The Number One Bestseller

John Grisham



A Time To Kill

Murder. Revenge. Justice?

A Time To Kill

John Grisham is the author of forty works of fiction and one of non-fiction. His works are translated into forty-two languages. He lives in Virginia.

Find out more at jgrisham.com and stay in touch via Facebook at John Grisham Books.

Praise for John Grisham

'The best thriller writer alive.'
Evening Standard

'The suspense does not let
up for a minute.'
Daily Telegraph

'He keeps us turning the pages until well
after bedtime . . . as exciting
as a car chase with a load of
dynamite thrown in.'
Daily Mail

'The book stays in the hands as if
super-glued . . . compelling.'
Sunday Express

Copyrighted Material

Also available by John Grisham

Fiction

The Firm
The Pelican Brief
The Client
The Chamber
The Rainmaker
The Runaway Jury
The Partner
The Street Lawyer
The Testament
The Brethren
A Painted House
Skipping Christmas
The Summons
The King of Torts
Bleachers
The Last Juror
The Broker
Playing for Pizza
The Appeal
The Associate
Ford County
The Confession
The Litigators
Calico Joe
The Racketeer
Sycamore Row
Gray Mountain
Rogue Lawyer
The Whistler
Camino Island
The Rooster Bar

Non-fiction

The Innocent Man

Copyrighted Material

John Grisham

A Time To Kill



arrow books

Copyrighted Material

9 10

Arrow Books
20 Vauxhall Bridge Road
London SW1V 2SA

Arrow Books is part of the Penguin Random House group of companies whose addresses can be found at global.penguinrandomhouse.com

Penguin Random House UK

Copyright © John Grisham 1989

John Grisham has asserted his right to be identified as the author of this Work in accordance with the Copyright, Designs and Patents Act 1988.

This book is a work of fiction. Any resemblance between these fictional characters and actual persons, living or dead, is purely coincidental.

First published in Great Britain by Century in 1989
First published in paperback by Arrow Books in 1992
Reissued by Arrow Books in 2020

www.penguin.co.uk

A CIP catalogue record for this book is available from the British Library.

ISBN 9780099537038

Typeset by Palimpsest Book Production Limited, Falkirk, Stirlingshire
Printed and bound in Great Britain by Clays Ltd, Elcograf S.p.A.

MIX
Paper from responsible sources
FSC® C018179
FSC
www.fsc.org

Penguin Random House is committed to a sustainable future for our business, our readers and our planet. This book is made from Forest Stewardship Council® certified paper.

Copyrighted Material

To Renée,

A woman of uncommon beauty,
A fiercely loyal friend,
A compassionate critic,
A doting mother,

A perfect wife.

Copyrighted Material

Copyrighted Material

Author's Note

Since I am prone to start projects that never quite get finished, my goal when I began writing this book was simply to complete it. I could envision a neat pile of typed pages over in the corner of my office, and one day I would be able to point to it with some measure of pride and explain to clients and friends that it was a novel I had written. Surely, somewhere in the deep recesses of my mind, I dreamed of getting it published, but I honestly can't remember such thoughts, at least not when I started writing. It would become my first prolonged effort at fiction.

I began in the fall of 1984, just three years out of law school and still very wet behind the ears. In those early days of my legal career I spent many hours in courtrooms, watching good lawyers try their cases. I have always been fascinated by courtrooms – still am. People discuss things in open court that they wouldn't dare mention outside their homes. The greatest dramas occur not on screens or stages, but in countless courtrooms across this country.

Copyrighted Material

One day I stumbled upon a horrible trial in which a young girl testified against the man who brutally raped her. It was a gut-wrenching experience for me, and I was only a spectator. One moment she was courageous, the next pitifully frail. I was mesmerized. I could not imagine the nightmare she and her family had been through. I wondered what I would do if she were my daughter. As I watched her suffer before the jury, I wanted personally to shoot the rapist. For one brief yet interminable moment, I wanted to be her father. I wanted justice. There was a story there.

I became obsessed with the idea of a father's retribution. What would a jury of average and ordinary people do to such a father? Naturally there would be a great deal of sympathy, but would there be enough for an acquittal? The idea for this novel emerged over a three-month period in which I thought of little else.

I wrote the first chapter in longhand on a legal pad, and asked Renée, my wife, to read it. She was impressed, and said she would like to read the second chapter. A month later I gave her chapters two and three, and she said she was hooked. Renée reads five or six novels a week – mysteries, suspense, thrillers, espionage, all sorts of fiction – and she has little patience with a story that doesn't work.

I approached the writing of this book much like a hobby, an hour here and an hour there, with a somewhat disciplined effort to write at least a page a day. I never abandoned it. I

Copyrighted Material

remember a four-week period in which nothing was written. I occasionally skipped a day, but for the most part I plowed ahead with blind diligence. I thought the story was wonderful, but I wasn't sure about the writing. Renée liked it, so I kept going.

After a year, I was amazed at how quickly the pages had piled up, and I realized that the book was half finished. My original goal was forgotten, and I caught myself thinking of publishing contracts and royalty statements and fancy lunches with agents and editors – the dreams of every unpublished novelist.

Three years after I started, Renée read the last chapter and we shipped it off to New York. The working title was *Deathknell*, a bad idea that was scrapped as soon as the manuscript landed in the office of my new agent, Jay Garon. Jay had seen the first three chapters, and immediately sent me a contract of representation. Sixteen other agents had passed, as well as a dozen publishers. Jay took the manuscript, and told me to start writing another book. I followed his advice.

A year passed and nothing happened. I was deep into the writing of *The Firm* when Jay called in April 1988 with the wonderful news that this book would indeed be published. Bill Thompson at Wynwood Press had read the manuscript and immediately bought it. Under his guidance, I worked through countless revisions and found a new title, *A Time to Kill*. I think it was the sixth or seventh one I decided on. I'm not good with titles.

Copyrighted Material

Wynwood printed 5,000 copies and published the book in June 1989. It sold well within a hundred miles of home, but was neglected by the rest of the world. There was no paperback deal, no foreign rights. But it was a first novel, and most of them are ignored. Better things were just around the corner.

I finished *The Firm* in 1989, and sent it to Jay. Doubleday/Dell bought it, and when it was published in hardcover in March 1991, my writing career took a dramatic turn. The success of *The Firm* has aroused new interest in *A Time to Kill*.

There's a lot of autobiography in this book. I no longer practice law, but for ten years I did so in a manner very similar to Jake Brigance. I represented people, never banks or insurance companies or big corporations. I was a street lawyer. Jake and I are the same age. I played quarterback in high school, though not very well. Much of what he says and does is what I think I would say and do under the circumstances. We both drive Saabs. We've both felt the unbearable pressure of murder trials, which is something I tried to capture in the story. We've both lost sleep over clients and vomited in courthouse rest rooms.

This one came from the heart. It's a first novel, and at times it rambles, but I wouldn't change a word if given the chance.

Oxford, Mississippi
January 30, 1992

Copyrighted Material

Chapter 1

Billy Ray Cobb was the younger and smaller of the two rednecks. At twenty-three he was already a three-year veteran of the state penitentiary at Parchman. Possession, with intent to sell. He was a lean, tough little punk who had survived prison by somehow maintaining a ready supply of drugs that he sold and sometimes gave to the blacks and the guards for protection. In the year since his release he had continued to prosper, and his small-time narcotics business had elevated him to the position of one of the more affluent rednecks in Ford County. He was a businessman, with employees, obligations, deals, everything but taxes. Down at the Ford place in Clanton he was known as the last man in recent history to pay cash for a new pickup truck. Sixteen thousand cash, for a custom-built, four-wheel drive, canary yellow, luxury Ford pickup. The fancy chrome wheels and mudgrip racing tires had been received in a business deal. The rebel flag hanging across the rear window had been stolen by Cobb from a drunken

Copyrighted Material

fraternity boy at an Ole Miss football game. The pickup was Billy Ray's most prized possession. He sat on the tailgate drinking a beer, smoking a joint, watching his friend Willard take his turn with the black girl.

Willard was four years older and a dozen years slower. He was generally a harmless sort who had never been in serious trouble and had never been seriously employed. Maybe an occasional fight with a night in jail, but nothing that would distinguish him. He called himself a pulpwood cutter, but a bad back customarily kept him out of the woods. He had hurt his back working on an offshore rig somewhere in the Gulf, and the oil company paid him a nice settlement, which he lost when his ex-wife cleaned him out. His primary vocation was that of a part-time employee of Billy Ray Cobb, who didn't pay much but was liberal with his dope. For the first time in years Willard could always get his hands on something. And he always needed something. He'd been that way since he hurt his back.

She was ten, and small for her age. She lay on her elbows, which were stuck and bound together with yellow nylon rope. Her legs were spread grotesquely with the right foot tied tight to an oak sapling and the left to a rotting, leaning post of a long-neglected fence. The ski rope had cut into her ankles and the blood ran down her legs. Her face was bloody and swollen, with one eye bulging and closed and the other eye half open so she could see the other white man sitting on the truck.

Copyrighted Material

She did not look at the man on top of her. He was breathing hard and sweating and cursing. He was hurting her.

When he finished, he slapped her and laughed, and the other man laughed in return, then they laughed harder and rolled around the grass by the truck like two crazy men, screaming and laughing. She turned away from them and cried softly, careful to keep herself quiet. She had been slapped earlier for crying and screaming. They promised to kill her if she didn't keep quiet.

They grew tired of laughing and pulled themselves onto the tailgate, where Willard cleaned himself with the little nigger's shirt, which by now was soaked with blood and sweat. Cobb handed him a cold beer from the cooler and commented on the humidity. They watched her as she sobbed and made strange, quiet sounds, then became still. Cobb's beer was half empty, and it was not cold anymore. He threw it at the girl. It hit her in the stomach, splashing white foam, and it rolled off in the dirt near some other cans, all of which had originated from the same cooler. For two six-packs now they had thrown their half-empty cans at her and laughed. Willard had trouble with the target, but Cobb was fairly accurate. They were not ones to waste beer, but the heavier cans could be felt better and it was great fun to watch the foam shoot everywhere.

The warm beer mixed with the dark blood and ran down her face and neck into a puddle behind her head. She did not move.

Copyrighted Material

Willard asked Cobb if he thought she was dead. Cobb opened another beer and explained that she was not dead because niggers generally could not be killed by kicking and beating and raping. It took much more, something like a knife or a gun or a rope to dispose of a nigger. Although he had never taken part in such a killing, he had lived with a bunch of niggers in prison and knew all about them. They were always killing each other, and they always used a weapon of some sort. Those who were just beaten and raped never died. Some of the whites were beaten and raped, and some of them died. But none of the niggers. Their heads were harder. Willard seemed satisfied.

Willard asked what he planned to do now that they were through with her. Cobb sucked on his joint, chased it with beer, and said he wasn't through. He bounced from the tailgate and staggered across the small clearing to where she was tied. He cursed her and screamed at her to wake up, then he poured cold beer in her face, laughing like a crazy man.

She watched him as he walked around the tree on her right side, and she stared at him as he stared between her legs. When he lowered his pants she turned to the left and closed her eyes. He was hurting her again.

She looked out through the woods and saw something – a man running wildly through the vines and underbrush. It was her daddy, yelling and pointing at her and coming desperately to

Copyrighted Material

save her. She cried out for him, and he disappeared. She fell asleep.

When she awoke one of the men was lying under the tailgate, the other under a tree. They were asleep. Her arms and legs were numb. The blood and beer and urine had mixed with the dirt underneath her to form a sticky paste that glued her small body to the ground and crackled when she moved and wiggled. Escape, she thought, but her mightiest efforts moved her only a few inches to the right. Her feet were tied so high her buttocks barely touched the ground. Her legs and arms were so deadened they refused to move.

She searched the woods for her daddy and quietly called his name. She waited, then slept again.

When she awoke the second time they were up and moving around. The tall one staggered to her with a small knife. He grabbed her left ankle and sawed furiously on the rope until it gave way. Then he freed the right leg, and she curled into a fetal position with her back to them.

Cobb strung a length of quarter-inch ski rope over a limb and tied a loop in one end with a slip knot. He grabbed her and put the noose around her head, then walked across the clearing with the other end of the rope and sat on the tailgate, where Willard was smoking a fresh joint and grinning at Cobb for what he was about to do. Cobb pulled the rope tight, then gave a vicious yank, bouncing the little nude body along the ground

Copyrighted Material

and stopping it directly under the limb. She gagged and coughed, so he kindly loosened the rope to spare her a few more minutes. He tied the rope to the bumper and opened another beer.

They sat on the tailgate drinking, smoking, and staring at her. They had been at the lake most of the day, where Cobb had a friend with a boat and some extra girls who were supposed to be easy but turned out to be untouchable. Cobb had been generous with his drugs and beer, but the girls did not reciprocate. Frustrated, they left the lake and were driving to no place in particular when they happened across the girl. She was walking along a gravel road with a sack of groceries when Willard nailed her in the back of the head with a beer can.

'You gonna do it?' asked Willard, his eyes red and glazed.

Cobb hesitated. 'Naw, I'll let you do it. It was your idea.'

Willard took a drag on his joint, then spit and said, 'Wasn't my idea. You're the expert on killin' niggers. Do it.'

Cobb untied the rope from the bumper and pulled it tight. It peeled bark from the limb and sprinkled fine bits of elm around the girl, who was watching them carefully now. She coughed.

Suddenly, she heard something – like a car with loud pipes. The two men turned quickly and looked down the dirt road to the highway in the distance. They cursed and scrambled around, one slamming the tailgate and the other running toward

Copyrighted Material

her. He tripped and landed near her. They cursed each other while they grabbed her, removed the rope from her neck, dragged her to the pickup and threw her over the tailgate into the bed of the truck. Cobb slapped her and threatened to kill her if she did not lie still and keep quiet. He said he would take her home if she stayed down and did as told; otherwise, they would kill her. They slammed the doors and sped onto the dirt road. She was going home. She passed out.

Cobb and Willard waved at the Firebird with the loud pipes as it passed them on the narrow dirt road. Willard checked the back to make sure the little nigger was lying down. Cobb turned onto the highway and raced away.

'What now?' Willard asked nervously.

'Don't know,' Cobb answered nervously. 'But we gotta do something fast before she gets blood all over my truck. Look at her back there, she's bleedin' all over the place.'

Willard thought for a minute while he finished a beer. 'Let's throw her off a bridge,' he said proudly.

'Good idea. Damned good idea.' Cobb slammed on the brakes. 'Gimme a beer,' he ordered Willard, who stumbied out of the truck and fetched two beers from the back.

'She's even got blood on the cooler,' he reported as they raced off again.

Gwen Hailey sensed something horrible. Normally she would have sent one of the three boys to the

Copyrighted Material

store, but they were being punished by their father and had been sentenced to weed-pulling in the garden. Tonya had been to the store before by herself – it was only a mile away – and had proven reliable. But after two hours Gwen sent the boys to look for their little sister. They figured she was down at the Pounders' house playing with the many Pounders kids, or maybe she had ventured past the store to visit her best friend, Bessie Pierson.

Mr Bates at the store said she had come and gone an hour earlier. Jarvis, the middle boy, found a sack of groceries beside the road.

Gwen called her husband at the paper mill, then loaded Carl Lee, Jr, into the car and began driving the gravel roads around the store. They drove to a settlement of ancient shot-gun houses on Graham Plantation to check with an aunt. They stopped at Broadway's store a mile from Bates Grocery and were told by a group of old black men that she had not been seen. They crisscrossed the gravel roads and dusty field roads for three square miles around their house.

Cobb could not find a bridge unoccupied by niggers with fishing poles. Every bridge they approached had four or five niggers hanging off the sides with large straw hats and cane poles, and under every bridge on the banks there would be another group sitting on buckets with the same straw hats and cane poles, motionless except for an occasional swat at a fly or a slap at a mosquito.

Copyrighted Material

He was scared now. Willard had passed out and was of no help, and he was left alone to dispose of the girl in such a way that she could never tell. Willard snored as he frantically drove the gravel roads and county roads in search of a bridge or ramp on some river where he could stop and toss her without being seen by half a dozen niggers with straw hats. He looked in the mirror and saw her trying to stand. He slammed his brakes, and she crashed into the front of the bed, just under the window. Willard ricocheted off the dash into the floorboard, where he continued to snore. Cobb cursed them both equally.

Lake Chatulla was nothing more than a huge, shallow, man-made mudhole with a grass-covered dam running exactly one mile along one end. It sat in the far southwest corner of Ford County, with a few acres in Van Buren County. In the spring it would hold the distinction of being the largest body of water in Mississippi. But by late summer the rains were long gone, and the sun would cook the shallow water until the lake would dehydrate. Its once ambitious shorelines would retreat and move much closer together, creating a depthless basin of reddish brown water. It was fed from all directions by innumerable streams, creeks, sloughs, and a couple of currents large enough to be named rivers. The existence of all these tributaries necessarily gave rise to a good number of bridges near the lake.

It was over these bridges the yellow pickup flew in an all-out effort to find a suitable place to unload

Copyrighted Material

an unwanted passenger. Cobb was desperate. He knew of one other bridge, a narrow wooden one over Foggy Creek. As he approached, he saw niggers with cane poles, so he turned off a side road and stopped the truck. He lowered the tailgate, dragged her out, and threw her in a small ravine lined with kudzu.

Carl Lee Hailey did not hurry home. Gwen was easily excited, and she had called the mill numerous times when she thought the children had been kidnapped. He punched out at quitting time, and made the thirty-minute drive home in thirty minutes. Anxiety hit him when he turned onto his gravel drive and saw the patrol car parked next to the front porch. Other cars belonging to Gwen's family were scattered along the long drive and in the yard, and there was one car he didn't recognize. It had cane poles sticking out the side windows, and there were at least seven straw hats sitting in it.

Where were Tonya and the boys?

As he opened the front door he heard Gwen crying. To his right in the small living room he found a crowd huddled above a small figure lying on the couch. The child was covered with wet towels and surrounded by crying relatives. As he moved to the couch the crying stopped and the crowd backed away. Only Gwen stayed by the girl. She softly stroked her hair. He knelt beside the couch and touched the girl's shoulder. He spoke to his daughter, and she tried to smile. Her face

Copyrighted Material

was bloody pulp covered with knots and lacerations. Both eyes were swollen shut and bleeding. His eyes watered as he looked at her tiny body, completely wrapped in towels and bleeding from ankles to forehead.

Carl Lee asked Gwen what happened. She began shaking and wailing, and was led to the kitchen by her brother. Carl Lee stood and turned to the crowd and demanded to know what happened.

Silence.

He asked for the third time. The deputy, Willie Hastings, one of Gwen's cousins, stepped forward and told Carl Lee that some people were fishing down by Foggy Creek when they saw Tonya lying in the middle of the road. She told them her daddy's name, and they brought her home.

Hastings shut up and stared at his feet.

Carl Lee stared at him and waited. Everyone else stopped breathing and watched the floor.

'What happened, Willie?' Carl Lee yelled as he stared at the deputy.

Hastings spoke slowly, and while staring out the window repeated what Tonya had told her mother about the white men and their pickup, and the rope and the trees, and being hurt when they got on her. Hastings stopped when he heard the siren from the ambulance.

The crowd filed solemnly through the front door and waited on the porch, where they watched the crew unload a stretcher and head for the house.

The paramedics stopped in the yard when the

Copyrighted Material

front door opened and Carl Lee walked out with his daughter in his arms. He whispered gently to her as huge tears dripped from his chin. He walked to the rear of the ambulance and stepped inside. The paramedics closed the door and carefully removed her from his embrace.

Copyrighted Material

Chapter 2

Ozzie Walls was the only black sheriff in Mississippi. There had been a few others in recent history, but for the moment he was the only one. He took great pride in that fact, since Ford County was seventy-four percent white and the other black sheriffs had been from much blacker counties. Not since Reconstruction had a black sheriff been elected in a white county in Mississippi.

He was raised in Ford County, and he was kin to most of the blacks and a few of the whites. After desegregation in the late sixties, he was a member of the first mixed graduating class at Clanton High School. He wanted to play football nearby at Ole Miss, but there were already two blacks on the team. He starred instead at Alcorn State, and was a defensive tackle for the Rams when a knee injury sent him back to Clanton. He missed football, but enjoyed being the high sheriff, especially at election time when he received more white votes than his white opponents. The white

Copyrighted Material

kids loved him because he was a hero, a football star who had played on TV and had his picture in magazines. Their parents respected him and voted for him because he was a tough cop who did not discriminate between black punks and white punks. The white politicians supported him because, since he became the sheriff, the Justice Department stayed out of Ford County. The blacks adored him because he was Ozzie, one of their own.

He skipped supper and waited in his office at the jail for Hastings to report from the Hailey house. He had a suspect. Billy Ray Cobb was no stranger to the sheriff's office. Ozzie knew he sold drugs – he just couldn't catch him. He also knew Cobb had a mean streak.

The dispatcher called in the deputies, and as they reported to the jail Ozzie gave them instructions to locate, but not arrest, Billy Ray Cobb. There were twelve deputies in all – nine white and three black. They fanned out across the county in search of a fancy yellow Ford pickup with a rebel flag in the rear window.

When Hastings arrived he and the sheriff left for the Ford County hospital. As usual, Hastings drove and Ozzie gave orders on the radio. In the waiting room on the second floor they found the Hailey clan. Aunts, uncles, grandparents, friends, and strangers crowded into the small room and some waited in the narrow hallway. There were whispers and quiet tears. Tonya was in surgery.

Carl Lee sat on a cheap plastic couch in a dark

Copyrighted Material

corner with Gwen next to him and the boys next to her. He stared at the floor and did not notice the crowd. Gwen laid her head on his shoulder and cried softly. The boys sat rigidly with their hands on knees, occasionally glancing at their father as if waiting on words of reassurance.

Ozzie worked his way through the crowd, quietly shaking hands and patting backs and whispering that he would catch them. He knelt before Carl Lee and Gwen. 'How is she?' he asked. Carl Lee did not see him. Gwen cried louder and the boys sniffed and wiped tears. He patted Gwen on the knee and stood. One of her brothers led Ozzie and Hastings out of the room into the hall, away from the family. He shook Ozzie's hand and thanked him for coming.

'How is she?' Ozzie asked.

'Not too good. She's in surgery and most likely will be there for a while. She's got broken bones and a bad concussion. She's beat up real bad. There's rope burns on her neck like they tried to hang her.'

'Was she raped?' he asked, certain of the answer.

'Yeah. She told her momma they took turns on her and hurt her real bad. Doctors confirmed it.'

'How's Carl Lee and Gwen?'

'They're tore up pretty bad. I think they're in shock. Carl Lee ain't said a word since he got here.'

Ozzie assured him they would find the two men, and it wouldn't take long, and when they found them they would be locked up someplace safe.

Copyrighted Material

The brother suggested he should hide them in another jail, for their own safety.

Three miles out of Clanton, Ozzie pointed to a gravel driveway. 'Pull in there,' he told Hastings, who turned off the highway and drove into the front yard of a dilapidated house trailer. It was almost dark.

Ozzie took his night stick and banged violently on the front door. 'Open up, Bumpous!'

The trailer shook and Bumpous scrambled to the bathroom to flush a fresh joint.

'Open up, Bumpous!' Ozzie banged. 'I know you're in there. Open up or I'll kick in the door.'

Bumpous yanked the door open and Ozzie walked in. 'You know, Bumpous, evertime I visit you I smell somethin' funny and the commode's flushin'. Get some clothes on. I gotta job for you.'

'W-what?'

'I'll explain it outside where I can breathe. Just get some clothes on and hurry.'

'What if I don't want to?'

'Fine. I'll see your parole officer tomorrow.'

'I'll be out in a minute.'

Ozzie smiled and walked to his car. Bobby Bumpous was one of his favorites. Since his parole two years earlier, he had led a reasonably clean life, occasionally succumbing to the lure of an easy drug sale for a quick buck. Ozzie watched him like a hawk and knew of such transactions, and Bumpous knew Ozzie knew; therefore, Bumpous was usually most eager to help his friend, Sheriff

Copyrighted Material

Walls. The plan was to eventually use Bumpous to nail Billy Ray Cobb for dealing, but that would be postponed for now.

After a few minutes he marched outside, still tucking his shirttail and zipping his pants. 'Who you looking' for?' he demanded.

'Billy Ray Cobb.'

'That's no problem. You can find him without me.'

'Shut up and listen. We think Cobb was involved in a rape this afternoon. A black girl was raped by two white men, and I think Cobb was there.'

'Cobb ain't into rape, Sheriff. He's into drugs, remember?'

'Shut up and listen. You find Cobb and spend some time with him. Five minutes ago his truck was spotted at Huey's. Buy him a beer. Shoot some pool, roll dice, whatever. Find out what he did today. Who was he with? Where'd he go? You know how he likes to talk, right?'

'Right.'

'Call the dispatcher when you find him. They'll call me. I'll be somewhere close. You understand?'

'Sure, Sheriff. No problem.'

'Any questions?'

'Yeah. I'm broke. Who's gonna pay for this?'

Ozzie handed him a twenty and left. Hastings drove in the direction of Huey's, down by the lake.

'You sure you can trust him?' Hastings asked.

'Who?'

'That Bumpous kid.'

'Sure I trust him. He's proved very reliable since

Copyrighted Material

he was paroled. He's a good kid tryin' to go straight, for the most part. He supports his local sheriff and would do anything I ask.'

'Why?'

'Because I caught him with ten ounces of pot a year ago. He'd been outta jail about a year when I caught his brother with an ounce, and I told him he was lookin' at thirty years. He started cryin' and carryin' on, cried all night in his cell. By mornin' he was ready to talk. Told me his supplier was his brother, Bobby. So I let him go and went to see Bobby. I knocked on his door and I could hear the commode flushin'. He wouldn't come to the door, so I kicked it in. I found him in his underwear in the bathroom tryin' to unstop the commode. There was dope all over the place. Don't know how much he flushed, but most of it was comin' back out in the overflow. Scared him so bad he wet his drawers.'

'You kiddin'?'

'Nope. The kid pissed all over himself. He was a sight standin' there with wet drawers, a plunger in one hand, dope in the other, and the room fillin' up with commode water.'

'What'd you do?'

'Threatened to kill him.'

'What'd he do?'

'Started cryin'. Cried like a baby. Cried 'bout his momma and prison and all this and that. Promised he'd never screw up again.'

'You arrest him?'

'Naw, I just couldn't. I talked real ugly to him

Copyrighted Material

and threatened him some more. I put him on probation right there in his bathroom. He's been fun to work with ever since.'

They drove by Huey's and saw Cobb's truck in the gravel parking lot with a dozen other pickups and four-wheel drives. They parked behind a black church on a hill up the highway from Huey's, where they had a good view of the honky tonk, or tonk, as it was affectionately called by the patrons. Another patrol car hid behind some trees at the other end of the highway. Moments later Bumpous flew by and wheeled into the parking lot. He locked his brakes, spraying gravel and dust, then backed next to Cobb's truck. He looked around and casually entered Huey's. Thirty minutes later the dispatcher advised Ozzie that the informant had found the subject, a male white, at Huey's, an establishment on Highway 305 near the lake. Within minutes two more patrol cars were hidden close by. They waited.

'What makes you so sure it's Cobb?' Hastings asked.

'I ain't sure. I just got a hunch. The little girl said it was a truck with shiny wheels and big tires.'

'That narrows it down to two thousand.'

'She also said it was yellow, looked new, and had a big flag hangin' in the rear window.'

'That brings it down to two hundred.'

'Maybe less than that. How many of those are as mean as Billy Ray Cobb?'

'What if it ain't him?'

'It is.'

Copyrighted Material

'If it ain't?'

'We'll know shortly. He's got a big mouth, 'specially when he's drinkin'.'

For two hours they waited and watched pickups come and go. Truck drivers, pulpwood cutters, factory workers, and farmhands parked their pickups and jeeps in the gravel and strutted inside to drink, shoot pool, listen to the band, but mainly to look for stray women. Some would leave and walk next door to Ann's Lounge, where they would stay for a few minutes and return to Huey's. Ann's Lounge was darker both inside and out, and it lacked the colorful beer signs and live music that made Huey's such a hit with the locals. Ann's was known for its drug traffic, whereas Huey's had it all – music, women, happy hours, poker machines, dice, dancing, and plenty of fights. One brawl spilled through the door into the parking lot, where a group of wild rednecks kicked and clawed each other at random until they grew winded and returned to the dice table.

'Hope that wasn't Bumpous,' observed the sheriff.

The restrooms inside were small and nasty, and most of the patrons found it necessary to relieve themselves between the pickups in the parking lot. This was especially true on Mondays when ten-cent beer night drew rednecks from four counties and every truck in the parking lot received at least three sprayings. About once a week an innocent passing motorist would get shocked by something he or she saw in the parking lot, and Ozzie would

Copyrighted Material

be forced to make an arrest. Otherwise, he left the places alone.

Both tonks were in violation of numerous laws. There was gambling, drugs, illegal whiskey, minors, they refused to close on time, etc. Shortly after he was elected the first time Ozzie made the mistake, due in part to a hasty campaign promise, of closing all the honky tonks in the county. It was a horrible mistake. The crime rate soared. The jail was packed. The court dockets multiplied. The rednecks united and drove in caravans to Clanton, where they parked around the courthouse on the square. Hundreds of them. Every night they invaded the square, drinking, fighting, playing loud music, and shouting obscenities at the horrified town folk. Each morning the square resembled a landfill with cans and bottles thrown everywhere. He closed the black tonks too, and break-ins, burglaries, and stabbings tripled in one month. There were two murders in one week.

Finally, with the city under siege, a group of local ministers met secretly with Ozzie and begged him to ease up on the tonks. He politely reminded them that during the campaign they had insisted on the closings. They admitted they were wrong and pleaded for relief. Yes, they would support him in the next election. Ozzie relented, and life returned to normal in Ford County.

Ozzie was not pleased that the establishments thrived in his county, but he was convinced beyond any doubt that his law-abiding constituents were much safer when the tonks were open.

Copyrighted Material

At ten-thirty the dispatcher radioed that the informant was on the phone and wanted to see the sheriff. Ozzie gave his location, and a minute later they watched Bumpous emerge and stagger to his truck. He spun tires, slung gravel, and raced toward the church.

'He's drunk,' said Hastings.

He wheeled through the church parking lot and came to a screeching stop a few feet from the patrol car. 'Howdy, Sheriff!' he yelled.

Ozzie walked to the pickup. 'What took so long?'

'You told me to take all night.'

'You found him two hours ago.'

'That's true, Sheriff, but have you ever tried to spend twenty dollars on beer when it's fifty cents a can?'

'You drunk?'

'Naw, just havin' a good time. Could I have another twenty?'

'What'd you find out?'

''Bout what?'

'Cobb!'

'Oh, he's in there all right.'

'I know he's in there! What else?'

Bumpous quit smiling and looked at the tonk in the distance. 'He's laughin' about it, Sheriff. It's a big joke. Said he finally found a nigger who was a virgin. Somebody asked how old she was, and Cobb said eight or nine. Everybody laughed.'

Hastings closed his eyes and dropped his head. Ozzie gritted his teeth and looked away. 'What else did he say?'

Copyrighted Material

'He's bad drunk. He won't remember any of it in the mornin'. Said she was a cute little nigger.'

'Who was with him?'

'Pete Willard.'

'Is he in there?'

'Yep, they're both laughin' about it.'

'Where are they?'

'Left-hand side, next to the pinball machines.'

Ozzie smiled. 'Okay, Bumpous. You did good. Get lost.'

Hastings called the dispatcher with the two names. The dispatcher relayed the message to Deputy Looney, who was parked in the street in front of the home of County Judge Percy Bullard. Looney rang the doorbell and handed the judge two affidavits and two arrest warrants. Bullard scribbled on the warrants and returned them to Looney, who thanked His Honor and left. Twenty minutes later Looney handed the warrants to Ozzie behind the church.

At exactly eleven, the band quit in mid-song, the dice disappeared, the dancers froze, the cue balls stopped rolling, and someone turned on the lights. All eyes followed the big sheriff as he and his men swaggered slowly across the dance floor to a table by the pinball machines. Cobb, Willard, and two others sat in a booth, the table littered with empty beer cans. Ozzie walked to the table and grinned at Cobb.

'I'm sorry, sir, but we don't allow niggers in here,' Cobb blurted out, and the four burst into laughter. Ozzie kept grinning.

Copyrighted Material

When the laughing stopped, Ozzie said, 'You boys havin' a good time, Billy Ray?'

'We was.'

'Looks like it. I hate to break things up, but you and Mr Willard need to come with me.'

'Where we goin'?' Willard asked.

'For a ride.'

'I ain't movin',' Cobb vowed. With that, the other two scooted from the booth and joined the spectators.

'I'm placin' you both under arrest,' Ozzie said.

'You got warrants?' Cobb asked.

Hastings produced the warrants, and Ozzie threw them among the beer cans. 'Yeah, we got warrants. Now get up.'

Willard stared desperately at Cobb, who sipped a beer and said, 'I ain't goin' to jail.'

Looney handed Ozzie the longest, blackest nightstick ever used in Ford County. Willard was panic-stricken. Ozzie cocked it and struck the center of the table, sending beer and cans and foam in all directions. Willard bolted upright, slapped his wrists together and thrust them at Looney, who was waiting with the handcuffs. He was dragged outside and thrown into a patrol car.

Ozzie tapped his left palm with the stick and grinned at Cobb. 'You have the right to remain silent. Anything you say will be used against you in court. You have the right to a lawyer. If you can't afford one, the state'll furnish one. Any questions?'

'Yeah, what time is it?'

Copyrighted Material

'Time to go to jail, big man.'

'Go to hell, nigger.'

Ozzie grabbed his hair and lifted him from the booth, then drove his face into the floor. He jammed a knee into his spine and slid his nightstick under his throat, and pulled upward while driving the knee deeper into his back. Cobb squealed until the stick began crushing his larynx.

The handcuffs were slapped into place, and Ozzie dragged him by his hair across the dance floor, out the door, across the gravel and threw him into the back seat with Willard.

News of the rape spread quickly. More friends and relatives crowded into the waiting room and the halls around it. Tonya was out of surgery and listed as critical. Ozzie talked to Gwen's brother in the hall and told of the arrests. Yes, they were the ones, he was sure.

Copyrighted Material

Chapter 3

Jake Brigance rolled across his wife and staggered to the small bathroom a few feet from his bed, where he searched and groped in the dark for the screaming alarm clock. He found it where he had left it, and killed it with a quick and violent slap. It was 5:30 A.M., Wednesday, May 15.

He stood in the dark for a moment, breathless, terrified, his heart pounding rapidly, staring at the fluorescent numbers glowing at him from the face of the clock, a clock he hated. Its piercing scream could be heard down the street. He flirted with cardiac arrest every morning at this time when the thing erupted. On occasion, about twice a year, he was successful in shoving Carla onto the floor, and she would maybe turn it off before returning to bed. Most of the time, however, she was not sympathetic. She thought he was crazy for getting up at such an hour.

The clock sat on the windowsill so that Jake was required to move around a bit before it was silenced. Once up, Jake would not permit himself

Copyrighted Material

to crawl back under the covers. It was one of his rules. At one time the alarm was on the night-stand, and the volume was reduced. Carla would reach and turn it off before Jake heard anything. Then he would sleep until seven or eight and ruin his entire day. He would miss being in the office by seven, which was another rule. The alarm stayed in the bathroom and served its purpose.

Jake stepped to the sink and splashed cold water on his face and hair. He switched on the light and gasped in horror at the sight in the mirror. His straight brown hair shot in all directions, and the hairline had receded at least two inches during the night. Either that or his forehead had grown. His eyes were matted and swollen with the white stuff packed in the corners. A seam in a blanket left a bright red scar along the left side of his face. He touched, then rubbed it and wondered if it would go away. With his right hand he pushed his hair back and inspected the hairline. At thirty-two, he had no gray hair. Gray hair was not the problem. The problem was pattern baldness, which Jake had richly inherited from both sides of his family. He longed for a full, thick hairline beginning an inch above his eyebrows. He still had plenty of hair, Carla told him. But it wouldn't last long at the rate it was disappearing. She also assured him he was as handsome as ever, and he believed her. She had explained that a receding hairline gave him a look of maturity that was essential for a young attorney. He believed that too.

But what about old, bald attorneys, or even

Copyrighted Material

mature, middle-aged bald attorneys? Why couldn't the hair return after he grew wrinkles and gray sideburns and looked very mature?

Jake pondered these things in the shower. He took quick showers, and he shaved and dressed quickly. He had to be at the Coffee Shop at 6:00 A.M. – another rule. He turned on lights and slammed and banged drawers and closet doors in an effort to arouse Carla. This was the morning ritual during the summer when she was not teaching school. He had explained to her numerous times that she had all day to catch up on any lost sleep, and that these early moments should be spent together. She moaned and tunneled deeper under the covers. Once dressed, Jake jumped on the bed with all fours and kissed her in the ear, down the neck, and all over the face until she finally swung at him. Then he yanked the covers off the bed and laughed as she curled up and shivered and begged for the blankets. He held them and admired her dark, tanned, thin, almost perfect legs. The bulky nightshirt covered nothing below the waist, and a hundred lewd thoughts danced before him.

About once a month this ritual would get out of hand. She would not protest, and the blankets would be jointly removed. On those mornings Jake undressed even quicker and broke at least three of his rules. That's how Hanna was conceived.

But not this morning. He covered his wife, kissed her gently, and turned out the lights. She breathed easier, and fell asleep.

Copyrighted Material

Down the hall he quietly opened Hanna's door and knelt beside her. She was four, the only child, and there would be no others. She lay in her bed surrounded by dolls and stuffed animals. He kissed her lightly on the cheek. She was as beautiful as her mother, and the two were identical in looks and manners. They had large bluish-gray eyes that could cry instantly, if necessary. They wore their dark hair the same way – had it cut by the same person at the same time. They even dressed alike.

Jake adored the two women in his life. He kissed the second one goodbye and went to the kitchen to make coffee for Carla. On his way out he released Max, the mutt, into the backyard, where she simultaneously relieved herself and barked at Mrs Pickle's cat next door.

Few people attacked the morning like Jake Brigance. He walked briskly to the end of the driveway and got the morning papers for Carla. It was dark, clear, and cool with the promise of summer rapidly approaching.

He studied the darkness up and down Adams Street, then turned and admired his house. Two homes in Ford County were on the National Register of Historic Places, and Jake Brigance owned one of them. Although it was heavily mortgaged, he was proud of it nonetheless. It was a nineteenth-century Victorian built by a retired railroad man who died on the first Christmas Eve he spent in his new home. The facade was a huge, centered gable with hipped roof over a wide, inset front porch. Under the gable a small portico

Copyrighted Material

covered with bargeboard hung gently over the porch. The five supporting pillars were round and painted white and slate blue. Each column bore a handmade floral carving, each with a different flower – daffodils, irises, and sunflowers. The railing between the pillars was filled with lavish lacework. Upstairs, three bay windows opened onto a small balcony, and to the left of the balcony an octagonal tower with stained-glass windows protruded and rose above the gable until it peaked with an iron-crested finial. Below the tower and to the left of the porch, a wide, graceful veranda with ornamental railing extended from the house and served as a carport. The front panels were a collage of gingerbread, cedar shingles, scallops, fish scales, tiny intricate gables, and miniature spindles.

Carla had located a paint consultant in New Orleans, and the fairy chose six original colors – mostly shades of blue, teal, peach, and white. The paint job took two months and cost Jake five thousand dollars, and that did not include the countless hours he and Carla had spent dangling from ladders and scraping cornices. And although he was not wild about some of the colors, he had never dared suggest repainting.

As with every Victorian, the house was gloriously unique. It had a piquant, provocative, engaging quality derived from an ingenuous, joyous, almost childlike bearing. Carla had wanted it since before they married, and when the owner in Memphis finally died and the estate was closed,

Copyrighted Material

they bought it for a song because no one else would have it. It had been abandoned for twenty years. They borrowed heavily from two of the three banks in Clanton, and spent the next three years sweating and doting over their landmark. Now people drove by and took pictures of it.

The third local bank held the mortgage on Jake's car, the only Saab in Ford County. And a red Saab at that. He wiped the dew from the windshield and unlocked the door. Max was still barking and had awakened the army of bluejays that lived in Mrs Pickle's maple tree. They sang to him and called farewell as he smiled and whistled in return. He backed into Adams Street. Two blocks east he turned south on Jefferson, which two blocks later ran dead end into Washington Street. Jake had often wondered why every small Southern town had an Adams, a Jefferson, and a Washington, but no Lincoln or Grant. Washington Street ran east and west on the north side of the Clanton square.

Because Clanton was the county seat it had a square, and the square quite naturally had a courthouse in the center of it. General Clanton had laid out the town with much thought, and the square was long and wide and the courthouse lawn was covered with massive oak trees, all lined neatly and spaced equally apart. The Ford County courthouse was well into its second century, built after the Yankees burned the first one. It defiantly faced south, as if telling those from the North to politely and eternally kiss its ass. It was old and stately, with white columns along the front and black

Copyrighted Material

shutters around the dozens of windows. The original red brick had long since been painted white, and every four years the Boy Scouts added a thick layer of shiny enamel for their traditional summer project. Several bond issues over the years had allowed additions and renovations. The lawn around it was clean and neatly trimmed. A crew from the jail manicured it twice a week.

Clanton had three coffee shops – two for the whites and one for the blacks, and all three were on the square. It was not illegal or uncommon for whites to eat at Claude's, the black cafe on the west side. And it was safe for the blacks to eat at the Tea Shoppe, on the south side, or the Coffee Shop on Washington Street. They didn't, however, since they were told they could back in the seventies. Jake ate barbecue every Friday at Claude's, as did most of the white liberals in Clanton. But six mornings a week he was a regular at the Coffee Shop.

He parked the Saab in front of his office on Washington Street and walked three doors to the Coffee Shop. It had opened an hour earlier and by now was bustling with action. Waitresses scurried about serving coffee and breakfast and chatting incessantly with the farmers and mechanics and deputies who were the regulars. This was no white-collar cafe. The white collars gathered across the square at the Tea Shoppe later in the morning and discussed national politics, tennis, golf, and the stock market. At the Coffee Shop they talked about local politics, football, and bass fishing. Jake

Copyrighted Material

was one of the few white collars allowed to frequent the Coffee Shop. He was well liked and accepted by the blue collars, most of whom at one time or another had found their way to his office for a will, a deed, a divorce, a defense, or any one of a thousand other problems. They picked at him and told crooked lawyer jokes, but he had a thick skin. They asked him to explain Supreme Court rulings and other legal oddities during breakfast, and he gave a lot of free legal advice at the Coffee Shop. Jake had a way of cutting through the excess and discussing the meat of any issue. They appreciated that. They didn't always agree with him, but they always got honest answers. They argued at times, but there were never hard feelings.

He made his entrance at six, and it took five minutes to greet everyone, shake hands, slap backs, and say smart things to the waitresses. By the time he sat at his table his favorite girl, Dell, had his coffee and regular breakfast of toast, jelly, and grits. She patted him on the hand and called him honey and sweetheart and generally made a fuss over him. She griped and snapped at the others, but had a different routine for Jake.

He ate with Tim Nunley, a mechanic down at the Chevrolet place, and two brothers, Bill and Bert West, who worked at the shoe factory north of town. He splashed three drops of Tabasco on his grits and stirred them artfully with a slice of butter. He covered the toast with a half inch of homemade strawberry jelly. Once his food was properly prepared, he tasted the coffee and started

Copyrighted Material

eating. They ate quietly and discussed how the crappie were biting.

In a booth by the window a few feet from Jake's table, three deputies talked among themselves. The big one, Marshall Prather, turned to Jake and asked loudly, 'Say, Jake, didn't you defend Billy Ray Cobb a few years ago?'

The cafe was instantly silent as everyone looked at the lawyer. Startled not by the question but by its response, Jake swallowed his grits and searched for the name.

'Billy Ray Cobb,' he repeated aloud. 'What kind of case was it?'

'Dope,' Prather said. 'Caught him sellin' dope about four years ago. Spent time in Parchman and got out last year.'

Jake remembered. 'Naw, I didn't represent him. I think he had a Memphis lawyer.'

Prather seemed satisfied and returned to his pancakes. Jake waited.

Finally he asked, 'Why? What's he done now?'

'We picked him up last night for rape.'

'Rape!'

'Yeah, him and Pete Willard.'

'Who'd they rape?'

'You remember that Hailey nigger you got off in that murder trial a few years ago?'

'Lester Hailey. Of course I remember.'

'You know his brother Carl Lee?'

'Sure. Know him well. I know all the Haileys. Represented most of them.'

'Well, it was his little girl.'

Copyrighted Material

'You're kidding?'

'Nope.'

'How old is she?'

'Ten.'

Jake's appetite disappeared as the cafe returned to normal. He played with his coffee and listened to the conversation change from fishing to Japanese cars and back to fishing. When the West brothers left, he slid into the booth with the deputies.

'How is she?' he asked.

'Who?'

'The Hailey girl.'

'Pretty bad,' said Prather. 'She's in the hospital.'

'What happened?'

'We don't know everything. She ain't been able to talk much. Her momma sent her to the store. They live on Craft Road behind Bates Grocery.'

'I know where they live.'

'Somehow they got her in Cobb's pickup and took her out in the woods somewhere and raped her.'

'Both of them?'

'Yeah, several times. And they kicked her and beat her real bad. Some of her kinfolks didn't know her, she was beat so bad.'

Jake shook his head. 'That's sick.'

'Sure is. Worst I've ever seen. They tried to kill her. Left her for dead.'

'Who found her?'

'Buncha niggers fishin' down by Foggy Creek. Saw her floppin' out in the middle of the road. Had her hands tied behind her. She was talkin' a

Copyrighted Material

little – told them who her daddy was and they took her home.'

'How'd you know it was Billy Ray Cobb?'

'She told her momma it was a yellow pickup truck with a rebel flag hangin' in the rear window. That's about all Ozzie needed. He had it figured out by the time she got to the hospital.'

Prather was careful not to say too much. He liked Jake, but he was a lawyer and he handled a lot of criminal cases.

'Who is Pete Willard?'

'Some friend of Cobb's.'

'Where'd y'all find them?'

'Huey's.'

'That figures.' Jake drank his coffee and thought of Hanna.

'Sick, sick, sick,' Looney mumbled.

'How's Carl Lee?'

Prather wiped syrup from his mustache. 'Personally, I don't know him, but I ain't ever heard anything bad about him. They're still at the hospital. I think Ozzie was with them all night. He knows them real well, of course, he knows all those folks real well. Hastings is kin to the girl somehow.'

'When's the preliminary hearing?'

'Bullard set it for one P.M. today. Ain't that right, Looney?'

Looney nodded.

'Any bond?'

'Ain't been set yet. Bullard's gonna wait till the hearing. If she dies, they'll be lookin' at capital murder, won't they?'

Copyrighted Material

Jake nodded.

'They can't have a bond for capital murder, can they, Jake?' Looney asked.

'They can but I've never seen one. I know Bullard won't set a bond for capital murder, and if he did, they couldn't make it.'

'If she don't die, how much time can they get?' asked Nesbit, the third deputy.

Others listened as Jake explained. 'They can get life sentences for the rape. I assume they will also be charged with kidnapping and aggravated assault.'

'They already have.'

'Then they can get twenty years for the kidnapping and twenty years for the aggravated assault.'

'Yeah, but how much time will they serve?' asked Looney.

Jake thought a second. 'They could conceivably be paroled in thirteen years. Seven for the rape, three for the kidnapping, and three for the aggravated assault. That's assuming they're convicted on all charges and sentenced to the maximum.'

'What about Cobb? He's got a record.'

'Yeah, but he's not habitual unless he's got two prior convictions.'

'Thirteen years,' Looney repeated, shaking his head.

Jake stared through the window. The square was coming to life as pickups full of fruits and vegetables parked next to the sidewalk around the courthouse lawn, and the old farmers in faded overalls neatly arranged the small baskets of

Copyrighted Material

tomatoes and cucumbers and squash on the tailgates and hoods. Watermelons from Florida were placed next to the dusty slick tires, and the farmers left for an early-morning meeting under the Vietnam monument, where they sat on benches and chewed Red Man and whittled while they caught up on the gossip. They're probably talking about the rape, Jake thought. It was daylight now, and time for the office. The deputies were finished with their food, and Jake excused himself. He hugged Dell, paid his check, and for a second thought of driving home to check on Hanna.

At three minutes before seven, he unlocked his office and turned on the lights.

Carl Lee had difficulty sleeping on the couch in the waiting room. Tonya was serious but stable. They had seen her at midnight, after the doctor warned that she looked bad. She did. Gwen had kissed the little bandaged face while Carl Lee stood at the foot of the bed, subdued, motionless, unable to do anything but stare blankly at the small figure surrounded by machines, tubes, and nurses. Gwen was later sedated and taken to her mother's house in Clanton. The boys went home with Gwen's brother.

The crowd had dispersed around one, leaving Carl Lee alone on the couch. Ozzie brought coffee and doughnuts at two, and told Carl Lee all he knew about Cobb and Willard.

* * *

Copyrighted Material

Jake's office was a two-story building in a row of two-story buildings overlooking the courthouse on the north side of the square, just down from the Coffee Shop. The building was built by the Wilbanks family back in the 1890s, back when they owned Ford County. And there had been a Wilbanks practicing law in the building from the day it was built until 1979, the year of the disbarment. Next door to the east was an insurance agent Jake had sued for botching a claim for Tim Nunley, the mechanic down at the Chevrolet place. To the west was the bank with the mortgage on the Saab. All the buildings around the square were two-story brick except the banks. The one next door had also been built by the Wilbankses and had just two floors, but the one on the southeast corner of the square had three floors, and the newest one, on the southwest corner, had four floors.

Jake practiced alone, and had since 1979, the year of the disbarment. He liked it that way, especially since there was no other lawyer in Clanton competent enough to practice with him. There were several good lawyers in town, but most were with the Sullivan firm over in the bank building with four floors. Jake detested the Sullivan firm. Every lawyer detested the Sullivan firm except those in it. There were eight in all, eight of the most pompous and arrogant jerks Jake had ever met. Two had Harvard degrees. They had the big farmers, the banks, the insurance companies, the railroads, everybody with money. The other fourteen lawyers in the county picked up the scraps

Copyrighted Material

and represented people – living, breathing human souls, most of whom had very little money. These were the 'street lawyers' – those in the trenches helping people in trouble. Jake was proud to be a street lawyer.

His offices were huge. He used only five of the ten rooms in the building. Downstairs there was a reception room, a large conference room, a kitchen, and a smaller storage and junk room. Upstairs, Jake had his vast office and another smaller office he referred to as the war room. It had no windows, no telephones, no distractions. Three offices sat empty upstairs and two downstairs. In years past these had been occupied by the prestigious Wilbanks firm, long before the disbarment. Jake's office upstairs, *the* office, was immense; thirty by thirty with a ten-foot hardwood ceiling, hardwood floors, huge fireplace, and three desks – his work desk, a small conference desk in one corner, and a rolltop desk in another corner under the portrait of William Faulkner. The antique oak furniture had been there for almost a century, as had the books and shelves that covered one wall. The view of the square and courthouse was impressive, and could be enhanced by opening the French doors and walking onto a small balcony overhanging the sidewalk next to Washington Street. Jake had, without a doubt, the finest office in Clanton. Even his bitter enemies in the Sullivan firm would concede that much.

For all the opulence and square footage, Jake paid the sum of four hundred dollars a month to

Copyrighted Material

his landlord and former boss, Lucien Wilbanks, who had been disbarred in 1979.

For decades the Wilbanks family ruled Ford County. They were proud, wealthy people, prominent in farming, banking, politics, and especially law. All the Wilbanks men were lawyers, and were educated at Ivy League schools. They founded banks, churches, schools, and several served in public office. The firm of Wilbanks & Wilbanks had been the most powerful and prestigious in north Mississippi for many years.

Then came Lucien. He was the only male Wilbanks of his generation. There was a sister and some nieces, but they were expected only to marry well. Great things were expected of Lucien as a child, but by the third grade it was evident he would be a different Wilbanks. He inherited the law firm in 1965 when his father and uncle were killed in a plane crash. Although he was forty, he had just recently, several months prior to their deaths, completed his study of the law by correspondence courses. Somehow he passed the bar exam. He took control of the firm and clients began disappearing. Big clients, like insurance companies, banks, and farmers, all left and went to the newly established Sullivan firm. Sullivan had been a junior partner in the Wilbanks firm until Lucien fired him and evicted him, after which he left with the other junior partners and most of the clients. Then Lucien fired everyone else – associates, secretaries, clerks – everyone but Ethel Twitty, his late father's favorite secretary.

Copyrighted Material

Ethel and John Wilbanks had been very close through the years. In fact she had a younger son who greatly resembled Lucien. The poor fellow spent most of his time in and out of various nut houses. Lucien jokingly referred to him as his retarded brother. After the plane crash, the retarded brother appeared in Clanton and started telling folks he was the illegitimate son of John Wilbanks. Ethel was humiliated, but couldn't control him. Clanton seethed with scandal. A lawsuit was filed by the Sullivan firm as counsel for the retarded brother seeking a portion of the estate. Lucien was furious. A trial ensued, and Lucien vigorously defended his honor and pride and family name. He also vigorously defended his father's estate, all of which had been left to Lucien and his sister. At trial the jury noted the striking resemblance between Lucien and Ethel's son, who was several years younger. The retarded brother was strategically seated as close as possible to Lucien. The Sullivan lawyers instructed him to walk, talk, sit, and do everything just like Lucien. They even dressed him like Lucien. Ethel and her husband denied the boy was any kin to the Wilbanks, but the jury felt otherwise. He was found to be an heir of John Wilbanks, and was awarded one third of the estate. Lucien cursed the jury, slapped the poor boy, and was carried screaming from the courtroom and taken to jail. The jury's decision was reversed and dismissed on appeal, but Lucien feared more litigation if Ethel ever changed her story. Thus, Ethel Twitty remained with the Wilbanks firm.

Copyrighted Material

Lucien was satisfied when the firm disintegrated. He never intended to practice law like his ancestors. He wanted to be a criminal lawyer, and the old firm's clientele had become strictly corporate. He wanted the rapes, the murders, the child abuses, the ugly cases no one else wanted. He wanted to be a civil rights lawyer and litigate civil liberties. But most of all, Lucien wanted to be a radical, a flaming radical of a lawyer with unpopular cases and causes, and lots of attention.

He grew a beard, divorced his wife, renounced his church, sold his share of the country club, joined the NAACP and ACLU, resigned from the bank board, and in general became the scourge of Clanton. He sued the schools because of segregation, the governor because of the prison, the city because it refused to pave streets in the black section, the bank because there were no black tellers, the state because of capital punishment, and the factories because they would not recognize organized labor. He fought and won many criminal cases, and not just in Ford County. His reputation spread, and a large following developed among blacks, poor whites, and the few unions in north Mississippi. He stumbled into some lucrative personal injury and wrongful death cases. There were some nice settlements. The firm, he and Ethel, was more profitable than ever. Lucien did not need the money. He had been born with it and never thought about it. Ethel did the counting.

The law became his life. With no family, he

Copyrighted Material

became a workaholic. Fifteen hours a day, seven days a week, Lucien practiced law with a passion. He had no other interests, except alcohol. In the late sixties he noticed an affinity for Jack Daniel's. By the early seventies he was a drunk, and when he hired Jake in 1978 he was a full-fledged alcoholic. But he never let booze interfere with his work; he learned to drink and work at the same time. Lucien was always half drunk, and he was a dangerous lawyer in that condition. Bold and abrasive by nature, he was downright frightening when he was drinking. At trial he would embarrass the opposing attorneys, insult the judge, abuse the witnesses, then apologize to the jury. He respected no one and could not be intimidated. He was feared because he would say and do anything. People walked lightly around Lucien. He knew it and loved it. He became more and more eccentric. The more he drank, the crazier he acted, then people talked about him even more, so he drank even more.

Between 1966 and 1978 Lucien hired and disposed of eleven associates. He hired blacks, Jews, Hispanics, women, and not one kept the pace he demanded. He was a tyrant around the office, constantly cursing and berating the young lawyers. Some quit the first month. One lasted two years. It was difficult to accept Lucien's craziness. He had the money to be eccentric – his associates did not.

He hired Jake in 1978 fresh from law school. Jake was from Karaway, a small town of twenty-five

Copyrighted Material

hundred, eighteen miles west of Clanton. He was clean-cut, conservative, a devout Presbyterian with a pretty wife who wanted babies. Lucien hired him to see if he could corrupt him. Jake took the job with strong reservations because he had no other offers close to home.

A year later Lucien was disbarred. It was a tragedy for those very few who liked him. The small union at the shoe factory north of town had called a strike. It was a union Lucien had organized and represented. The factory began hiring new workers to replace the strikers, and violence followed. Lucien appeared on the picket line to rally his people. He was drunker than normal. A group of scabs attempted to cross the line and a brawl erupted. Lucien led the charge, was arrested and jailed. He was convicted in city court of assault and battery and disorderly conduct. He appealed and lost, appealed and lost.

The State Bar Association had grown weary of Lucien over the years. No other attorney in the state had received as many complaints as had Lucien Wilbanks. Private reprimands, public reprimands, and suspensions had all been used, all to no avail. The Complaints Tribunal and Disciplinary Committee moved swiftly. He was disbarred for outrageous conduct unbecoming a member of the bar. He appealed and lost, appealed and lost.

He was devastated. Jake was in Lucien's office, the big office upstairs, when word came from Jackson that the Supreme Court had upheld the

Copyrighted Material

disbarment. Lucien hung up the phone and walked to the doors overlooking the square. Jake watched him closely, waiting for the tirade. But Lucien said nothing. He walked slowly down the stairs, stopped and stared at Ethel, who was crying, and then looked at Jake. He opened the door and said, 'Take care of this place. I'll see you later.'

They ran to the front window and watched him speed away from the square in his ragged old Porsche. For several months there was no word from him. Jake labored diligently on Lucien's cases while Ethel kept the office from chaos. Some of the cases were settled, some left for other lawyers, some went to trial.

Six months later Jake returned to his office after a long day in court and found Lucien asleep on the Persian rug in the big office. 'Lucien! Are you all right?' he asked.

Lucien jumped up and sat in the big leather chair behind the desk. He was sober, tanned, relaxed.

'Jake, my boy, how are you?' he asked warmly.

'Fine, just fine. Where have you been?'

'Cayman Islands.'

'Doing what?'

'Drinking rum, lying on the beach, chasing little native girls.'

'Sounds like fun. Why did you leave?'

'It got boring.'

Jake sat across the desk. 'It's good to see you, Lucien.'

Copyrighted Material

'Good to see you, Jake. How are things around here?'

'Hectic. But okay, I guess.'

'Did you settle Medley?'

'Yeah. They paid eighty thousand.'

'That's very good. Was he happy?'

'Yes, seemed to be.'

'Did Cruger go to trial?'

Jake looked at the floor. 'No, he hired Fredrix. I think it's set for trial next month.'

'I should've talked to him before I left.'

'He's guilty, isn't he?'

'Yes, very. It doesn't matter who represents him. Most defendants are guilty. Remember that.' Lucien walked to the French doors and gazed at the courthouse. 'What are your plans, Jake?'

'I'd like to stay here. What are your plans?'

'You're a good man, Jake, and I want you to stay. Me, I don't know. I thought about moving to the Caribbean, but I won't. It's a nice place to visit, but it gets old. I have no plans really. I may travel. Spend some money. I'm worth a ton, you know.'

Jake agreed. Lucien turned and waved his arms around the room. 'I want you to have all this, Jake. I want you to stay here and keep some semblance of a firm going. Move into this office; use this desk that my grandfather brought from Virginia after the Civil War. Keep the files, cases, clients, books, everything.'

'That's very generous, Lucien.'

'Most of the clients will disappear. No reflection

Copyrighted Material

on you – you'll be a great lawyer someday. But most of my clients have followed me for years.'

Jake didn't want most of his clients. 'How about rent?'

'Pay me what you can afford. Money will be tight at first, but you'll make it. I don't need money, but you do.'

'You're being very kind.'

'I'm really a nice guy.' They both laughed awkwardly.

Jake quit smiling. 'What about Ethel?'

'It's up to you. She's a good secretary who's forgotten more law than you'll ever know. I know you don't like her, but she would be hard to replace. Fire her if you want to. I don't care.'

Lucien headed for the door. 'Call me if you need me. I'll be around. I want you to move into this office. It was my father's and grandfather's. Put my junk in some boxes, and I'll pick it up later.'

Cobb and Willard awoke with throbbing heads and red, swollen eyes. Ozzie was yelling at them. They were in a small cell by themselves. Through the bars to the right was a cell where the state prisoners were held awaiting the trip to Parchman. A dozen blacks leaned through the bars and glared at the two white boys as they struggled to clear their eyes. To the left was a smaller cell, also full of blacks. Wake up, Ozzie yelled, and stay quiet, or he would integrate his jail.

* * *

Copyrighted Material

Jake's quiet time was from seven until Ethel arrived at eight-thirty. He was jealous with this time. He locked the front door, ignored the phone, and refused to make appointments. He meticulously planned his day. By eight-thirty he would have enough work dictated to keep Ethel busy and quiet until noon. By nine he was either in court or seeing clients. He would not take calls until eleven, when he methodically returned the morning's messages – all of them. He never delayed returning a phone call – another rule. Jake worked systematically and efficiently with little wasted time. These habits he had not learned from Lucien.

At eight-thirty Ethel made her usual noisy entrance downstairs. She made fresh coffee and opened the mail as she had every day for the past forty-one years. She was sixty-four and looked fifty. She was plump, but not fat, well kept, but not attractive. She chomped on a greasy sausage and biscuit brought from home and read Jake's mail.

Jake heard voices. Ethel was talking to another woman. He checked his appointment book – none until ten.

'Good morning, Mr Brigance,' Ethel announced through the intercom.

'Morning, Ethel.' She preferred to be called Mrs Twitty. Lucien and everyone else called her that. But Jake had called her Ethel since he had fired her shortly after the disbarment.

'There's a lady here to see you.'

'She doesn't have an appointment.'

Copyrighted Material

'Yes, sir, I know.'

'Make one for tomorrow morning after ten-thirty. I'm busy now.'

'Yes, sir. But she says it's urgent.'

'Who is it?' he snapped. It was always urgent when they dropped in unannounced, like dropping by a funeral home or a Laundromat. Probably some urgent question about Uncle Luke's will or the case set for trial in three months.

'A Mrs Willard,' Ethel replied.

'First name?'

'Earnestine Willard. You don't know her, but her son's in jail.'

Jake saw his appointments on time, but drop-ins were another matter. Ethel either ran them off or made appointments for the next day or so. Mr Brigance was very busy, she would explain, but he could work you in day after tomorrow. This impressed people.

'Tell her I'm not interested.'

'But she says she must find a lawyer. Her son has to be in court at one this afternoon.'

'Tell her to see Drew Jack Tyndale, the public defender. He's good and he's free.'

Ethel relayed the message. 'But, Mr Brigance, she wants to hire you. Someone told her you're the best criminal lawyer in the county.' The amusement was obvious in Ethel's voice.

'Tell her that's true, but I'm not interested.'

Ozzie handcuffed Willard and led him down the hall to his office in the front section of the Ford

Copyrighted Material

County jail. He removed the handcuffs and seated him in a wooden chair in the center of the cramped room. Ozzle sat in the big chair across the desk and looked down at the defendant.

'Mr Willard, this here is Lieutenant Griffin with the Mississippi Highway Patrol. Over here is Investigator Rady with my office, and this here is Deputy Looney and Deputy Prather, whom you met last night but I doubt if you remember it. I'm Sheriff Walls.'

Willard jerked his head fearfully to look at each one. He was surrounded. The door was shut. Two tape recorders sat side by side near the edge of the sheriff's desk.

'We'd like to ask you some questions, okay?'

'I don't know.'

'Before I start, I wanna make sure you understand your rights. First of all, you have the right to remain silent. Understand?'

'Uh huh.'

'You don't have to talk if you don't want to, but if you do, anything you say can and will be used against you in court. Understand?'

'Uh huh.'

'Can you read and write?'

'Yeah.'

'Good, then read this and sign it. It says you've been advised of your rights.'

Willard signed. Ozzie pushed the red button on one of the tape recorders.

'You understand this tape recorder is on?'

'Uh huh.'

Copyrighted Material

'And it's Wednesday, May 15, at eight forty-three in the mornin'.'

'If you say so.'

'What's your full name?'

'James Louis Willard.'

'Nickname?'

'Pete. Pete Willard.'

'Address?'

'Route 6, Box 14, Lake Village, Mississippi.'

'What road?'

'Bethel Road.'

'Who do you live with?'

'My momma, Earnestine Willard. I'm divorced.'

'You know Billy Ray Cobb?'

Willard hesitated and noticed his feet. His boots were back in the cell. His white socks were dirty and did not hide his two big toes. Safe question, he thought.

'Yeah, I know him.'

'Was you with him yesterday?'

'Uh huh.'

'Where were y'all?'

'Down at the lake.'

'What time did you leave?'

''Bout three.'

'What were you drivin'?'

'I wasn't.'

'What were you ridin' in?'

Hesitation. He studied his toes. 'I don't think I wanna talk no more.'

Ozzie pushed another button and the recorder

Copyrighted Material

stopped. He breathed deeply at Willard. 'You ever been to Parchman?'

Willard shook his head.

'You know how many niggers at Parchman?'

Willard shook his head.

''Bout five thousand. You know how many white boys are there?'

'No.'

''Bout a thousand.'

Willard dropped his chin to his chest. Ozzie let him think for a minute, then winked at Lieutenant Griffin.

'You got any idea what those niggers will do to a white boy who raped a little black girl?'

No response.

'Lieutenant Griffin, tell Mr Willard how white boys are treated at Parchman.'

Griffin walked to Ozzie's desk and sat on the edge. He looked down at Willard. 'About five years ago a young white man in Helena County, over in the delta, raped a black girl. She was twelve. They were waiting on him when he got to Parchman. Knew he was coming. First night about thirty blacks tied him over a fifty-five-gallon drum and climbed on. The guards watched and laughed. There's no sympathy for rapists. They got him every night for three months, and then killed him. They found him castrated, stuffed in the drum.'

Willard cringed, then threw his head back and breathed heavily toward the ceiling.

'Look, Pete,' Ozzie said, 'we're not after you. We want Cobb. I've been after that boy since he

Copyrighted Material

left Parchman. I want him real bad. You help us get Cobb and I'll help you as much as I can. I ain't promisin' nothin', but me and the D.A. work close together. You help me get Cobb, and I'll help you with the D.A. Just tell us what happened.'

'I wanna lawyer,' Willard said.

Ozzie dropped his head and groaned. 'What's a lawyer gonna do, Pete? Get the niggers off of you? I'm tryin' to help you and you're bein' a wiseass.'

'You need to listen to the sheriff, son. He's trying to save your life,' Griffin said helpfully.

'There's a good chance you could get off with just a few years here in this jail,' Rady said.

'It's much safer than Parchman,' Prather said.

'Choice is yours, Pete,' Ozzie said. 'You can die at Parchman or stay here. I'll even consider makin' you a trusty if you behave.'

Willard dropped his head and rubbed his temples. 'Okay, okay.'

Ozzie punched the red button.

'Where'd you find the girl?'

'Some gravel road.'

'Which road?'

'I don't know. I's drunk.'

'Where'd you take her?'

'I don't know.'

'Just you and Cobb?'

'Yeah.'

'Who raped her?'

'We both did. Billy Ray went first.'

'How many times?'

Copyrighted Material

'I don't remember. I's smokin' weed and drinkin'.'

'Both of you raped her?'

'Yeah.'

'Where'd you dump her?'

'Don't remember. I swear I don't remember.'

Ozzie pushed another button. 'We'll type this up and get you to sign it.'

Willard shook his head. 'Just don't tell Billy Ray.'

'We won't,' promised the sheriff.

Copyrighted Material

Chapter 4

Percy Bullard fidgeted nervously in the leather chair behind the huge, battered oak desk in the judge's chambers behind the courtroom, where a crowd had gathered to see about the rape. In the small room next door the lawyers gathered around the coffee machine and gossiped about the rape.

Bullard's small black robe hung in a corner by the window that looked north over Washington Street. His size-six feet were wearing jogging shoes that barely touched the floor. He was a small, nervous type who worried about preliminary hearings and every other routine hearing. After thirteen years on the bench he had never learned to relax. Fortunately, he was not required to hear big cases; those were for the Circuit Court judge. Bullard was just a County Court judge, and he had reached his pinnacle.

Mr Pate, the ancient courtroom deputy, knocked on the door.

'Come in!' Bullard demanded.

'Afternoon, Judge.'

Copyrighted Material

'How many blacks out there?' Bullard asked abruptly.

'Half the courtroom.'

'That's a hundred people! They don't draw that much for a good murder trial. Whatta they want?'

Mr Pate shook his head.

'They must think we're trying these boys today.'

'I guess they're just concerned,' Mr Pate said softly.

'Concerned about what? I'm not turning them loose. It's just a preliminary hearing.' He quieted and stared at the window. 'Is the family out there?'

'I think so. I recognize a few of them, but I don't know her parents.'

'How about security?'

'Sheriff's got ever deputy and ever reserve close to the courtroom. We checked everybody at the door.'

'Find anything?'

'No, sir.'

'Where are the boys?'

'Sheriff's got them. They'll be here in a minute.'

The judge seemed satisfied. Mr Pate laid a hand-written note on the desk.

'What is it?'

Mr Pate inhaled deeply. 'It's a request from a TV crew from Memphis to film the hearing.'

'What!' Bullard's face turned red and he rocked furiously in the swivel chair. 'Cameras,' he yelled. 'In my courtroom!' He ripped the note and threw the pieces in the direction of the trash can. 'Where are they?'

Copyrighted Material

'In the rotunda.'

'Order them out of the courthouse.'

Mr Pate left quickly.

Carl Lee Hailey sat on the row next to the back. Dozens of relatives and friends surrounded him in the rows of padded benches on the right side of the courtroom. The benches on the left side were empty. Deputies milled about, armed, apprehensive, keeping a nervous watch on the group of blacks, and especially on Carl Lee, who sat bent over, elbows on knees, staring blankly at the floor.

Jake looked out his window across the square to the rear of the courthouse, which faced south. It was 1:00 P.M. He had skipped lunch, as usual, and had no business across the street, but he did need some fresh air. He hadn't left the building all day, and although he had no desire to hear the details of the rape, he hated to miss the hearing. There had to be a crowd in the courtroom because there were no empty parking spaces around the square. A handful of reporters and photographers waited anxiously near the rear of the courthouse by the wooden doors where Cobb and Willard would enter.

The jail was two blocks off the square on the south side, down the highway. Ozzie drove the car with Cobb and Willard in the back seat. With a squad car in front and one behind, the procession turned off Washington Street into the short driveway leading under the veranda of the courthouse. Six deputies escorted the defendants past the reporters, through the doors, and up the back

Copyrighted Material

stairs to the small room just outside the courtroom.

Jake grabbed his coat, ignored Ethel, and raced across the street. He ran up the back stairs, through a small hall outside the jury room, and entered the courtroom from a side door just as Mr Pate led His Honor to the bench.

'All rise for the court,' Mr Pate shouted. Everyone stood. Bullard stepped to the bench and sat down.

'Be seated,' he yelled. 'Where are the defendants? Where? Bring them in then.'

Cobb and Willard were led, handcuffed, into the courtroom from the small holding room. They were unshaven, wrinkled, dirty, and looked confused. Willard stared at the large group of blacks while Cobb turned his back. Looney removed the handcuffs and seated them next to Drew Jack Tyndale, the public defender, at the long table where the defense sat. Next to it was a long table where the county prosecutor, Rocky Childers, sat taking notes and looking important.

Willard glanced over his shoulder and again checked on the blacks. On the front row just behind him sat his mother and Cobb's mother, each with a deputy for protection. Willard felt safe with all the deputies. Cobb refused to turn around.

From the back row, eighty feet away, Carl Lee raised his head and looked at the backs of the two men who raped his daughter. They were mangy, bearded, dirty-looking strangers. He covered his

Copyrighted Material

face and bent over. The deputies stood behind him, backs against the wall, watching every move.

'Now listen,' Bullard began loudly, 'This is just a preliminary hearing, not a trial. The purpose of a preliminary hearing is to determine if there is enough evidence that a crime has been committed to bind these defendants over to the grand jury. The defendants can even waive this hearing if they want to.'

Tyndale stood. 'No sir, Your Honor, we wish to proceed with the hearing.'

'Very well. I have copies of affidavits sworn to by Sheriff Walls charging both defendants with rape of a female under the age of twelve, kidnapping, and aggravated assault. Mr Childers, you may call your first witness.'

'Your Honor, the State calls Sheriff Ozzie Walls.'

Jake sat in the jury box, along with several other attorneys, all of whom pretended to be busy reading important materials. Ozzie was sworn and sat in the witness chair to the left of Bullard, a few feet from the jury box.

'Would you state your name?'

'Sheriff Ozzie Walls.'

'You're the sheriff of Ford County?'

'Yes.'

'I know who he is,' Bullard mumbled as he flipped through the file.

'Sheriff, yesterday afternoon, did your office receive a call about a missing child?'

'Yes, around four-thirty.'

'What did your office do?'

Copyrighted Material

'Deputy Willie Hastings was dispatched to the residence of Gwen and Carl Lee Hailey, the parents of the girl.'

'Where was that?'

'Down on Craft Road, back behind Bates Grocery.'

'What did he find?'

'He found the girl's mother, who made the call. Then drove around searchin' for the girl.'

'Did he find her?'

'No. When he returned to the house, the girl was there. She'd been found by some folks fishin', and they took her home.'

'What shape was the girl in?'

'She'd been raped and beaten.'

'Was she conscious?'

'Yeah. She could talk, or mumble, a little.'

'What did she say?'

Tyndale jumped to his feet. 'Your Honor, please, I know hearsay is admissible in a hearing like this, but this is triple hearsay.'

'Overruled. Shut up. Sit down. Continue, Mr Childers.'

'What did she say?'

'Told her momma it was two white men in a yellow pickup truck with a rebel flag in the window. That's about all. She couldn't say much. Had both jaws broken and her face kicked in.'

'What happened then?'

'The deputy called an ambulance and she was taken to the hospital.'

'How is she?'

Copyrighted Material

'They say she's critical.'

'What happened then?'

'Based on what I knew at the time I had a suspect in mind.'

'So what'd you do?'

'I located an informant, a reliable informant, and placed him in a beer joint down by the lake.'

Childers was not one to dwell on details, especially in front of Bullard. Jake knew it, as did Tyndale. Bullard sent every case to the grand jury, so every preliminary was a formality. Regardless of the case, the facts, the proof, regardless of anything, Bullard would bind the defendant over to the grand jury. If there was insufficient proof, let the grand jury turn them loose, not Bullard. He had to be reelected, the grand jury did not. Voters got upset when criminals were cut loose. Most defense lawyers in the county waived the preliminary hearings before Bullard. Not Jake. He viewed such hearings as the best and quickest way to look at the prosecution's case. Tyndale seldom waived a preliminary hearing.

'Which beer joint?'

'Huey's.'

'What'd he find out?'

'Said he heard Cobb and Willard, the two defendants over there, braggin' 'bout rapin' a little black girl.'

Cobb and Willard exchanged stares. Who was the informant? They remembered little from Huey's.

'What'd you find at Huey's?'

Copyrighted Material

'We arrested Cobb and Willard, then we searched a pickup titled in the name of Billy Ray Cobb.'

'What'd you find?'

'We towed it in and examined it this mornin'. Lot of blood stains.'

'What else?'

'We found a small T-shirt covered with blood.'

'Whose T-shirt?'

'It belonged to Tonya Hailey, the little girl who was raped. Her daddy, Carl Lee Hailey, identified it this mornin'.'

Carl Lee heard his name and sat upright. Ozzie stared straight at him. Jake turned and saw Carl Lee for the first time.

'Describe the truck.'

'New yellow Ford half-ton pickup. Big chrome wheels and mud tires. Rebel flag in the rear window.'

'Owned by who?'

Ozzie pointed at the defendants. 'Billy Ray Cobb.'

'Does it match the description given by the girl?'

'Yes.'

Childers paused and reviewed his notes. 'Now, Sheriff, what other evidence do you have against these defendants?'

'We talked to Pete Willard this mornin' at the jail. He signed a confession.'

'You did what!' Cobb blurted. Willard cowered and looked for help.

'Order! Order!' shouted Bullard as he banged his gavel. Tyndale separated his clients.

'Did you advise Mr Willard of his rights?'

Copyrighted Material

'Yes.'

'Did he understand them?'

'Yes.'

'Did he sign a statement to that effect?'

'Yes.'

'Who was present when Mr Willard made his statement?'

'Me, two deputies, my investigator, Rady, and Lieutenant Griffin with the Highway Patrol.'

'Do you have the confession?'

'Yes.'

'Please read it.'

The courtroom was still and silent as Ozzie read the short statement. Carl Lee stared blankly at the two defendants. Cobb glared at Willard, who picked dirt off his boots.

'Thank you, Sheriff,' Childers said when Ozzie finished. 'Did Mr Willard sign the confession?'

'Yes, in front of three witnesses.'

'The State has nothing further, Your Honor.'

Bullard shouted, 'You may cross-examine, Mr Tyndale.'

'I have nothing at this time, Your Honor.'

Good move, thought Jake. Strategically, for the defense, it was best to stay quiet at preliminary hearings. Just listen, take notes, let the court reporter record the testimony, and stay quiet. The grand jury would see the case anyway, so why bother? And never allow the defendants to testify. Their testimony would serve no purpose and haunt them at trial. Jake knew they would not testify because he knew Tyndale.

Copyrighted Material