

Law and Order

NO TRESPASSING

Judices Non Tenentur Exprimere Causam Sententiae Suae.

Due Process.

Our faader who art in hebben, forgive those who do not forgive us, Ah So. So Ah-Men (and Women). (Tell me this is not absurd.)

Until the time of this happening the author had never really encountered the LAW, that is, outside of Father, the Sisters of Mercy, and Representatives of the teaching profession; even in its smaller ramifications, unless being generally obedient to the Law qualifies as a smaller ramification. The author would lengthen greatly this intended narrative if he was to recite all of his undetected venialities, mostly effected through abridgments of the Golden Rule.

Upon one occasion he had 'rolled' the family car while racing someone in another car. The only damage caused by this errant behavior entailed the 'totaling' of the family car and the seven road posts that happened to be in the way of the hurtling horseless carriage. The damaged road posts became objects of concern for the New York State Police, who reported their demise, for which a bill was presented to the insurance company @ \$5.00 each for a total of \$35.00. We did not receive a nickel for the totaled family car. Justice!

The Police had been polite, undemonstrative, non-moralizing, unofficious, although uniformed; they had gathered information, filing a report, thus ending the author's maiden voyage into their uncharted seas.

There were other encounters of a similar nature involving horseless carriages; speeding; lights not functioning properly; 'California stops' at the sign of the Red Octagon; zipping through the Yellow caution light. It's odd that the Police quite often were in the neighborhood when the author committed these infractions. He was unaware there were so many Police; its almost as though they had anticipated his very action. He guessed they must know a lot about people's driving habits. Pretty soon, maybe they will figure out the rest of our behavior and will be able to anticipate the more serious crimes plaguing our society. The author is getting carried away; needless to say, all these contacts with the Law were simply pro forma. Even while in the military, although he tried his damndest, sometimes, to run afoul of their forms of pettiness, he managed somehow to survive. The military has a very conspicuous pecking order with its stripes, its brass, and scrambled eggs, its non-coms, its plebes, its

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ossifers. Everybody looks pretty much alike in their outward appearance, uniformly shorn and attired. Sometimes there isn't a whole lot to do, so, by way of general amusement, and reinforcing the 'chain of command', one is ordered to do something like digging holes in the water only to fill them up again soon thereafter. The author realizes it sounds absurd; sometimes things in this life do not add up; that's one. You might be able to imagine someone with even a meager intelligence, running afoul of this sort of pettiness, which occasionally he managed to do, for which he was told to go stand in the corner. However, while 'serving' in the military, nothing untoward happened with regard to the Law, only with regard to pettiness; perhaps miraculously. So that you will fully understand what revolveth in the realm of military preparedness and its handmaiden, so-called 'chicken-shit', the author notes the following: Not because he was as useless as a deadeye, but because he ran afoul of a Career Gold Striped Chief 'Petty' Officer, an Ordinanceman named Duckworth, he was denied a Good Conduct Ribbon. Small thing really, but, if for three years, you put up with all the idiocies of the military, without going AWOL, or taking a swing at somebody, you oughta get something for your chest. This Gold-Striped Petty Person made, of some spilled coffee, an issue of insubordination. Prior to an all-whites inspection, the author's unit had been milling around in the Butler Hut, with coffee in hand. This rotund presence, for he was round and squat, waxing enthusiastically, had been expostulating loudly and gesticulating with abandon when he struck the hand (the author's) which held a cup of the aforementioned elixir. The author 'saw it coming', and was already reacting with a peculiar dance step, thus avoiding what happened to Duck. Not very pretty. Angry beyond measure, this Gold Striper, with his soiled uniform, his pride and joy, his reason to be, he accused the author of something, which the author derisively denied. Duckworth insisted, unmistakably, as one in authority, and superior; the author denied him a second time, more bluntly, before all his shipmates (Butler mates). He raised his voice, almost apoplectically; denying him



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thrice, the author told him he was full of ..it. The author had faced his accuser; he was judged, in absentia, by the sawed-off rotund petty barsted, as he sat at his desk filling out the author's proficiency rating. One needed something like a 3.5 out of 4 rating for each quarter of the year for three years to qualify for the Good Conduct Ribbon. While prior to that time the author's other superiors had rated him at 3.5 or above, the duck elected to rate him 3.49 for the last quarter of the three years. The author knew he didn't deserve it, for other reasons, so its O.K.. His 'heart wasn't in it', for one thing.

After making his exit from the U.S.N., the author became Joe Citizen once again in Provincialburg, Northwest, U.S.A., minding his own business when he ran crosswise of a transplanted Texan. He had encountered other Texans in the military; they seemed crosswise too; He was sure this crosswiseness had something to do with dialect, unless, of course, there is something in the drinking water thereabouts. Texas is a big place; most Texans are accustomed to think of everything else as small. But the author harbored no prejudices. He supposed it was an accident of this fellow's birth that he was 'borned where he wuz borned'; he thinks Tex might have been easy to run crosswise of, no matter where he got his come upins. That says nothing about the author's come upins and how crosswise he might be. Any way you look at it, this fellow was an unkindly disposed, unneighborly 'redneck'; the author really doesn't know what kind of a neck that is, but to him, it is a disparaging term employed to describe a form of rigor mortis in the human personality, probably caused by being exposed for too long to the glorious banner. Basically this fellow believed in a conformity that made everything easier to understand and to manipulate. The author cannot recall the particular diseases he had been suffering at that time, but he imagines he was able to fit the description of one of the socially existent labels currently in vogue. 'Beatnik' was one of them, which served as the circumlocution that signified non-conformity, in the least. Sporting a beard, and an uncrewed cut, the distinguishing marks of the non-conformist, the author fit the description.

As fate would have it, they came in close proximity upon a hilltop (he being a hilltopper [what else]) in Ideal City (according to 'Have a Look-See' Magazine) U.S. of A. The author knew not by what means this redneck achieved his place (status, wealth) in this life. He was some kind of broker; however he appeared richer than broker; he is most likely dead at that this writing. (The world IS a better place.)

The person for whom the author labored in order to gain his PITTANCE in life, obtained, through inheritance, the very crown of this Hilltop. He found this Hilltop in its natural state overgrown with typical northwest tree, bush, and tangle of undergrowth, transforming and embellishing the site with plantings which eventually became the nursery for the progeny

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of the original plantings, and so on, until the whole place assumed a rather distinctive character and acquired a rather distinguished name: Victoria Heights (she's had more than her share). He was an odd one (the author's employer), steeped in another world brewed too strongly with Shakespearean, Wardsworthian, and other English period-literature, not to mention the other fancies to be found in his vast trove of dilettantism. He affected certain sympathies and affinities with other creative types, his particular gravity and magnetism attracting said types to assist him in his nurserying. It came to pass that, existing as one of those 'types', the author used his plastic greenhouse as both garret and place to practice his sculptings and sundry other 'fine artseries'. The greenhouse was without the usual facilities one would hope to find, even in the most ill-equipped American Hovel; so it was the auhtor's business to be rather circumspect in the making of his toilet, upon the Hilltop in Ideal City, U.S. of A.

But somehow, the author could not escape the notice of the unneighborly neighbor, the redneck, and not having escaped his notice, a bit of dallying would have revealed the author did not 'go home' at night, or at any other time, for that matter. For one thing, the author's 40 Chevy Coupe was always parked where he might observe it, without prying in the least. The author had attempted not to make himself obvious, but who is able really to succeed in that endeavor against a resourceful curiosity (nosiness). Tex probably knew everything about the author, especially what he could deduce from his outward appearance, which projected the perfect Beatnik image; everybody knew what 'they' were; at least every redneck knew what they were. They were put upon this earth to trigger rednecks. However the author wore no other identifying marks. Probably the author would have 'confused the hell out of Tex' if he had a sexy Mermaid and MOTHER tattooed on his forearm. To reiterate the simplicity of his obvious recalcitrant nature, his face was bearded (unshaven, but not untrimmed [some people have a real aversion to shaving; the author is one of those]) and his head had the appearance of being unbarbered in the days of 'skinheads' where everyone looked as though he had just been released from prison. However the author knew there was nothing untoward or unkempt, greasy, matted or tangled in his rather short crop. Anyway, he was a marked man, if not distinguished. Tex did not care what the author thought, but how he looked. He did not think to test Tex's simplemindedness, by going to the trouble of getting a 'shave and a haircut'. In hindsight, the author had wondered whether his fortunes might have transpired differently if he had been less conspicuous. Once again he might have 'confused the hell out of Tex' by emerging from the greenhouse tailored in some spiffy outfit. But, oh, oh, oh, he was not at all absorbed in creating impressions, the beard notwithstanding. Thirty years later the author still sports a beard; it has witnessed the ups and downs, the comings and goings, waxings and

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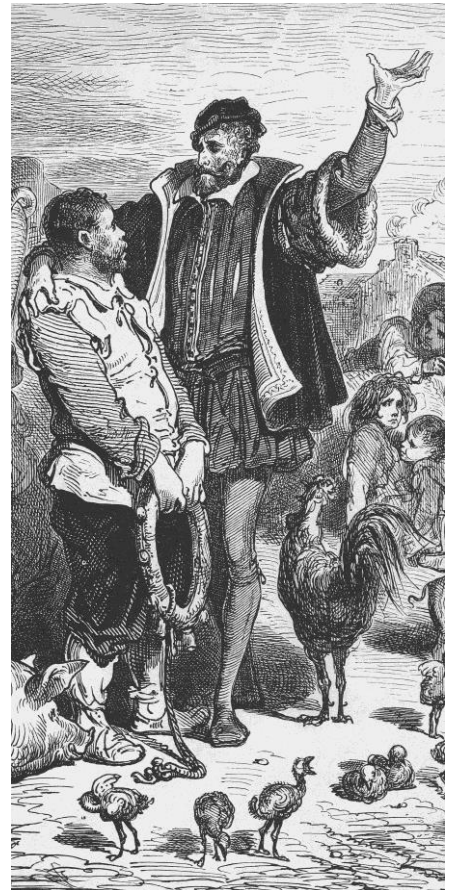
wanings of our peculiar tastes, the erratic oscillations in our social conventions, and the pursuit of our World Class, Fast Track, Globally Cultured affectations. You might well question the longer hair and beard stuff, but truly he had had enough of the streamlined look in the military; He 'detested' shaving (and still does); he could not envision treating the balance of his locks as a lawn to be 'manicured' (tetcured) for no good reason. In his opinion, all those 'skinheads' did look like prisoners; well, he supposed you could venture 'conformity' is a kind of imprisonment.

The author cannot recall ever seeing his antagonist without his Stetson, so he really don't know how well he conformed; perhaps he had nothing with which to conform; nature's conspiracy against man; nature probably provided him with enough facial hair which he was able to remove and offer as oblation and testimonial to conformity.

Speaking of testimony, it required three court appearances by the author, being shuttled back and forth, ironically in a prisoner's uniform, before that rednecked son-of-a-bitch made an appearance before the municipal judge of Ideal City U.S. of A. to present his testimony, in order to lend substance to the charges he was attempting to place against the author.

The author apologizes for have blurted out the near-ending before he has even begun to tell the story. Don't give up on him.

One day, after darkness had engulfed the light of day settling upon this Victoria-Tex Hilltop in Ideal City, U.S. of A., a 'beatnik' awaited the arrival of his absurd employer (the aforementioned dilettante) with whom he was scheduled to dine that evening, this said employer having purportedly ventured to his neighbor's house (that of the aforementioned Texan) as part of a brief sojourn, after which he would return to fetch the author for the evening repast. His employer's tardiness had begun to irritate him; quite often he would irritate him; the author was convinced this fact was not unknown to him; he believes his employer experienced certain pleasures in causing others a distinct amount of discomfort; this probably had something to do with his own feelings of failure, inadequacy, and general feeling of an unfulfilled life. Whatever the author's suspicions, and their warranted, or



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unwarranted speculative origins, his employer was probably delivering some grandiose speech to an ass in the manner of Don Quixote.

Well, in his distraction, the author decided to engage in a brief search for this litterateur, expecting to find him in said windy proposition, although he could not imagine what the man from Texas, and the escapee from the Tomes, would have in common, lest it be wind.

In the dark of the already fallen day, the author entered upon the premises of the man with the Stetson, peering about for an entry door where people might congregate. Never having been upon the premises before, did not aid him in his search in the dark, into a rather difficult sanctum, it being a two-storied structure, with the most immediately accessible part on the roadside level, consisting of the gareahge. The gareahge was closed. The two alternative choices open to hm were the walkway to the down-stairs which he had assumed were the living quarters (assume nothing in this life) and a walkway beyond the gareahge, much less illuminated, to which one gained access, by passing beneath the longhorn skull and through the wagon-wheel gate. The author chose the former.

He attempted to search out the man, his tardy employer, by exploring the path to the lower half of the house. He followed a path that led along the house in the general direction he had imagined he wished to proceed; he had recalled observing his employer use this said path on previous occasions, or, at least, that was his impression (be wary of impressions). Well, the path did indeed lead him on, down and along the side of the house, turning its corner to come abreast of what was the front of the house, whose outline he followed, passing an illuminated space which was not curtained off (it was probably curtained, but the curtains had not been drawn). As he passed the illuminated space, it did not reveal anyone for whom he was searching, but instead revealed a bedroom with a lady, which turned out to be the lady of the house, either getting into or getting out of the bed. He did not pause to determine which endeavor was being executed by her; he was not aware whether or not she had observed his passing, although that 'extra' sense informed him a good possibility existed she had seen him, since the light that was illuminating the inside also cast a glow outside sufficient to illuminate some of the outside world. Anyway, it occurred to him that if she was near her bed, in the manner she seemed attired, then it was possible the man of the house could also be so disposed, and not likely to be holding forth or listening to a windy proposition from the fanciful nut next door. At any rate, he exited, returning a little deflated, to the greenhouse. He then decided to walk to the nearest supermarket to obtain some staple groceries for his evening meal, feeling needful of some kind of sustenance.

As he was returning from the market, walking up the hill, a car appeared out of the dark, behind him, pulling along side, its markings leaping out of the dark at him to signify it as a City Police car; its occupant, an Officer of the Law, queried through the window, "Is your

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name Louie?", to which he (OH! OH! ed to himself) assented. A brief conversation ensued which resulted in his accepting a ride, with the Officer, to the top of the hill in order to confront, and enter into a discussion with a 'lathered' Texan in nightdress, not without his Stetson. He was being very inarticulate, but the Officer guided him in his tangled speech (being an accessory to justice) to the effect that he, the Officer, could not arrest the author for anything, since he had not observed him committing any transgressions upon the Law, that it was the task of the man in the Stetson to arrest him, placing him in the custody of the Officer. All that Tex could do was arrest him for Trespassing, although his indignant rage was occupied with more than Trespassing. Since he himself was always trespassing (one should never make the assumption that upstanding redneck citizens do not trespass), he author thought it odd he would be so irate.

The (fun?) had begun for the author. The Police Officer informed him he was to accompany him to the jailhouse for detention; the only argument t officer really could present to convince him that he should follow this course of action was this thing to do with his .357 Magnum; anything else lacked coherence. Well, of course he didn't 'draw' on him; it was all very implicit. The

author possessed no means to challenge him in this rapidly unfolding drama. He was hungry, and "What about my food?". The Officer kindly allowed him to place the food in the greenhouse without his sidepiece becoming in any way an explicit threat. Needless to say he did not eat that night; he was in for another



kind of diet. Taken to the jailhouse, he was 'booked', fingerprinted, mugshotted (numbered), relieved of my clothing and 'personal effects' and placed in a glamorous prisoner's uniform, a very baggy circumspect, one-piece affair which made it very clear one was now persona non grata, one not amongst the favored. This was no kindergarten, and certainly no Soap Opera. He had achieved a highly demeaned status. Hah!, and Alas!, came thereafter, the very reality of incarceration; as the German mother of his first serious girlfriend often opined regarding those of the 'bohemian' lifestyle: as candidates for living 'Behind Spanish Curtains'.

Heh! Heh! Amusing now!. Not so, then. Hmn, has the author really escaped that condition? He is always mindful of those who could suddenly emerge from the woodwork as rednecks, hard hats, Teamsters, America Firsters, American Legionaires, John Birchers, Nazis, Coo Coo

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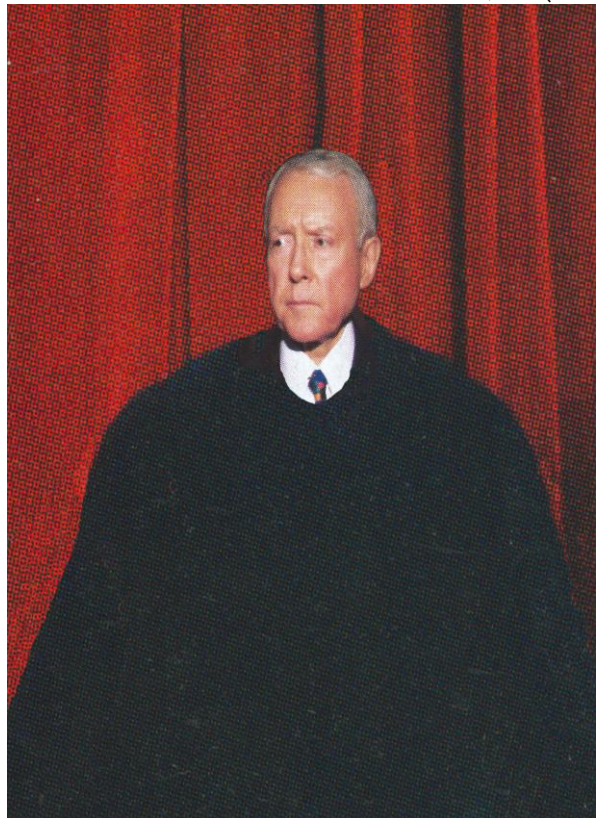
Cluckers, Moral Majoritiers, Moral Minoritiers, Love it or Leave iters (you get the message).

He'll not describe the jail's interior which reeks of the rednecks' hatred for the recalcitrant, the errant and the vagrant; or his state of ANGER or Frustration-To-Tears. Jails ain't for Humans; they's for Prisoners; is that the same as Inhumans? Must be.

When the author was a kid, living in Upstate New Yawk, as a real kid, on ice skates, we played a game called 'Jail'. A line was etched on the ice across the near-middle of the frozen pond. We innocents divided our number into two teams, each team was intended to occupy one space on either side of the line. One was 'safe' behind his side of the line. If one skated across (breached) the line into Texas, Cuba or France, capture was accomplished by a tagging, and one was obliged to go to Jail, a circle drawn upon the ice in the remotest corner of the pond away from ones own territory. Release from Jail could never be accomplished through writ, or just proceedings. A member of one's team was obliged to risk his freedom by crossing the line at daredevil speed, with faint and flash, to reach unscathed, the circle in which one was cordoned by the circle, tagging once again the prisoner, 'the touch of freedom', each of whom must skate the skate fantastic into the freedom of New Mexico, (or Oklahoma), the Lesser Antilles or Switzerland, in order to escape the tag of capture during the long haul across Texas, Cuba or France. Alas!, even then, freedom became hard won. One sure found out who his friends were; one might freeze to death, standing isolated in Jail (sitting was out of the question).

After a long frustrating night in the real jail the author was herded from the caboose into the paddy wagon, in full prisoner's regalia, to be driven to the municipal court, the court of Judge John Barber, who lived on Law Lane in Ideal City, U.S.A. He had served as municipal judge for seventeen years. The prisoner's were filed into the courtroom to be placed in the prisoner's docket, the special place of honor assigned to those who were about to be processed by the LAW.

He awaited his deliverance, only to have the son-of-a-bitch (his accuser) from Texas not appear to charge him. He was not released or



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given any explanation of his status. He was merely herded, implicitly, by the .357 Magnum, to the awaiting meat wagon, to be reincarcerated until the next court session, the following day.

The author is about to tell you something you will not believe, yet what is there in this life which man does to man that is not, in the end, believable? Again he will not describe that place (the hoosegow) in which humanity is sequestered away from the world in order to give credence to, and protect, the balance of mankind from the threat of the incorrigible trespasser. But now, in matters of what is believable, he'll test your credibility. He remained that day, through his second night and was filed, in full prisoner's regalia once again, into that paddy wagon, into the same court, with the same judge John Barber presiding; by now you have guessed the unneighborly son-of-a-bitch (his accuser) from Texas, once again, did not appear to press charges against him, and subsequently he was returned to you know where, in order to save the polite society of rednecks from the vicious unconscionable trespasser; again no explanations were forthcoming as to his status. As before, only the implicitness of the .357 Magnum proved persuasive, for without its presence, he feels certain he could have secreted enough adrenalin to escape your prized civilization.

His rage short-circuited into tears of frustration, humiliation, helplessness, and utter inarticulateness. It was then that some other unfortunate who had gotten drunk, having taken a few swipes at his spouse (who called the cops), found himself counseling me, giving me a new perspective and a little hope. If only the author would keep his cool and hang onto his wits, he might get the bastard. They could hold him for only seventy-two hours without explicitly charging him; already he had been there some forty hours; at the next court appearance it would be fifty-eight hours. Only fourteen more after that.

The next morning, once again, the .357 Magnum led the prisoner's in full regalia to the appointed place, presided over by the same (J)udge John Barber, who now, in the author's mind, was becoming as huge an S.O.B. as Tex. The rednecked son-of-a-bitch from Texas wasn't there. The judge sifted through the pile of papers in his docket, reaching the bottom; he seemed to be stalling as the court session was about to adjourn. As fate perversely decreed, the man with the Stetson appeared - the son-of-a-bitch (his mother had failed to toilet train him). He stood at the rear of the courtroom as he answered the relieved judge's call. He, in his full regalia of the offended citizen, creating the appearance of the conforming supplicant plaintiff, seeking after justice, while the author, in prisoner's docket and habiliment, sought he know not what.

He (his accuser) then proceeded to accuse him, not directly of course, but through insinuation, that he not only trespassed, but prowled and peeped; modest charges wouldn't you say? Tex might as well have

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intimated the author was making the World Unsafe for Democracy, that he was disrupting the More Perfect Union.

As this judicial charade gathered momentum, the author could no longer contain that ascending righteous feeling, the .357 Magnum notwithstanding; who knows what new dimensions might have accrued to "J'accuse" and justice. He leapt to my feet "Your Honor (the very words sticking in his craw), this is unreasonable".

The judge sort of waved him down, peering at the complainant, feigning to seek some elaboration. As Tex began to explain, it became clear the judge and he was podners; they knowed each other, real sociable-like, raht nayboorlee, 'cause when Tex said to the judge "You know where the fahrplace is?", and when the jedge said unto the author "Why don't you live like decent folk?" he knew they had had a private conversation afore, somewhere, sometime. The judge obviously did not feel compromised. The author made no reply to the decency stuff. Instinct prevented him from saying anything; while there may be Laws against certain forms of indecency, Barber was implying the author's level of decency should suffer disapprobation from decent folk like the jedge and Tex. Well, just because a man aint decent doesn't mean he aint decent.

"That'll be a ten dollar fine for Trespassing"

Can you imagine that son-of-a-bitch implying the author was peeping on his old lady; goin' on seventy she was, and him only twenty-three.

Anyway he was relieved to get outta that mess after fifty-nine hours.

He learned afterwards from some members of the Illustrious Bar that the two-legged appurtenance from Law Lane should have dismissed the case on its first hearing. The author still do not know any of the 'fine' points of the Law; it appears if one did, it wouldn't avail him if the .357 Magnum becomes the mindless instrument of the Law, given the 'piece' could easily become the enforcer of something arbitrary and unfair. "In any case, jedge Johnny BarLawBer, the deeds one does often live after him, while their viciousness, their indecency, and injustice is oft interred with their bones. (This little epistle is intended for your headstone.)" What followed took place some three months later.

The litterateur, his employer, delivered to him, that incorrigibly indecent fellow, a ten-dollar bill, from and for, his neighbor, Tex.

What was the point? A redneck's cheap apology; blood money for 59 hours in jail, for being fingerprinted, for creating a police record for him, for humiliating him? He has done some things in this life for which he may have deserved some time in the pokey, even though, like all who do things they ought not, he considers himself corrigible and not malicious or of a criminal bent. Hmnn, if thoughts could kill. Should he have been grateful for this deliverance? Neighborliness, by proxy.

What strikes him in all of this is the rapidity with which one can become crosswise of a .357 Magnum. We are not speaking of the Law, per se, of Justice, of Fairness, because such could have been settled upon

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the occasion of the misunderstanding by reasonable or 'Neighborly' (men?). All we are speaking of, in fact, is the effectiveness of the .357 Magnum. He does not think anyone really understands the process; it so happens that is all we get; and its crude. Ironically, one must prove he deserves Justice. It is his considered opinion there are too damned many of us. Of course, in those days one was not 'read his rights'. It might have helped if he had known what were in fact his rights; ANY would have been an improvement over those in evidence.

We are tin soldiers upon some game board that is manipulated by some outside intelligence, or through some fierce struggle between Gud and Lucifer, recognized as Good and Evil. We are what we are and there are just too damned many of us. Being what we are, despite Laws, despite notions of Good, or other nebulous Ideals, we need space to be our naturally indecent selves. Overlapping indecencies create .357 Magnums.

Tex was indecent in that he was rigid (intolerant).

The judge was indecent in that he subverted his position of public trust for a friend.

The author was plainly a victim of both. (We point the finger at Gulag).

Their indecencies placed the .357 Magnum between him and common sense.

He has wondered since if it makes any sense that a person should be punished before he or she has committed an offense. Quite obviously he was not a trespasser. He supposes it shows ta go ya , if they don't like ya, they'll get ya one way or another – so, watch out.

He has tried to imagine what would have happened if he had been black. If he had been black in the old south. He guessed its bad enough being a whiter trash without worrying about being black; why heap misery on yoresef?