

THE JUDGE'S STORY Chapter 01

Judge Akers watched the teenage girl enter his courtroom. She had agreed to testify against a fourteen-year-old schoolmate for theft and murder.

He suspected she was nervous. The room loomed in front of her, with high ceilings, chandelier lights, and seats for at least one hundred people, that day less than one-third occupied.

The Judge sat elevated at the end of her walk. He noticed that she stared at the portrait to his left, perhaps to avoid meeting the eyes of the defendant, a typical ploy of witnesses. She walked slowly, almost as if her legs were too heavy to lift. He saw her look up at the skylight in the ceiling.

The Judge was disappointed that the District Attorney required a sixteen-year-old to convict the defendant. He believed that in the modern California justice system of 1939, children should not have to deliver such testimony. Of course, the defendant himself was just a boy, so perhaps that justified a teenager testifying against a teenager.

As she approached the front of the room, she looked to her right at a middle-aged woman sitting in the third row behind the prosecutor's table, who smiled at her as she walked by. The Judge recognized the woman as the girl's mother. He didn't blame her for sitting on the edge of her seat looking like she wanted to jump up and drag her daughter out of the building.

The girl finally reached the end of her sojourn by pushing through the swinging gate of the divider separating the public area from the actual courtroom. An elderly, rather rotund man, who was sweating due to an unusually high temperature in the courtroom, asked her to hold up her right hand and swear to tell nothing but the truth.

Judge Akers understood that she must be nervous. Before the District Attorney could ask her any questions, he signaled

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that he wanted to talk with her. He looked down at her from his perch on the dais, and tried hard not to appear too intimidating. However, at six feet five inches he was accustomed to that feeling and the girl was hardly more than five feet tall and quite thin. To the teenager, the Judge probably seemed quite mature with his thick salt-and-pepper hair, which made him appear even more unapproachable.

He was in his late fifties and had been a judge for about five years and a lawyer before that. What the witness probably didn't know that might have made her less nervous was that he was committed to helping juveniles and believed they should be educated and rehabilitated rather than punished—a concept that was becoming popular, including with the Ventura County peace officers.

He tried to smile to convince her that he was not there to make her life miserable, even though he was in charge. He said, "Let's see, young lady. You are Clara Bow Wilson. Is that correct?"

He broadened his smile when he said her name. He was old enough to know who Clara Bow was—a popular 1920s actress known as the 'IT' girl.

"Yes, your Honor, sir," she said softly, biting her lip.

Still smiling, he said, "You'll need to speak up so we can all hear you. Do you understand why it's important that you are here and that you must tell the truth?"

She was beginning to rally some of her fortitude. She responded more firmly, "Yes sir. I know my duty."

The Judge could smell mothballs coming from his black robe. He, too, was sweating. The electric fans didn't seem to help much.

"As you see, there's no jury here to determine the defendant's guilt or innocence. I am the one who will make that decision. So after District Attorney Bilkins and Defense Attorney Alberts question you, I may have some questions as well. Do you understand?"

She nodded again and said, "Yes sir."

Judge Akers turned to the District Attorney, a tall slender man dressed in a dark suit with a vest, whose sideburns extended his red hair down his face causing a two-toned

appearance. The Judge said, "You may begin. Just remember she's only sixteen, and I expect your demeanor and questions to take that into account."

Clara now turned to focus on the rest of the courtroom. What she saw first was the boy she had come to testify against—Oscar Roy Briarley—whose head barely rose above the table where he was sitting. While she waited for District Attorney Bilkins to stand up to ask his questions, she studied the defendant, a schoolmate she barely knew. He stared back at her, wide-eyed with lips trembling.

She noticed that he must have had a haircut and a bath. His typically unruly hair was both clean and somewhat controlled. This was a big improvement because at school he usually appeared unkempt and looked more like a dog than a boy, which had led her and her friends to call him "Shaggy."

The District Attorney approached Clara, blocking her view of the defendant. He spoke slowly, perhaps believing that enunciating each syllable would make it easier for a sixteen-year-old to understand him. "Clara, please tell us where you were the evening in question."

She licked her lips, leaned forward, and said slowly and as loudly as she could, "I was at the store—that's the five-and-dime store on Main Street—helping to take inventory. I work there after school sometimes to earn a little extra money."

The District Attorney said, "Go on. What happened?"

She looked at the Judge and asked, "Is that loud enough?"

He nodded. "Yes, thank you, Clara. You're doing fine."

She continued. "Well, I was in the back of the store when I heard a crash. I ran out thinking that Mr. Brant—he was the manager of the store—anyway, I thought he'd dropped something. But instead I saw that the front window was broken and two men were taking stuff out of it."

"What kind of 'stuff?'" asked the District Attorney.

"Oh, radios, tools, clothes, rifles—just stuff that we had on sale that week that Mr. Brant displayed in the window. They were putting it in a big bag—that looked maybe like it had been some kind of feed bag."

"And you referred to these two as 'men.' What made you think they were men?"

She hesitated and then said, "Well, they had on trousers and at first they just seemed like men."

The District Attorney turned his back to her and stared at the defendant who, at approximately Clara's height, might have been mistaken for a short man instead of a boy.

"A little short for a man, perhaps?" he said gently and then pointed to the defendant.

The District Attorney's carrot-colored hair and reddish brown sideburns diverted Clara. She asked, "I'm sorry. What did you say?"

He repeated even more carefully, "I said, isn't Oscar Briarley a little short for a man?"

"Yes, but at that time I couldn't tell. They both had on pants, so I assumed they were men." She seemed annoyed that the District Attorney would question her assessment.

"All right. So then what happened?"

"Mr. Brant yelled, 'Get out of there, you hooligans!' and then he threw something and ran towards them."

The Judge noticed that she stopped speaking and looked down at her hands, which were clenched. He assumed she had begun to recall that night—a common occurrence with witnesses of a brutal crime. Unfortunately, her hands did not seem to deter her from remembering her boss picking up a bottle of soda pop and throwing it at the intruders as he ran toward the store window. She could still hear the shot that caused Mr. Brant to jerk backward—he looked so surprised—and then he fell. The surprise on his face still caused her to shake and wake up from dreaming about it.

Her inquisitor turned, looked at the Judge, back at Clara, and then said gently—but still enunciating every syllable, "Take your time, Clara. I know this is difficult to have to re-live."

She glanced around the room as if wanting to run out, then looked at the defendant and said, "And then I heard a loud noise—a gun shot—and Mr. Brant screamed. I was afraid they would shoot me next, but one of them ran off right

away and the other picked up the bag stuffed with the radios and things and ran away, too, without even looking at me.”

“And do you recognize either of those thieves here today?”

“Yes, of course.” She pointed to the defendant and said, “Oscar Briarley. He’s sitting over there.”

“You are absolutely sure that you saw Oscar Briarley that night helping to rob the store when Mr. Brant was shot and killed.”

Clara noticed that the District Attorney’s face was now a bright red from the heat. She nodded and said, “Yes, sir. I saw Oscar Briarley.”

“Thank you, Clara. I know that couldn’t have been easy for you. Your witness.” He gestured to the Defense Attorney.

The middle-aged, somewhat paunchy and balding man representing Oscar Briarley stood up from behind the table. He was dressed in a dark suit, much like the prosecutor, which must have caused him—and the District Attorney — discomfort on such a hot day. Although the lawyer had spent much of the time looking at papers when Clara was responding to the District Attorney’s questions, he appeared now to pay close attention to what she would say. He stared right at her, with sweat dripping down his face, which he wiped repeatedly with a white handkerchief. He had been selected from among a pool of local lawyers required to represent indigent clients. The Judge believed that the boy was fortunate to have drawn a capable lawyer—someone who would be concerned enough to fight for him.

The attorney studied Clara for such a long time that she was beginning to think he’d forgotten what he wanted to say when he asked, “Was it dark in the store?”

She looked confused, and then said, “Well, it wasn’t dark outside yet, but the lights were on. Mr. Brant had a really bright light in the window so that the things on display showed up well. So I could see Oscar very well, if that’s what you mean.”

“Oh, so after you thought there were two men, then you realized one of them was actually a boy?”

She nodded, glared at him, and said, "Yes, the closer I got to the window, the easier it was to see."

"What about the other man? Are you sure he was a man and not a boy?"

She swallowed hard. "No, sir. It could have been a tall boy."

The lawyer smiled. Clara clenched the railing in front of her. "But you said that my client, a boy of just over five feet tall, was in front of the other," he hesitated for effect, "man. Yet you couldn't see him. How could that be?"

She thought about that statement before saying, "Oh, I'm sorry. I should have said 'Oscar was inside the window.' He had jumped up into the window after they broke it. The other person was still standing outside, and he was bent over filling the bag."

The lawyer cocked his head and said, "So Oscar was standing in a place higher than the other person. By how much, do you think?"

She thought about that. She held out her two hands one above the other estimating the distance and said, "Maybe this much—I guess that's about two feet?"

The lawyer nodded. "I see. And was this other person heavier than my client?"

"Sort of. He was wider. I'm not sure if he was heavier."

"What was he wearing?"

She was ready for that question. The Chief had asked it right away that night. "He had on farmer's bib overalls—you know, the kind with the straps over the shoulders—and what looked like an undershirt underneath. It didn't seem any too clean."

"And what about his hair? What color was it?"

She responded with confidence. "I got a better view of the other fellow bent over. His hair was brown and gray and it was long and kind of curly, and very greasy, like it hadn't been washed in a while."

"But you never saw his face."

She repeated, "No, he never stood up. He was leaned over filling the bag the whole time. As soon as the gun was fired,

first Oscar ran and then the other fellow grabbed the bag full of stuff, and he ran, too."

"All right. And neither of the two people you saw had on masks?"

"No, sir. I could see Oscar really well, because he was closest to me. I couldn't see the other one because he was behind Oscar."

"So who ran away first?"

Clara shook her head and said with exasperation, "As I just said, Oscar jumped down from the window and ran away first. But I still couldn't see the other fellow. He was stooped over and then he turned away while he was picking up his bag."

"Could you see who fired the gun?"

"Well, I'm sure it wasn't Oscar. I didn't notice one in his hands, and I could make out pretty much all of him. When I heard the shot, I could see Oscar and he wasn't carrying anything. He kind of jerked when the gun fired, and then he ran and almost pushed the other fellow down. But the other fellow was carrying something long besides the bag, and it looked like a rifle."

"How do you know it was a rifle?"

She tried not to sound annoyed when she answered. "Well, it looked like the other fellow was carrying something long in his free arm that was away from me. He was pulling the bag with his left arm, and it looked like he had a rifle in his right hand."

"But you didn't see either of them actually shoot Mr. Brant."

"No, I did not, but I can tell you that it couldn't have been Oscar because I could see him very clearly, and he did not have a gun."

"I see. So was it the other fellow who actually shot and killed Mr. Brant?"

"I have to be honest, sir. When I witnessed the two of them, Oscar did not have a gun. But I did not see a gun for sure so I can't say, but it sure makes sense that it would be the other fellow, especially since it looked like he was

carrying something else that resembled a rifle." Clara could not hide the irritation in her voice.

"Could it have been someone else other than either of the two you saw who might have shot Mr. Brant?"

She shook her head. "I don't think so. I didn't notice anyone else. But I didn't catch a glimpse of a gun or who actually pulled the trigger. I just saw poor Mr. Brant."

"And you are absolutely positive that the one person you recognized that night was Oscar Briarley."

She swallowed hard. Before she answered she looked at her mother who smiled back and nodded in support. Clara said, "I understand what this means, but yes, sir. I am sure."

The lawyer again studied her. She looked him straight in the eyes, waiting for his next question, not willing to back down. He seemed to make a decision.

"Tell me, did you know Oscar at school?"

"Yes, sir, I knew who he was, although we were never together in the same classes. He's younger than I am, and I believe he'd been held back a year or so. But we went to the same school, and I saw him around."

"Was he ever accused of being a thief or a trouble-maker?"

"No, I don't think so. But I didn't know him or talk much about him." She paused for a few seconds and then said, "I think his brother was, though, and there was talk about his father. But as far as I know, Oscar never stole anything and nobody ever said he did."

"For right now, I'm not interested in his brother or his father. What do you know about the defendant?"

"Not much." She added, "He didn't dress well. Sometimes he didn't wear shoes. That got him in trouble, and he had to use some old rubbers that belonged to the school custodian." She looked at the defense attorney. "Is that the kind of thing you're interested in?"

"Did you ever see him beat up anyone?"

"No, I don't remember him ever picking on anyone. He kind of kept to himself. Oh, I remember seeing him one time going through the school garbage. But he stopped and ran away when he saw me."

"So did you think of him as dangerous or someone who would rob a store?"

Clara did not hesitate. "No, sir. He always seemed like a normal boy."

He said, "Thank you. That's all."

She stood up to escape, but heard Judge Akers say, "Just a moment. I have some questions."

She sat back down. "Yes, sir."

"What you're telling us is that he didn't have a reputation of being a thief or a bully. Why do you think he stole this time?"

She looked at Judge Akers and then at Oscar. "I'm not sure what you mean," she said. "But maybe he was hungry, your Honor. We know that the Dust Bowl created a lot of hungry people, especially boys and young men. You only have to read Mr. Steinbeck's *Grapes of Wrath* to know that." She punctuated her conclusion with an emphatic nod. Then she glanced at her mother who had closed her eyes and was shaking her head. She looked concerned about what Clara had said.

The Judge looked surprised. "You've read *Grapes of Wrath*, have you?"

She avoided her mother's eyes and looked directly at the Judge. "Yes, sir. I plan to be a writer, like Edith Wharton, so I read a lot."

"I see. You haven't embellished any of your testimony to create a better story, have you?"

She opened her eyes wide, appearing concerned that the Judge would even think such a thing. "Oh, no, your Honor. Everything I said is the honest truth."

The Judge examined her again, looked up at the skylight, then back at her again. "Let's return to Mr. Briarley. Do you think he is capable of killing someone?"

"I wouldn't know." She stopped and thought about the question for a few seconds. "But I don't think so. I remember one time at school seeing his brother beating someone up. Oscar ran away rather than hit him even though his brother held the boy for him to hit and called him a sissy when he refused. It was a good thing that one of our teachers showed

up to help out, but I got the feeling that Oscar didn't like to hurt people." She looked at Oscar, who was jiggling in his seat and sort of shaking his whole body. His attorney reached over and patted his arms, which only slowed down the jiggling a little.

The Judge appeared to absorb that piece of information, because he focused on the jiggling Oscar. At this point, he did not feel prepared to reach a final verdict or more important, an appropriate sentence. The boy's attorney was not arguing his guilt over participating in the robbery. He was claiming that he should not be held responsible for the killing of Mr. Brant and that his age should be taken into account.

The Judge believed that the boy had participated in the robbery, but a fourteen-year-old without a prior conviction or proclivity to commit crimes seemed an unlikely murderer. The more he learned about the boy, the less he believed that the youngster was responsible for the shooting and the more surprised he was that the boy had participated in the robbery at all. He still wondered who the other thief—and most likely the murderer and cause of the incident—was. The Chief could not identify him. Clara had not seen him, other than to notice that he was taller and bulkier than Oscar.

The real issue boiled down to the situation that Oscar Briarley was unwilling to identify his partner, even though it was most likely he who fired the fatal shot.

The Judge knew about Oscar's home life because of his brother, whose trial he had presided over more than a year earlier. He lived in squalor, and it was possible that Oscar was looking forward to prison as a much better place to exist than his own home, so that's why he was keeping quiet. He had refused bail, although the Judge doubted that his family had the bail money. Anyway, he chose to stay in one of the four bunks in his juvenile cell at the next-door Ventura County Jail. The bunk was probably the best bed he ever had. So it was not outrageous to think that he might welcome going to prison, where he would be fed regularly and have his own bunk to sleep on—which could explain why he refused to identify his partner.

The Judge looked at the defense attorney and said, "Are his parents here?"

The attorney shook his head. "No, your Honor."

The Judge responded quickly, "I assume they were informed."

The lawyer nodded. "Yes, sir. They were informed. I sent someone out to their place to personally let them know."

Judge Akers then turned to Clara, his face showing disgust. He could not abide derelict parents. "Just one more question, young lady. I assume the Chief probably asked you this. But do you know any of Oscar's friends?"

She responded, "Not really. He seemed to be pretty much a loner, except when his brother was with him, and he hasn't been around in a while. Quite frankly, I didn't see Oscar at school all that often. I think maybe he might have only been there when the truant officer made him come."

The Judge noticed that the defendant was smiling. He probably enjoyed evading the truant officer.

"And did he ever come into the store to buy anything while you were working there? Or did you ever see him anywhere else around town?"

"No, I never saw either him or his brother in the store." She hesitated but looked at the Judge as if she wanted to say more.

He said, "Did you have something else you wanted to add?"

"Your Honor, I'm not sure if this matters, but you seem to want my opinion, so I'm going to tell it." She swallowed hard again, avoided looking at her mother, and then decided to just say what was on her mind. "I don't believe that Oscar can read. I believe he was held back at school because of that. And if he could, well, I think he'd be different. He's just never known anything other than his family life."

"Did you learn that from *Grapes of Wrath*?"

She looked embarrassed and said nothing. Her mother rolled her eyes.

The Judge smiled and said, "Thank you for your testimony. For the moment, you are dismissed."

Clara stood up and started to make the long walk to escape from the courtroom. She looked at her mother, who smiled as she went by. She glanced at the people seated in the gallery and saw Mrs. Brant and her children in the row next to her mother and the Sheriff and the Chief next to them. She didn't know the well-groomed, attractive young man in the row behind the defendant. There were a few dozen more people in the rows behind Mrs. Brant. There was no one else in any of the rows behind Oscar. It seemed that people had lined up to support the widow and her family.

She was part way out of the courtroom when District Attorney Bilkins said, "Your Honor, I know that this boy is only fourteen. But I do need to remind you that Mr. Brant was the father of four children, and he left a wife alone to care for them. This was murder, pure and simple, and even if the boy didn't actually pull the trigger, he was there and shared in the culpability under the California felony-murder rule."

The defense attorney stood up and shouted, "Your Honor, we know how heinous a crime this was, but really, this boy was not responsible for killing anyone! What is most likely is that he was influenced into participating by whoever pulled the trigger. He's just a boy. He does not deserve to be punished for a murder committed by someone else."

The Judge looked down at both of them. He asked the Defense Attorney, "I didn't see anyone else on the list of witnesses. Do you have someone to testify on behalf of Mr. Briarley?"

Attorney Alberts looked like the Judge had punched the wind out of him. He said quietly, "No, your Honor, but you heard what Miss Wilson said—he did not have the reputation of being a thief or a bully."

"District Attorney Bilkins, do you have any additional witnesses?"

"No, sir, but I believe it's clear from Clara Wilson's testimony that Oscar Briarley is the one who helped rob the store and kill Mr. Brant. The defendant himself doesn't even deny it. Your Honor should deliver a verdict of 'guilty' and send him to jail—"

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The Judge interrupted, "Yes, I know, Mr. Bilkins. However, I am not prepared to make a decision today. I want to study the defendant and the case and see if we can track down the partner who pulled the trigger to learn more about Mr. Briarley's role. I am postponing a decision for one month pending additional information. If we cannot collect more information, I will deliver my verdict and sentence at that time. The defendant will be remanded in the county jail until then unless he can post bail."

The last thing Clara heard before exiting the courtroom was the bailiff saying, "All rise for the Honorable Judge Grover Roswell Akers" as the Judge departed.

Chapter 02

The Judge walked swiftly into his chambers and greeted his secretary and all-around organizer of his life, Irene Alvarez, a handsome blonde woman in her late twenties dressed in a woman's gray suit.

Irene asked, "How was the Oscar Briarley trial?"

"I didn't render a decision. The Court will be scheduling a hearing in a month for me to make up my mind."

"Oh? What happened?"

"The boy is only fourteen. He didn't pull the trigger. The only real witness is a sixteen-year-old girl, who admittedly is credible, but I just think we need to try to find the real culprit. Otherwise, based on the felony-murder rule, I'll have to sentence him to more time than I believe he deserves."

"I take it the boy still refuses to tell who his partner was?"

"Right."

Irene sighed. "Well, maybe the Chief will find out who did it. Do you want me to ask Jim to see what he can find?" Jim was her husband, who did investigative work for the Ventura County Sheriff, the town of Ventura Chief of Police, and occasionally the Judge.

The Judge shook his head. "No, he'd just run into the Chief or the Sheriff. They're working different angles of the case. I do believe they're looking hard. I just wish there was some way to convince the boy to identify his partner. No one even seems to know any of his friends, so we don't have a starting point. I doubt that his family would be much help either."

He retreated into his inner office and grimaced at the stack of paperwork on his desk. He started to go through it to assess priority, even though he knew that Irene would have placed most important and most urgent items on top. He gave up procrastinating and read the one on top while Irene returned to her typing.

Irene had just finished pulling a document from her machine when she looked up to see a woman and two young children enter the room. She might have been pretty once, but time had not been kind. Her face showed lines and her eyes betrayed exhaustion. Her dress was clean but faded pale blue with darning threads in the shoulder where she had patched the thinning material. When she walked, she remained bent over as if carrying something heavy. Her black hair was pulled up and displayed streaks of gray.

Irene, who did not recognize the woman, asked, "May I help you?"

The visitor spoke softly, but precisely and with a slight accent. "Hello, yes, I am Mrs. Martinez. I would like to speak to his honor Judge Akers, please."

The Judge walked out to the woman and greeted her, "Hello, Mrs. Martinez. It's nice to see you again. How can I help you?"

"Thank you, your Honor, sir, for seeing me. You helped my husband once, and we need you again. May I speak to you, please?"

"Please come in." He led the way into his inner chamber and motioned for them to be seated. The woman first arranged her two listless children, who obeyed her direction with little complaint. The older boy of the two, barely four feet tall, stared at the Judge through long black hair that fell over his eyes. He held onto his little sister's hand and said to her, "It's all right. The Judge will help Pa-Pa."

The Judge noticed that the children's clothes also had signs of darning, but both they and the clothes were clean. He smiled at the children and then said to Mrs. Martinez, "Now, what can I do for you?"

She swallowed hard, took a breath, and then said, "My husband has been put in jail, and I need to help him. He didn't mean to do it. He killed a cow, but he meant to kill a deer."

The Judge feared that she wanted such a favor. He had heard about the case, and he knew her husband. He had defended him years ago—unsuccessfully—when he was an attorney. He said, "Mrs. Martinez, I personally cannot help you. I am a judge now. But I can refer you to one of my former partners. Since the firm handled your husband's case before, it is logical that they could handle this one."

"But, your Honor, sir, it was you who helped Antonio before, and you were so kind. He hardly paid you anything." She lowered her head when she mumbled this as though she were ashamed that they couldn't pay him, although they had managed to bring some amounts toward the bill over the years, which was when he had first met her.

The Judge looked at her and shook his head, his eyes concerned for her. "Well, first, I didn't help him very much. He was convicted of theft and served a year's sentence, even though the District Attorney never proved that it was he and not one of the other two living with him who stole the jewelry. Second, I'm sure the firm I'll refer you to will work out a reasonable payment program."

"But, won't you at least listen to why he's in jail? Maybe you could think of some other way to help him."

The Judge continued to look at the woman, his eyes still reflecting distress for her. "All right. I won't be able to hear the case anyway, given my history with your husband. What happened?"

The woman said, "We needed food. The children—" she pointed to them—"hadn't eaten much of anything for a couple of days. So he went hunting. He was looking for deer, but he accidentally killed one of the neighbor's cattle."

Judge Akers shook his head. "The law is very clear about that here in Ventura County. I don't necessarily agree with it, but the cattleman's association is very strong. Killing cattle is serious."

The woman looked up and the Judge noticed tears in her eyes. She said, "But he didn't mean to shoot the cow. He thought it was a deer. We were so hungry."

The Judge nodded and said, "I understand. Wait just a minute." He got up and went out to Irene. "Could you call John and see if he has a minute to talk with me?"

She picked up the phone and asked for a number. After speaking to someone on the other end, she gave the phone handset to the Judge. "Hi, John. Listen. I have a case I'd like you to handle." He cupped his hand over the mouthpiece and said

quietly, "I'll pay the fee." Then he continued in a normal voice and said, "A Mexican fellow accidentally killed a steer by mistake, thinking it was a deer. Can you defend him? I know the issues—he's a Mexican—and we know how our race doesn't understand them, which will make a jury trial risky—and the law is pretty straightforward on killing cattle, but maybe you can do something for him. You may remember him, he's the same one I defended early on who got sent to San Quentin for theft."

He listened for a minute or two and said, "Thanks, John. I'll send his wife to you right now. I appreciate it."

He re-entered his inner office and walked over to the pleading woman and patted her hand. He pulled a card from his desk and a five-dollar bill from his pocket, which he carefully folded and hid under the card, and handed them to her and said, "It's all arranged. My colleague will help you. His address is on the card. He's waiting for you now. The office isn't far. You and the children should be able to walk there in about ten minutes."

She looked at the card and then the money and stuttered, but eventually managed to say, "Thank you, your Honor. I cannot tell you what this means. We feel so helpless."

The Judge helped her to stand. "I haven't done much, but at least you'll have adequate legal representation. Good luck."

The woman held a hand of each of her children, and the trio walked out of the Judge's office slowly. The boy turned and looked at the Judge. He started to say something but his mother pulled him along so he turned to follow. She didn't look back at the Judge or Irene, whose expression reflected the hopeless concern exhibited by the Judge. She stared at the floor as she walked. Neither the Judge nor Irene said anything as they watched them leave.

The Judge shook his head. "I hope John can help, but precedence is not in their favor."

Irene sat down and started writing in a notebook. "I'll see what I can do to help. Mrs. Martinez is a seamstress. I might be able to find some customers for her. Will she have a place to live?"

The Judge looked doubtful. "I'm not sure. I don't know if they own their place or rent it. Can you ask your husband to check out what her resources are? Make sure she's got food at least to get through the trial."

Irene looked up. "I'm not sure Jim's back yet from the library, but as soon as he returns I'll ask him."

In addition to serving as an investigator, Jim also was attending college to become a lawyer. He and Irene lived on a farm and had two children, ages five and eight. When he wasn't farming or doing investigative work for the Judge or local law enforcement, he was at the library studying or at the community college taking classes.

"When do you expect him?"

"Probably not until later tonight. He's got an exam coming up. Will tomorrow be soon enough?"

"Yes, I think so. I slipped her a five-dollar bill as she was leaving. That should hold them until tomorrow."

The Judge started to go back to his desk and then turned to Irene. "Is there anything else I need to do today, or can I go home now and attack that stack of papers tomorrow?"

Irene smiled. "No, you're clear. And it is after five, so you can go home." She smiled.

The Judge picked up his Fedora, perched it at its usual cockeyed angle, and headed out the door, relishing the walk home. Citizens throughout Ventura recognized him. He appeared often in his three-piece suit and brown Fedora walking the streets at a rapid pace with his long stride. Tonight was unusually warm for Ventura, but he nonetheless started out moving vigorously. Normally he would stop for dinner at a local café, but this evening he had leftovers waiting for him at home.

He passed by and greeted other walkers, including many with their dogs. He enjoyed the *camaraderie* of walking and talking with his neighbors. He knew almost everyone he greeted that night, some better than others. He appreciated the experience as an opportunity to throw off his immersion in the seedier side of life he experienced as a superior court judge. Here on the streets of Ventura were normal, everyday, law-abiding people, not murderers and thieves.

Therefore he was delighted when, as he approached the block where his house sat, he saw a young girl, who couldn't have been more than seven or eight, walking what appeared to be a fox on a leash. He went over to get a better look.

"Is that a fox?" he asked.

The girl sighed and responded, "Yes. My dad was hunting with some of his friends and they brought it back as a baby. I've raised him, and he's my pet now."

She told the story as if she had repeated it many times. The Judge asked, "What kind of fox is it?"

The girl rolled her eyes and said, "Obviously it's a gray fox."

The Judge nodded. "Of course it is. And you've raised it since it was a baby."

"Yes, and he's my pet now. I have to go." She and her fox on a leash left the Judge smiling and wondering what would become of a wild creature tamed to walk the streets of Ventura.

The Judge shook his head and turned toward a wood-framed house with a large porch and painted blue shutters. He opened the door into a parlor room on the left and steps and a wood banister on the right, and a hallway straight ahead. Despite the hot summer day, the room was dark and a few degrees cooler due to the closed shutters.

He entered his house with mixed emotions, as he always did since his wife's death. For more than twenty years, she had welcomed him home when he arrived, but not for the last decade, and he still missed that greeting. He went into the parlor and sat down on a leather divan set on a multi-patterned carpet between two dark-wood tables holding electric lamps with tiffany lampshades. Although this room was a parlor, it truly was the Judge's room. Bookshelves full of books lined one entire wall, a radio dominated one corner, and a dozen *Life* magazines were piled on the floor next to a leather chair.

The Judge picked up one of the framed pictures on the end table. It showed a younger version of him with a pretty woman whose hair was pulled up on top of her

head. She was smiling at the Judge like he really was someone special. As he studied the photo of his wife and him caught in a happy moment, he remembered her death from tuberculosis as if it were yesterday—all the details of her final days haunted him. He willed himself to stop thinking about that last miserable week. He put down her photo and picked up one with the couple and his children when they were teenagers. This one made him smile.

He was proud of his children: his daughter was a teacher, his one son worked for the railroad, and his other son was studying to be a doctor. But he doubted he'd been a particularly outstanding parent. His own parents had divorced when he was quite young, and he never knew why. Neither his stepfather nor his biological father ever really liked him, so he was on his own as a teenager but had managed to overcome much to attend law school, set up his own law practice, and then become a judge. He had assumed that his own children could succeed without much help as well, which resulted in a parental approach devoid of much empathy or assistance.

"Enough of this self-pity," he mumbled. He got up and turned on the Benny Goodman show on the radio. There was supposed to be a special speaker from the L.A. Philharmonic that evening.