the lights of town, the Inn and the estates on the other side of the Sleeping River . . .

I awoke in the cold, my teeth chattering. Went back inside the house. Searching through the channels on the late night television courtesy of the satellite dish. Searching through the sound bytes and random messages, infomercials for television gurus preaching self-fulfillment and monetary success through nothing down real estate transactions, and telephonic connections with lusty women who talk dirty and reveal the future on the psychic hotlines. And there, on CNN, was Governor Leacock, a repeat of an old speech:

"As an American, I still believe in freedom. As an American I still believe in the good that is inside each of us. No one can rob me of those beliefs. For, if I lost those beliefs, something inside of me would die . . ."

"I believe that our goodness is born from strength and freedom. It is the mission of the government to foster that goodness and allow room for it to grow. I believe in Democracy. Democracy as our forefathers envisioned it. Democracy without apology. Democracy where freedom is the paramount value . . . And I believe that we have become sick as a nation, and begun to wither economically and atrophy spiritually, when we lose sight of that vision. When all our choices become fearful, when fear replaces freedom, and the belief in the rightness of our actions, we have lost ourselves, and we have lost America. I still believe in our country, and I still believe in our people. It is time for a healing and a new beginning."

Billy's arraignment . . .

Amos Ritter held court in the grand style at the Eastwood Superior Courthouse. Amos was a transplanted good 'ole boy, an ex-New Orleans

City prosecutor who had cleansed his credentials in the U.S. Attorney's Office in the Eastern District supervising the prosecution of drug cases. Yet, it was as a Vermont judge that Amos had truly come into his own and found his calling. For Amos believed that the functioning of a successful court turned on the flair and strength of the judge, and not necessarily the quality of the justice rendered. Not that Ritter was against justice; it was just that his prosecutorial sense of justice was far different than mine and, even more certainly, Bertram's. Amos was a believer in the efficacy of deterrence and retribution. He had fine prosecutorial instincts and absolute belief in his legal rulings, his version of the truth. And somehow he believed that his decisions, tempered by humor, so long as he avoided overt venality and corruption made him a good judge.

"It stinks of refined sugar in here," Amos had announced when I tried to introduce psychological evidence, by having an abused sister testify to my defendant's own sexually abused and debased childhood in a sexual assault case.

Casey Harris had objected and Amos sustained her objections. I took exception, and began to argue the "relevance and materiality" of the testimony at a bench conference.

"*Mens rea* . . . his state of mind means his intent to do the act . . . narrowly defined," Amos reminded me, as if I was a first-year law student, unable to see the same brightly labeled evidentiary Commandments he saw so clearly.

"Listen, I feel bad that your client has had a difficult childhood, but this isn't a court of sympathy or of cosmic love, it is simply a court of law, where the rule of law determines criminal culpability," Amos lectured me.

"He was just acting out his past. He had no choice," I said.

"So now it's a question of free will? In my little court we're not going to be drawn into the blandness of philosophical abstraction," he said.

I wanted to say that it wasn't 'his' court at all, but restrained myself, "This evidence helps establish who my client is, his motivations and state of mind," I said, loudly enough for the jury to hear.

That apparently did it.

"Mo-tee-Va-shun," Amos repeated, as if trying out the word, as if he had never heard it before, "Mo-Tee-Va-Shun," he twisted the syllables even more sharply and obscenely, "I don't believe in mo-tee-Va-shun. We are a court of law, plain and simple."

I started to go on, but he put his hands up over his ears when I said the words justice and motivation again.

"Your exception is noted for the record."

Amos' prosecutorial style of judging was exacerbated by his obsessive compulsion to streamline his trials. He assigned time limitations for arguments and testimony, and kept a timer with a buzzer atop his bench that went off when his allotted time had elapsed.

"God damn-it, Amos," you're the most anal-compulsive member of the Vermont judiciary," I once told him, over drinks in the bar at the Eastwood Inn.

He took it as a complement, "Cleanliness is next to Godliness," he observed.

Amos was a favorite of Gordon Leacock despite his recent ruling denying the defendants' motions to dismiss and for summary judgment in the consumer's suit against E.V.P.S., Hydro Canada and the State. He had even taken to dressing like the Governor, WASP patrician Wall Street lawyer. He wore the same gold wire-frame glasses; subtle elegant three-piece wool suits and those understated but florid Italian hand-print silk ties. His hair was meticulously cut and coiffed by Billy's former girlfriend, Dominica, into a careful layer cut. But his pearly teeth smile and wild hillbilly laughter gave him away.

Ritter's rapidly developing sense of personal style was, perhaps, one of the reasons Leacock would appoint him to succeed Doolittle. He had been appointed to the Eastwood bench instead of Bertram because he was a law and order man, and would insure that the property of wealthy Eastwood residents, including the Leacocks, would be protected. As a relative newcomer to the State's Attorney's office, no one in the state knew much about him, a flatlander, and former federal prosecutor who had moved up to Vermont from the Eastern District of New York after his divorce from his corporate Wall Street attorney wife. Now there was even speculation that, assuming Amos had sufficiently rid himself of his southern twang, he would succeed Leacock as Governor when Leacock made his move to the Senate.

Off the bench, however, Amos Ritter was a fabulist, and a womanizer. The careful rules that structured his courtroom were not applicable to of his own life, or his sexual appetites. He enjoyed life, even fancied himself, I think, something of a prophet. He loved storytelling: earthy, fables about New Orleans prostitutes, Cajun bisexual dancers, and other strange beings. He reveled in the most lurid details. His lips rolled so far back when he laughed that the tendril of skin attaching his top gum to his lip was completely and obscenely exposed in the hillbilly space between his front teeth. One look at that smile and you knew he wasn't who he pretended to be.

Amos was, as Casey Harris once observed, "an interesting man." She arched her left eyebrow when she said this, a gesture of shrewdness

and suspicion. Although at times I disliked Amos, at other times I enjoyed his stories enough to make a motion just to have an excuse to bother him. Casey, whom I had known since law school, once said with her prosecutorial sense of certainty, that I was “looking for a father,” in my own relationship with Amos, just as I was with my law partner Bertram. There was some truth in this.

I was profoundly attracted to, yet repelled by, the tension between Amos the profane—off-bench egalitarian storyteller and Amos the autocrat who so self-righteously and guiltlessly exercised authority without self-doubt or equivocation or self-reflection.

Bertram detested Amos. Perhaps Bertram simply cared more about the fate of his clients, our clients, than I did, and he personalized Amos’ harsh sentences and prosecutorial sense of justice. Simultaneously, he was jealous of Amos, the flat-lander and interloper who, Bertram felt, had been given the judicial appointment that was rightfully his, and who would, we were all certain, succeed Justice Doolittle on the Vermont Supreme Court. Bertram thought Ritter had a third-rate intellect, and Bertram couldn’t help but flaunt what he knew to be a better mind. Amos, in return, thoroughly enjoyed exerting authority over Bertram, rubbing Bertram’s nose in it. We were an inbred and dysfunctional legal family, twisted with incest, jealousy, love, and revenge. Once, Amos had held Bertram in contempt for overzealous defense of a pre-trial detainee held for burglary of an Eastwood estate after Bertram protested too vociferously over the setting of bail. It was Friday afternoon and Ritter slapped a contempt citation on Bertram and sent him off to Eastwood County Correctional Facility until Bertram apologized. Bertram cooled down and asked to see Amos in chambers. But Amos took off immediately after sending Bertram to jail, and was reportedly white water canoeing in the Allegash in northern Maine. Bertram was held over the weekend at the Eastwood Facility until Monday morning when Amos Ritter returned. Amos brought Bertram to court and signed the release, rescinding his earlier order. Amos was smiling that sinister smile, his top lip curling up slightly, exposing the thin tendril of skin and his small cruel teeth. Bertram did not apologize and never forgave him for that smile or that weekend in jail.

I went over to the Eastwood Courthouse as early as possible before Billy’s scheduled arrival from the Eastwood Correctional Facility for his arraignment. I wanted to file my appearance on Billy’s behalf the new escape charge, and to fine-comb the prosecutor’s file.

It was early, the secretarial staff had not yet arrived. But Amos Ritter’s Saab Turbo and Casey Harris’ 4-wheel drive Volvo Wagon were

parked in back. The comfortable domesticity of their side-by-side cars, tucked in one next to the other, bothered me. Rationally, I knew they were probably just having breakfast together. Nothing to get bent out of shape about. The ethics of ex-parte conversations were relaxed in Eastwood. After all, we all knew one another so well that there wasn't that much left to hide. Amos, our Master of Ceremonies, thought it sufficient that he was meticulous in following the rule of law inside the courtroom. This exempted us outside of the courtroom from various technical and procedural formalities observed in other jurisdictions. Besides, if we all followed the ethical rules too closely there would be nothing to gossip about, no sexual innuendo, and he would have no audience for his best material. Still, I felt discomfort that Amos and Casey were probably talking about Billy's arraignment, and, by implication, about me as well. And, of course, I was jealous too.

The rear courthouse door was open, and I walked in. I loved the Eastwood County Courthouse, with its Vermonty stillness, and its opulent and decadent mixture of baroque Victorian wood trim and carvings in rosewood, mahogany, and teak. In the hallway at the foot of the stairs there was an ultra-feminized statute of a blind-folded lady standing on a pedestal above a fountain as if part of a parody-shrine, a curious deity. Amos called the statute, "Our Lady of Liberal Justice," or, "The Mrs." He claimed to consult and look for guidance to the spirit of the statute for decisions in bench trials and before exercising discretion in criminal sentencing. I think he was only half-way joking and listened to "The Mrs." as closely as he did to attorneys' arguments.

I especially loved going over to the courthouse when Casey Harris, my favorite adversary, was on the case. We went back together a long ways . . .

It had been during my first year in law school. Casey, even as a One L, was marvelously self-contained. She had a slight toughness of breeding, and an impenetrable upper-class crustiness easily mistaken for snobbery. Some of the other women in her class were envious.

Casey was a descendant of a famous Beacon Hill family in Boston whose biographies reeked with wealth-insanity-power-and-genius. Her father was a famous poet and contributing editor of *The Atlantic*. Her grandfather had been a famous Boston Brahmin novelist. She had inherited money from both sides of her family. But she, apparently, didn't draw on any of these resources. As a One L, Casey wore threadbare and even humorous clothing, as if to prove to herself that she could live without her family's money. Often, her second-hand clothes were a parody of hippie fashion, completely out of synch with the Yuppie corporate approach to clothes of the Reagan years.

And then there was the delicious physical tension between her large toothy canine smile and the fineness and aristocracy of her thin Brahmin features. I studied her throughout many of my classes. Mostly what I remember though is her extreme intelligence, her shrewdness. Her gifts were not merely of style and language. She had a brutally accurate rationality, an ability to comprehend and synthesize difficult theoretical concepts as if the ideas belonged to her.

At times she seemed to know everything about anything that mattered while I knew nothing at all. She was legitimate; I was a pretender. I was in the elevator one with two of our law professors. They spoke as if I wasn't there. One of them observed that the "genuine talent" in the first year class included "the granddaughter of old Jeb Harris up on the hill."

Casey was married then. Her husband, like her current boyfriend Ruben, was a gentle holdover from the intellectual hippie subculture of the late 1960s. Ruben was so laid-back as to be on the cusp of strangeness. He is older than I am, balding, with long black hair hanging down the sides of his head over his shoulders, and already with a small tightly rounded middle-aged paunch.

Ruben was, supposedly, a genius, a computer whiz, with tenure at MIT. He seldom taught. He ran his own research lab and was Director of the Artificial Intelligence Project. His specialty was psycholinguistics, teaching computers to talk. He never said a memorable word in my presence.

Meanwhile, a perpetual gray post-Vietnam depression had settled in on me in those days. I made no friends and quickly moved out of the law school dormitory into a tiny studio above Gnomon Copy in the heart of Harvard Square. At night, I read law cases and sat by the window. I listened covetously to the noises coming from across the street from the students in the Yard, knowing that I was unlike any of them and could never really be one of them.

I carried an imponderable heaviness with me in the mornings when I walked through the cold across the Square and up Mass Ave to my classes. I lived in perpetual fear of being called upon, exposed as a lunatic and a fraud. Sometimes, other students asked if I was alright. There was speculation, I knew, that I had suffered war wounds in Vietnam, and I did drag my legs in a limp at times although, physically, at least, there was nothing with me. I could not sleep. And when I did fall asleep, I awoke with nightmares. I remember stroking my pillow, imagining the whiteness of Casey's skin.

Perhaps I married Eleanor to soothe my loneliness. Or even in the hope of making Casey jealous. Or out of desperation. Was it merely out

of coincidence that, like Casey, I gave up the possibility of more lucrative practices and ended up moving to Vermont, as if there was still unfinished business between us.

The State's Attorney's office was on the second floor, directly across from Ritter's chambers. I spotted Doris, the desk clerk in the State's Attorney's Office, just coming in.

"I filed an appearance in the Alexander case. I need to look at the prosecutor's discovery file," I said.

"Can't, it's been sealed."

"What? Eastwood County has always had open-file discovery."

"Sorry Joe, not on the Alexander case. 'Sides, the file's not here. The judge pulled it."

"He can't do that. He's sitting on the case."

"Don't tell me," she looked up at the shadows of Ritter and Casey through the smoke glass of Ritter's chambers across the hallway.

Amos opened the outer door, expecting my arrival. His smile seemed too bright and hard for this hour of the morning, "Come on in son, time for a cup of coffee with me and the State's Attorney."

It bothered me that he called me "son," or, occasionally, "kid," since I was clearly middle-aged, with grown children of my own. He had probably picked it up from Bertram. But it gave me the sense I was stuck forever in the past and Amos could feel it, as Bertram did.

Then he opened the inner door to his private chambers. Casey was inside, luxuriating in one of Amos' cushy leather chairs. It crackled as she repositioned herself to see me. The scene reeked with un-lived sexual possibilities that had long lingered in my imagination—a tenderness and domesticity I had never shared with either Eleanor or Amy. I was jealous of Amos in a way that I was not of Casey's current boyfriend Rubin. Casey and Amos were having curious fun these days; their flirtation intensified by her certain knowledge that Amos would soon be appointed to the Supreme Court and then, perhaps, become Governor when Leacock ran for the Senate. A coffee and tea server was out, croissants and sweet rolls neatly arranged, real china cups and plates. There were fresh cut flowers in a vase set on a white damask cloth.

"Hope I'm not disturbing anything," I said.

"Nonsense son," Ritter spoke, rubbing my nose in the Freudian implications of the scene, and when he smiled that detestable small space between his pearly hillbilly teeth became apparent.

Casey crossed and uncrossed her legs, trying to get comfortable. Her stockings rubbed together producing more sexual static in my imagination.

"New haircut," I asked her, her hair had been cut into a carefully asymmetrical art-dec. shag probably by Billy's ex-girlfriend, Dominica from the Unisex Salon.

"You like it?" Casey primped, as if Amos and I were in a contest for her future company.

"Yea. Very becoming."

"You look pained son," Ritter said, casting me in the child's role, making me paranoid, doing it intentionally now, underscoring my relationship with Billy Alexander somehow, "I know this is going to be a difficult day for you. Come on and join us."

"Billy Alexander's arraignment is not on the printed docket," I identified the oversight, "The regular call is scheduled for 10 AM."

"Special early morning call at nine. Your client's already on his way over. You received notification."

"A handwritten note and a phone call," I said, doubting that any copies had been distributed to anyone else.

"I wanted to keep the publicity boys away. I don't think that'll do anyone any good. Certainly not your client."

"That's up to me to decide," I said.

"I'll decide whether my courtroom will be open or closed. That's my prerogative."

It bothered me how Ritter personalized ownership of his' courtroom. An there was a Constitutional issue as well, it was certainly not his prerogative; it had to do with the First Amendment. But there were more immediate concerns.

"Casey, I haven't seen the prosecutor's file yet. I need to see what's in the file . . ."

"That file's sealed," Casey said.

"What?" I said, suddenly agitated and incredulous, "Eastwood County State's attorney *always* had open-file discovery."

"Not on this one," Amos interrupted.

"Casey, what's going on?" I asked.

"I'm not going to drag the Leacock family through this crap. It serves no purpose," she said, as if stating what should have been obvious all along.

"The *Leacocks!*"

"The Leacocks aren't on trial," Casey answered.

"Maybe they should be," I said.

"At least that cute little what's-her-name . . . as an accessory . . ."

"What-the-fuck's going on here," I rose from my chair theatrically.

"My courtroom is *not* going to be turned into a fucking toilet," Amos the Profane spoke.

"It's not *your* courtroom," I said, "I'll make my pre-trial motions for disclosure."

"I'll deny them."

"I'll take interlocutory appeals . . . to the Supreme Court," I said, which would embarrass him badly, especially since his appointment would not be made until after Doolittle retired which would be after the election. And, despite the clean docket, recent rulings on matters of law were up for review, including his rulings on the motions in Bertram's consumers suit against E.V.P.S. More appeals and bad publicity would not help his chances for the appointment.

"Don't you threaten me. Sit down or I'll hold you in contempt," he said, and I hadn't even realized that I was standing.

"Amos . . . ," Casey spoke, intimately, a boudoir voice that I had never heard before, not the voice of a lawyer. She didn't budge from her chair.

"Sit down sonny!" Ritter said to me, with a patronizing anger that Casey had diffused somewhat.

"Oh Casey, . . . you gave him the file. Why did you do that," I said.

It was, of course, at least a technical violation of the rules of ethics for the prosecutor to reveal her case *ex parte* to the judge without the presence or permission of the defendant's attorney. I could, I knew, further add to Amos's difficulties by filing a letter with the State Bar grievance Committee. But I felt certain, watching them, that Casey had revealed much more of an intimate nature than just her prosecutor's file.

"We're all so fucking civilized, aren't we. One big happy family," I said.

"What's that supposed to mean?" Casey asked.

"Billy's right, isn't he? There is a conspiracy and you're both a part of it," I announced, theatrically.

She looked at me like I had just crossed over into delusional paranoia, "Have you been drinking?"

"Fuck you," I said, "and you too," to Amos.

As if on cue, I looked out Amos's window and saw the van from the Eastwood County Sheriff's Office pull up to the rear door to take Billy into the holding cell in the basement of the courthouse ready to bring him up for the arraignment. Billy's eyes were lowered. They pulled him on the end of a tether of chains. Lawrence, the shift supervisor, was in front, tugging on the front chain, and then Billy, shackled by a restraining belt and shuffling with an iron straight bar between the leg irons around his ankles. The deputy, pulling on the rear chain, was

taunting him with a bag from Dunkin' Donuts and a cardboard tray of coffees. I was angry. I was also impossibly sad.

"I need an order to talk with my client."

"I'll give you twenty minutes, and then we'll proceed to the arraignment," Amos put on his half-frame reading glasses and studied the judicial paperwork on his desk.

"And I want the leg irons and shackles removed," I said.

Ritter looked up at me momentarily, "of course," he said. "Do you want to dispense with a technical reading of the indictment. That'll take up half the morning. Just enter your pleas," he spoke, calmly hunkering down to technical business, as if our previous words of the morning had never been spoken.

"What goes on in chambers is between us. I'll let it pass in here," Amos looked up over the top-half of his half-frame glasses. He completed the order and slid it across the top of the desk to me.

"I know how difficult this is for you," he said, "but any outbursts in my court. Any ranting. Anything. And I'll hold you in contempt and there will be consequences."

"They give you any?" I asked, tilting my head towards the deputy.

"We let him lick the paper," Lawrence, said cruelly.

Billy's muscles jerked, involuntarily.

"Be cool. I have to discuss matters with my client . . . lawyer-client privilege. Please leave."

"He's an escape risk. You want us outta here, get an order from the judge," he said.

I gave him the order Ritter had signed in chambers. He read it and then ordered the deputy to release the chains from the restraining belt so that Billy could move his hands. The fixed metal bar between his legs, and the leg shackles, came off next. He was still cuffed. I recall that he was wearing a belt and that they hadn't removed it.

"Rattle your chains boy," Lawrence laughed gleefully, shutting the door on us.

"Fat fuck," Billy said.

"Later honey," Lawrence winked at him.

Billy didn't acknowledge me, as if I was directly responsible for his predicament. They were holding him in the windowless basement utilities storeroom that doubled as a high-security holding cell, rather than in the witness room that opened out onto the courtyard or the regular first-floor holding cell. There were asbestos wrapped hot water pipes hissing above, and there was barely room for him to stand. There was a small slit window with metal mesh set in plexiglass so that Lawrence and the deputy could look in. Billy towered over me. I could

smell thick sickly sweat of his prison clothes. He wouldn't look at me. His eyes kept darting around the room.

"Listen . . .," I said, whispering to him, "You've got to tell me what this is all about. What's going on. What's the Governor involved in? And Catherine. Tell me. It's the only way I can help you."

"You believe me?" he asked.

I started to tell him what had happened in chambers, about how Amos Ritter had taken the prosecutor's file. Billy's face changed as I spoke, and he became suddenly serene, magisterial, "So Ritter's in on it too . . ."

"In on what? You gotta tell me."

"The Vermonter. The casings over the fuel rods. Leaking into the cooling system and into the groundwater. There was radio crystallography of the defective joints in the fuel rods," he whispered to me conspiratorially, coming alive for the first time to me, "A coverup. Catherine . . ."

"Catherine what?"

There was a knock at the door. Ritter wanted to see me back in his chambers.

"In a minute . . ."

"Pops."

"What is it Billy?"

"Do you ever think of her?"

"All the time," I said.

"Did you love her?" he spoke in the past tense, as if he knew that she was gone forever. It was the same question he had asked me before, at the prison after the escape attempt. Maybe it was because he used the past tense, but I still assumed he was talking about Amy.

"Your mother . . . yes, very much."

"No, Eleanor, your wife," he forced a spasmodic laughter, "I was talking about your fucking wife."

His hands rose and fell now in the air as if they floated on invisible currents.

Lawrence tapped the metal billy against the window, "Let's get goin'. Counselor, judge wants you in his chambers pronto. Someone's here to see you."

Billy jerked towards Lawrence.

"Do it bitch!" Lawrence dared Billy, egging him on, "go on, do it" he said, like he was baiting an animal.

"I'll be back," I said.

"Catherine . . .," he said her name again, this time like a mantra, somewhere between a chant and a moan.

Someone else was with Amos and Casey back in Ritter's chambers, sitting in his favorite chair, the plush leather arm chair, "Daddy's Chair," Amos called it. When I came in I recognized who our celebrity was. Donovan. I've known Donovan for many years, since I practiced in Connecticut. He was Chief Trial Attorney in the U.S. Attorney's Office in Connecticut when I was an Associate in a Fairfield County law firm after I first went into practice. One of the senior partners in the firm was the former Chief Trial Attorney in that office, who had gone back into private practice to make money. This partner was a hard and cruel man. He once told me that he did not like me personally but that did not matter; the firm had hired me simply because I had gone to Harvard and he had voted in my favor because I had served in Vietnam. But I did not turn out to be quite what he, and the other partners in my firm, expected.

In contrast to the attorneys at my own firm, Donovan was kind and generous spirited towards me, and would, when I argued motions in Federal court on behalf of the Liarcos family, even provide sympathetic critiques of my work although we were on opposite sides. I liked Donovan a lot, admired him. He, like me, was driven by larger longings. We were both shaped by events we could not escape.

Donovan was a tall, handsome man with charcoal gray hair that curled over the collar of his perfect single-needle tailored blue button down shirt, rolled leather suspenders, rich blue silk tie, and a Valentino gray suit with understated striping. He had made the U.S. Attorney's Office his career and was now head of an organized crime Federal Strike Task Force. He had served as lead prosecutor in the RICO prosecution against my client, Louie and his co-defendants, the leadership of the New England Liarcos family. I especially recalled his five hour closing argument in a Hartford racketeering trial, a masterpiece of endurance and intelligence, perfectly crafted and done completely without notes, connecting up the testimony on the surveillance tapes, and the testimony of two mob informants, and the physical evidence from thirteen weeks of trial against eight defendants, into a seamless and compelling story. His argument, like his case-in-chief, was presented in the most meticulous, understated, yet seemingly fair-minded way. His voice at times had an edge of prosecutorial righteousness to it, as if he had direct access to a truth that could not be obscured by my legal maneuvering. He had a way of convincing a jury he was an instrument of goodness and righteousness in the battle against comic strip wrongdoers gripped by the forces of evil. And the jury convicted Louie, despite my argument that Louie was operating outside the Liarcos conspiracy

and was simply trying to protect his son-in-law from the mob rather than murder him.

All eight co-defendants, including Louie, were convicted on all of the RICO counts in the indictment. It temporarily put the Liarcos family out-of-business, at least in Connecticut. Now they were back. I knew from Louie, a compulsive storyteller, that Big Al Liarcos had appointed a new underboss, Johnny Massari, a vicious man, to replace the business-like Nicky Bones, who had suffered a serious stroke after his conviction. Massari was Big Al's revenge, and unlike the New York families who had been dismantled by federal prosecutions under RICO in the mid-1990s, the Providence-based Liarcos family was off and running again, and would do well as long as Al Liarcos had life.

Just like the rest of us, there is a back story to tell about Donovan. And it is probably necessary to tell some of that story now to appreciate what transpired between us that day in Ritter's chambers, and why I trusted him so completely, even afterwards. Because I did trust him, in perhaps a way that a lawyer should never trust another lawyer. Donovan was and is an admirable man. He is from a working class Catholic family in Boston and has an absolutist sense of good and evil that is, in my view at least, naive and simplistic. Donovan attended Boston Latin on scholarship and his teachers recognized his intelligence and talents immediately. He was a talented athlete, like Billy; his sport was baseball and he dreamed of playing for the Red Sox at Fenway and even played for a Red Sox farm team. He attended Harvard on scholarship, graduated with honors in Classics. The war broke out and he enlisted, serving as a translator and an enlisted man in Vietnam. He was there just about the same time I was. After, he returned to go to law school at Yale. He received a scholarship, just as I did. But there were other aspects to Donovan's story that are less widely known.

Before his last year at law school Donovan served as summer clerk for Judge Julius Braveman on the Fifth Circuit Court of Appeals. He was Braveman's pro bono and habeas clerk, reviewing prisoners' pro se petitions and death sentences appeals. After law school he was appointed Braveman's regular law clerk. Braveman was, like Learned Hand or Judge Wisdom, one of those legendary judges who take their place on the bench and speak for law in ways so admirable that we listen closely and begin to follow their decisions. Braveman had been appointed to the Fifth Circuit Court of Appeals, the most conservative circuit, by President Carter. Previously, he had been an activist and extremely liberal federal trial judge in the deep south during the Civil Rights struggle. As an appellate judge he construed the constitution expansively and liberally. He was Donovan's father surrogate and

mentor. To make a long story short, Braveman was assassinated by a letter bomb during Donovan's second year as his clerk. Braveman opened the package in his kitchen at breakfast. Luckily, his own teenage children had departed already for school. The explosion killed Braveman and left his widow blind and badly disfigured. Donovan stayed on for another year to help the family and close down Braveman's chambers. He lived with the Bravemans. Braveman's killers were never found or prosecuted.

After the clerkship, Donovan came back to Connecticut; he had served an internship in the U.S. Attorney's Office, and took a full-time position there. Donovan never married. He was priest ascetic, married to his job and his masochistic love of the Red Sox. Physically, he is courageous, even fearless. Yet, unlike many of his counterparts in the U.S. Attorney's Office, he is not macho, but rather low key, almost soft in manner. Donovan did not seem to enjoy playing cop. But he was a zealot on a mission, his passion directed against a world in which a man like Braveman could be killed.

I remember Donovan's closing argument in Hartford, where he spoke about how there is evil in the world and how each of us must work to assure that that evil is eradicated. If we do not try to extinguish evil when we have the opportunity, Donovan argued, we are complicit in it, and we must never be confused or seduced by its power. It was a not, after all, a very good jury argument, too theoretical and abstract, or so it seemed to me. But somehow, coming from Donovan, and combined with the details from the months of meticulous trial work, it worked for him. He made it look like all the defendants were agents of the same dark karma. The eight defendants, the six higher ups in the Connecticut faction of the Liarcos family who had conspired to murder Gee, Nicky B, the underboss of the Providence faction of the Liarcos family who had known nothing about the plot until after it was over, and the driver and unofficial mob historian, my client Louie, had all been convicted on all charges. Judge Nevus, who I had known since Connecticut, cut Louie, my client, some slack at sentencing since Louie was not charged with participating in Gee's murder.

"I need to see what's in the prosecutor's file," I said.

"Here . . ."

It was, as I recall, Amos who took the contents out of the large x-ray envelope and slid them across the top of the desk to me like oversized playing cards. He looked at me like, "we have no secrets here, do we?" It was a look that only Amos could muster. I expected to see crystallography of joints and fuel rods. But, instead, when I turned the playing cards over there were porn pictures of Catherine Leacock, the

Governor's daughter. In the first shot Catherine was on the floor, on her side on a rug, the bottom half of her twisted to a side so that her center looked up at the camera like an eye. Her hands were buried down inside herself, her legs pressed together around them, her back arched up towards the camera. In the second picture, someone was on the floor beside her; I was certain from the profile that it was Billy. His hardened cock made a literal bridge into her mouth. The next shot was the bizarre close-up of her lips and tongue around him.

"Sucking him off," Amos couldn't resist editorializing.

Casey looked at Amos, disgusted, yet curiously tolerant, as if they had been through the pictures together carefully, and she had anticipated, accepted, and even, strangely, enjoyed his reactions.

"Pretty good photography," he added, "technically, of course What kind of film you think they used?"

In the next shot, and this one was the most difficult to look at, Catherine's torso was rolled onto her back so her face was visible, staring up at the ceiling. Her legs were tied and strapped down to stakes on the floor. And Billy, naked, erect, his knees pressing down on her shoulders, stood over her with a knife. Her face expressed a surreal vacantness rather than terror.

"What do you think the *meaning* of this picture is. What do you think your client is trying to *convey* here counselor? What's the *mo-tee-Va-shun*?" Amos just couldn't resist.

"Stop it," Casey chided him.

"Maybe the photographer is trying to make an artistic statement . . . about alienation, the difficulties of making a human connection that is not merely a physical one," Amos went on, "looks like he's just gonna strip the skin right offa her, don't it, skin her alive," slipping back into his muted Louisiana patois.

"Amos!" again it was Casey, and this time she shut him up.

Donovan still hadn't said a word.

"Now the U.S. Attorney has some things to talk with you about and I want you to listen to him most carefully," Amos instructed me.

But I still couldn't take my eyes off that picture. Billy did not seem to playacting his rage. Catherine's head was still twisted, looking up directly at the camera lens as if she *was* trying to convey something, prove something to someone. As if she was waiting for something to happen to her, wanting it to happen. Or maybe she was just stoned, oblivious to all consequences. It was the type of picture that would make a father vomit, the type of simulated snuff porno that would not even be published in *Globe* or *Midnight*.

"Shit," I said, and I understood why Ritter, the Governor's close friend, and Casey, wanted to keep a lid on the file, and to keep the courtroom closed.

"These were all in the cab of the truck when we stopped him," Casey said.

"Billy says he was set up."

"He was," Donovan spoke for the first time.

And then Donovan told me, somewhat painfully, uncomfortably, that Billy had become deeply involved with a biker gang, The Underworld. The gang had been smuggling drugs into and out of Canada, working the border. There had been torture-murders, ritual biker slayings.

"There was even an episode on *Unsolved Mysteries* about our little local celebrities," Amos added.

"Yes, there was," Donovan continued.

"You see that?" Amos seemed pleased with himself, his media literacy.

Even if Billy wasn't directly involved in the murders, he had been implicated under RICO as a co-conspirator and, under new Federal sentencing guidelines, conviction on a drug offense alone could land him a life sentence without parole. It was an ugly and sordid story. As I listened to it, I knew that I had to get out of the case, turn it over to Bertram. The time had come and I could not handle it any longer. Donovan said he had the surveillance tapes and witnesses lined up, just as he did in the Hartford case. He would soon be seeking a grand jury indictment. It was a much tighter case than the case he had put together against the Connecticut faction of the Liarcos family, these folks were just as vicious and destructive as the Liarcos family but not as smart or as careful. I wondered, however, why Donovan had chosen to devote the resources of the Federal Strike Task Force to setting up Billy to go after the Underworld? I got my answer soon enough.

"What I really want here, what I anticipate doing," Donovan said, and paused, leaning forward in his chair towards me, shirt-sleeves rolled up to his elbows as if there was now work to be done, "is to get to Al Liarcos, the Old Man, in Providence. I want to clean up that mess entirely."

"How can Billy possibly get you to, or give you Al Liarcos?"

"He can't," Donovan said.

It was then that I realized that Donovan didn't want Billy primarily, he was after me, he wanted me to roll over on the Liarcos family.

"I've got a lawyer-client privilege, Jerry. I couldn't do it . . ."

"I'm not asking anybody to *do* anything, Joe. I'm just saying that we need more than Billy's cooperation to achieve what it's necessary to achieve. On the Government's part, I'll do everything I can to protect the interests of anyone who helps me. I promise that and my word is good, you know that. I won't even require in-court testimony if I can help it."

"I'm a lawyer. I can't."

"So was F. Henry . . ."

"You found F. Henry?"

"Yea, we think so. At least we've identified DNA taken from tissue samples of what was left of him."

"Where was he . . ." I started, "Where were *they* found?"

"Up in Canada?"

"On Indian Country, or what used to be Indian Country until the land was sold and flooded by Hydro Quebec," I said.

"I think so," he looked at me, as if wondering whether Billy was somehow connected to F. Henry's disappearance too.

Now I knew why he didn't want to interview me in Burlington or the U.S. Attorney's office, why he was talking with me here; and why Amos had scheduled the arraignment for this hour and not sent out notification to anyone else; and why the file had been pulled. But this did not justify Amos, the presiding judge, taking it upon himself to review the prosecutor's file.

And then Donovan said something strange. He said he didn't want what happened to F. Henry to ever happen to anyone else, meaning me presumably. And then he said he didn't want what happened to "the other kid" to ever happen to Billy. The comment struck me as an implicit threat of some kind.

I knew, of course, who "the other kid" was . . . a young man who had testified against Al Liarcos, in Providence, when Al Liarcos was convicted of murder some years ago. I also knew about what had happened to him after Al's release from prison, after Al's sentence had been commuted by the Governor of Rhode Island, supposedly for humanitarian reasons, after Al was diagnosed with terminal cancer. The young man who had testified against Liarcos had been placed in the witness relocation program in California. He had become a high school teacher, married and started to raise a family in Loma Linda. When Big Al's life sentence was commuted the witness mysteriously disappeared from the witness protection program. No one ever knew what happened to him.

Louie had told me the rest of story; it had become part of the Liarcos legend. There had been a party for Big Al in the private room of an

Italian restaurant on Federal Hill. There was the delivery of a present in a bowling ball bag. Al was suspicious, thinking it might be a bomb. But inside there was something else that Al thought was extremely funny. He didn't let anyone at the table see it. It was, according to legend, the kid's head, severed from his body, stuffed by a taxidermist. At least this was the story. And I also knew from Louie that the shooter had been Johnny Massari, the same Massari who had recently been appointed Al's consigliere after Nicky Bones' stroke.

Unfortunately, Massari was reinvigorating the leadership of the Liarcos family. And Big Al was safely into the eighth year of his remission. Little Man, Al's weak son, was temporarily out of the picture.

Donovan announced theatrically that he was going to cut another tentacle off the octopus, and that, unfortunately, my "client" was attached to that tentacle. He said it like he was issuing a press release about a pending indictment or pitching an argument to a jury, and I was no longer even in the room. From the way he said "client," and the way Casey could not meet my eyes when he spoke, I knew that he knew that Billy was my son. This was the reason Billy had been set up for the Task Force sting. These current charges were preliminary to the RICO indictment that would be coming down on Billy with the others, if he did not cooperate. Now Donovan was using Billy as leverage to get me, to violate my lawyer-client with Louie and to pressure me to roll over on my former clients. I knew this although he never said a word explicitly; he didn't have to. I had been the one who had been set up although they had not anticipated the pictures of the Governor's daughter.

The conversation wound down after that. I'm trying to remember precisely what was said. I need to talk with my client, I said. I know, Donovan answered, empathically. Take your time, he said, with a bit of forced sympathy. I don't even know whether I can represent Billy anymore, I said, I might have a conflict of interest. Of course, that's your decision to make. Take your time, Donovan repeated. He had obviously rehearsed all of this beforehand, and spoke so carefully, so that there would never appear to be a threat, so that he was only planting the seeds of what I *might* do, and there was no way that I could later use this conversation, and my misunderstanding of it, against him. He even made sure that Amos and Casey were witnesses, and I wondered whether he was wearing a wire to tape record the conversation so that there would never be confusion about what had been said. I realized how badly Amos Ritter wanted us to cut a deal, arrange some sort of immunity, where the charges would be dropped and Billy would be placed in the witness protection program and then just disappear, and, perhaps, that I would be gone as well. Ritter

wanted to save the Governor from scandal and protect his political career, and assure his own appointment to the Vermont Supreme Court. Ritter wanted to save his own ass. From what? I couldn't figure it out exactly.

"I feel so empty man. Heavy and empty. My love so pure," Billy said, still stuck on Catherine Leacock, talking sticky thick love of a heartsick adolescent just as he did when I interviewed him after his first escape attempt.

"So pure that you turned on her. Got her hooked on drugs," I said, my words coming out strangely moralistic, like Donovan's, yet angry, like a father rather than a lawyer, "got both of you involved with some gang of dangerous thugs."

"Bullshit. Catherine say that?" Billy said, he moved back to his prisoner's stance, as if even his own emotions were the proper objects of derision and something approaching self-hatred as well.

"I love her pops," he said.

"That's too bad. I saw the pictures, Billy, the pictures of Catherine," I reached up and cupped my hands around the back of his neck, it was strange to touch him, his rough unfamiliar skin.

"What pictures?" he said, and I didn't believe the denial.

"The ones that were in the truck."

"I don't know what the 'f' you're talking about."

He didn't respond, falling off into his own thoughts, slipping off the edge of the world.

"Why didn't you tell me, level with me. I talked with the U.S. Attorney. They have surveillance tapes. You were with some bikers . . . they are going to go after them. They have you connected to smuggling, drugs, maybe murder."

Angry, confrontational, "bullshit," still total denial, "and you believe them. Not your own fuckin' son."

"Listen, Billy. They are going to bring conspiracy charges against you under RICO. Even if you were just there. And knew what was going on. I've seen this guy work. The U.S. Attorney, Donovan. He's an excellent prosecutor. Compulsive. Methodological. He doesn't threaten. He'll tie you in."

"I didn't do anything."

"They want you to cooperate."

"Cooperate? With who? About what? What the fuck man . . . Who you workin' for anyway? What do they have against me? A trumped up escape. A set up with some fuckin' chocolate. Some doctored dirty pictures. That's it . . . You're supposed to be my fuckin' lawyer, pops,

and you're taking their word against me about everything," he was panicking; he could see what was left of his life slipping away from him, "I swear pops, I'm not part of any fuckin' conspiracy."

"You lied to me Billy. I'm out of it Billy."

"What?" he was incredulous, as if I had suddenly cut his final lifeline.

"You weren't straight with me. You haven't been straight with me for a long time," sounding again like his father. I could no longer separate my roles, no longer represent him even if I wanted to.

As I spoke he had a sinister smile, and then he said, "She was right. You are a corrupt hypocrite."

"Who was right Billy?" I said, but I knew that was what Eleanor felt about me, those were her words.

"Just get the fuck outta here. Leave me alone."

"Yea. I am. I am outta here," I said.

We stood there in this strange disconnection, a moment of bizarre intimacy, or at least honesty. Father and son. Standing face-to-face in the tight little closet holding cell with the hissing asbestos lined water pipes above us. His eyes were thin, and he had pulled this toughness up over him so I knew the conversation was clearly over.

"I wouldn't be effective representing you any more. It was a bad idea in the first place."

His eyes darted about the closet, down at the floor, towards the door, up at the water pipes, as if looking for a way out.

"Yea, real bad."

"I won't leave you hanging, Billy" I said. "Amos Ritter won't let me withdraw until you find another attorney to represent you."

"Yea, someone I can talk with, right, pops," Billy repeated derisively.

"I'll see if Bertram Davis can represent you. He's a fine attorney."

"So Ritter's in on it too. . ."

"In on what Billy?" I tried one final time, "the conspiracy?"

"Yea, the fuckin' conspiracy," he said.

"I don't believe you."

"No, I don't suspect so," Billy swallowed, and then looked up, as if in prayer, towards the hissing wrapped pipe in the ceiling, "Did you ever think, pops, how unusual it is for a baby to be born with a cancer. It has to come from someplace doesn't it?"

"You talking about Davis? What are you talking about?" I asked, unsure what he was getting at.

"Nothing, pops. Nothing at all," he said, dry mouthed, looking about the room now, as if looking for some way out of that place, and the claustrophobic and dead end of his own life.

"They'll bring you upstairs soon for the arraignment. We'll enter a not guilty plea and claim the case for a jury trial."

"Yea. Thanks pops. Thanks for everything," he said derisively.

"Billy," I started, . . .

There was a knock on the door, Ritter's clerk said he wanted me back upstairs.

"In a minute . . ."

But Lawrence opened the door.

Billy jerked towards him.

I suddenly just wanted to get out of there, be able to get to a drink and be out of this place, and to forget that he was my son and that I had anything to do with him.

"Rattle your chains boy!" I heard Lawrence say to Billy, hoping that Billy would make a break for it so that he could whack him down.

. . . I was impossibly tired. I just wanted to head back to my office where I could have a drink. I would make arrangements to protect Billy's interests. I thought of what Donovan said about F. Henry too. It was time for me to think about closing up shop and getting out. I could sell off the technology stocks I had bought with the proceeds from Eleanor's insurance policy, now, while the market was still roaring before the big crash that we all anticipated. Turn over my "Eastwood" files to Bertram. He could hire another attorney, either an experienced practitioner or a young associate, to replace me. I would put the house on the market; it was filled with far too many ghosts and memories. I could head off to someplace warm before winter began. . .

We were in Ritter's chambers when the phone rang. I don't remember what we were discussing. That piece of time is just missing, either lost or extinguished by what came next. I don't even remember whether Donovan was still there with us. In one version of those moments he is. In the next I don't see him. I simply don't recall. I remember the slow motion of Ritter picking up the receiver, the way he listened for a long time without saying a word, looking from the receiver to me and then back again. Then he made some cursory yeses and nos and finally hung up the phone. He got up and eased himself into his Daddy's Chair, and it seemed to fold in around him. His eyes were suddenly puffy and tired, and his face went white on the skin stretched thin with cosmetic surgery.

"It's your client," Ritter said. "He's hung his self."

I must've run from the room. I remember trying to find my way down the stairs. It seemed vague and unfamiliar territory. By the time I got down to the holding cell, the utilities closet, it was empty. The door had swung open and they had taken him away. Billy's belted noose still hung on the broken asbestos that lined the water pipe. Why they hadn't removed his belt? How had he gotten up to put the belt over the pipe? Had Lawrence, the supervisor, done this to him? How long had the asbestos water pipe held him suspended until it burst? How Lawrence and his deputy stood and not have noticed what was going on in the holding cell? My head was flooding with questions.

When I turned around Casey and Ritter were standing there.

"They've taken him to the University Hospital, Feldstein, you'd better get going," he said, as if there wasn't much time left for either of us.

"I'll drive you," Casey said.

But I put up my hand to stop her as she moves towards me, "No. I'll drive myself," I said.

"I'm so sorry," Casey said.

"So am I," but the words had absolutely no meaning.

