

Proof's Burden

By Andy Thurman

(A few of my fellow students have commented, from time to time, that they have enjoyed the two prior products of my pen that have graced this magazine. Particularly, they tell me, they have enjoyed the characterization of some of this schools professors; the professors involved have commented, when they comment at all, with grace. I hope that those who enjoy these efforts will not be disappointed by the lack of faculty, and those students that, due to oversensitivity, feel that they recognize themselves, will respond with the same grace.)

Studying in the third-floor lounge was impossible anyway, John Quintus Smith IV told himself as he turned his attention to the latest distraction of many that morning. She was a particularly pleasant one

known as Tommi Canner. Tommi, despite her name, was thoroughly female; a tall, slender, dark-haired second-year student with lovely luminous dark eyes and massive intensity and her not inconsiderable intelligence on John, and he was somewhat taken aback at the onslaught.

"I just know he likes me!" she said passionately.

John sighed and made an affirmative noise. He had discovered long ago that the reason why his fellows were always coming up to talk to him was not that he was interesting, or witty, or even in the case of the women, good-looking. Rather, he combined an endless good nature with what had become, of necessity, an almost endless capacity to listen. Women found him harmless and easy to talk to because he was engaged and soon to be married; men because he kept his mouth

shut. In the case of either gender, he was seldom required to actually speak: an air of attentiveness and a few encouraging noises sufficed.

"The problem, of course," Tommi said darkly, "is law review."

John sighed again. He, like all students, was familiar with the law review. Like most law students, he was nowhere near smart enough to have anything to do with it. It was an organization perpetuated for the apparent purpose of allowing the intellectual cream of the school to get together to discuss arcane legal trivia, stay up all night writing or editing boring papers, and developing incredible preprofessional jealousies. It was a mysterious organization, known and feared by all, and, as far as John was concerned, far beyond the comprehension of his mundane mind.

"You see," Tommi continued, her voice quivering with frustration, "Mark and Carolyn were having that affair." John nodded more vigorously, the affair of Mark, the object of Tommi's affections and present dis-course, and Carolyn, a law review heavyweight, was a matter of common knowledge. "A lot of people on the review say that's why he chose her paper, he's the student editor, you know. Mine was much better. But now their thing is on the rocks, but he still won't talk to me, because he thinks I'm mad about the paper. But I know he likes me, and "her voice quavered and John became flustered, fearing tears, "I don't care about the damn paper, I care about him!"

John nodded wisely and spent five minutes uttering solemn but cheering platitudes about it all working out and being patient, all the while patting her hand. His feeble efforts brought some small result, for after a time she got up smiling.

"You're right of course," she said, and John smiled, "he'll come around. Thanks. I'll see you later." She left, and John returned to his studies.

He was not there long, however, when a friendly male voice spoke from behind his back. "What's up, John?"

John swiveled in his chair and grinned at Mark Breedon, reflecting the while on life's coincidences. "Not much Mark," he said, "how's it going with you?"

Mark frowned as he sat down next to John. "Not so hot" he muttered, and put his feet up on John's books for a stay.

"So what's the problem?" John had to struggle a little for his tone of sympathy. Mark Breedon was a man easy to envy. For one thing, he was the heartthrob of almost all of the women in the law school, with Tommi not the least desirable among them. For another, he was both a spectacular athlete and a superior intellect. Finally, in

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spite of these burdens, he was a nice guy. In short, it was hard to feel sorry for Mark Breedon.

"Well. . ." that person began, "it's about Carolyn. . . and Tommi." John suppressed a quick smile and gave his usual response, a sage nod. "Carolyn and I broke up, you know," Mark continued, and John nodded even more sagaciously; Mark and Carolyn's somewhat fiery breakup was as much public knowledge as their affair had been. "Part of the reason for the breakup is that I'm interested in Tommi, and Carolyn knows it." John feeling that the time for verbal support has arrived, grunted. "But I chose Carolyn's paper over Tommi's - it's a better paper - so now I'm afraid to try and get anything started because I think she's unhappy with me."

John, feeling particularly brave, risked a suggestion. "Why don't you talk to Tommi about all this?"

"No," Mark frowned, "I don't think that's a good idea." He got up, still talking pensively. "I guess I'll have to think of something. See you around."

John got in almost an hour's uninterrupted study before an unfamiliar voice spoke behind him. "Ah, John. . .?" He looked up.

Clifford Davis was the editor of the law review. As such, he had a reputation for being unable to speak simple English, having no capacity for humor, and an absolute inability to descend to a human level. John knew him only slightly, but in their few brief encounters had developed the suspicion that Davis was actually a pleasant, if shy and quiet, modest and intelligent fellow.

"What's up, Cliff?" John swallowed the urge to call him Mr. Davis.

"Ah. . . I was wondering if you would give us a hand."

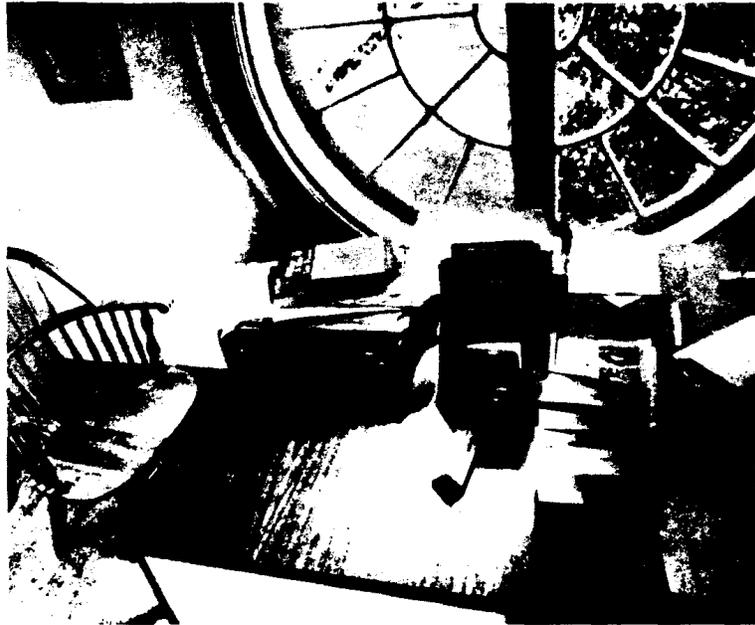
John was utterly flabbergasted. "Us" could only mean law review, and the very thought that law review wanted help from someone of his calibre, or lack thereof, was enough to leave him speechless. He tried to control his shock, but, not trusting his voice, raised an interrogative eyebrow.

"Ah. . . you, ah. . . know something about detective work, don't you?" To John's relief, Davis himself looked somewhat ill at ease. Although loathe to admit that he knew anything in front of this pillar of knowledge, John screwed up the courage to nod his head.

"Ah. . . well." Davis paused, and then plunged into his trouble. "Somebody has lifted the proofs of Carolyn's article out of the office, and I wondered if you'd help us track them down."

John smiled. His smile was a pleasure to behold. He rose massively to his feet, secure in his worth. "Cliff, he

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intoned jovially, “I shall be delighted to lend you what small assistance I am able.” The two walked out of the lounge together, and John could not help but inquire, solictiousness dripping from his words, “Tell me Cliff, the miscreant didn’t take the footnotes too?”

And to John’s immense surprise, Clifford Davis laughed.

At the door of the law review office, John’s new-found confidence diminished, and he hesitated. There were several reasons for his insecurity. He had seldom passed those hallowed portals, and knew himself not worthy. Furthermore, and more to the point, some female within was screeching like a banshee. But Davis pushed blithely ahead, calm in his omnipotence, and John knew he must follow. Trembling with trepidation, he crossed that sacred threshold.

The screecher was Carolyn Wilcox, who was standing next to her large briefcase near a long table directly in the center of the room. She was a very small, slight girl, with dark curly hair and delicate, pretty features, but she had a hell of a voice. The screecher was the aforementioned Tommi. The only other person in the room was Mark, whom John caught a glimpse of around a corner as he entered.

The room was one as befits an enterprise of such moment. It was a long, narrow room that sat on the top floor of the south wing of the building, and sunlight flooded through the arched windows that covered three of the room’s four walls. The room was not as messy as the haunt of intellectuals should be; there were neatly ordered library shelves with several desks in the bays, the one long table with a few papers stacked neatly on it, a few dusty books piled on a large briefcase in one windowsill, and several bare desks around the perimeter of the room. It was a large, quiet, friendly, sunny place, and John was a little surprised; it was not what he had expected.

Carolyn did not cease her screech, but merely focused it on John Clifford as they came in.

“One of the two of them stole my paper” she went on, and John noted that the reason for her volume was that she was close to tears, “and it’s not fair. Just because we broke up and she thinks her paper is better.”

John knew Carolyn pretty well, and had always found her quiet and friendly, as well as a pleasure to look at. After a moment’s reflection, he decided that with her the direct approach was best.

“Carolyn,” he commanded, “shut up!”

Somewhat to his surprise, she did.

“Now,” John continued briskly, “let’s get on with it. When were the proofs taken?”

“Sometime in the last hour.” Mark spoke, unseen, from his corner.

“Okay. Who has been here in the last hour?”

“I can answer that.” Davis, on his own territory, had lost his hesitant speech. “I had been sitting at my desk,” he waved a hand in the general direction of the editor’s office, a little alcove outside and to the right of the main room, which, to John’s knowledge, no one ever entered except Davis and the select few he invited to an audience there, “where I can see the door. Mark came in about an hour ago and hasn’t left. Tommi has been in and out several times. Carolyn has been in and out once.”

Tommi spoke only in a whisper, but a whisper so intense it vibrated through the empty room, as she answered the accusing eyes turned towards her. “I did not! I wouldn’t steal her stupid paper, no matter how bad it is!”

Carolyn hissed and stepped towards her, but John slid in between them and put his arm around Tommi. “Wait a moment,” he said gently. “Cliff, how large are the proofs?”

And since in detective stories the hero must always prevail, the proofs, of course, lay nestled there for all to see.

Davis considered for a moment. "Very thick, about a foot, and the length of a legal sheet."

"Did you see Tommi carrying anything when she left that was anywhere near that size?"

"She was carrying nothing," Davis spoke with quiet finality.

John looked down at the girl on his arm, noted her attractive, well-tailored clothes, and permitted himself a small smile. "Could she have secreted them on her person?"

Clifford Davis surprised everyone with a small, embarrassed laugh. "I can absolutely vouch for the fact that the line of Ms. Canner's figure was unsullied. I took the trouble to notice." He had the grace to blush. "I might also add that the time Carolyn left she was carrying nothing."

"Ahhh. . ." John was pleased. He winked at Tommi. "So there we have it. Mark came and never left. Tommi and Carolyn came and left with nothing. No one else came. The proofs are gone. As a hero of mine once said, "When you have eliminated all the possibilities. . ."

"Ah, yes," Davis interrupted, and flabbergasted John for the second time within the hour. Sherlock Holmes. I read Doyle avidly. . . whatever remains, however improbable, must be the truth.

"Precisely," John said, in a small huff; the wind had been taken from his sails.

"But it's no good here, I'm afraid. We searched the room thoroughly before I fetched you."

"Impissible," John said, "there is no other solution. It must - no, wait! Do the windows open?"

"No!" Carolyn snapped, "I thought of that."

"Did you look everywhere?" John's eyes strayed about the room.

"Everywhere" Davis said decisively.

"Everywhere?" John asked almost plantively. Then his eyes lit on the windowsill. "How about the briefcase?" Mark walked over to the briefcase on the sill.

"Nonsense," Davis piped, a little flustered. "That was a Christmas present from first year. I never used it. Those are my first year books on top of it: it's been there that long."

John smiled confidently. "Open it."

Mark carefully slid the briefcase out from under the books and walked over to the table with it. He put it down, and, with a fine sense of the dramatic, paused for a moment. Then he flipped the latches and opened the case.

And since in detective stories the hero must always prevail, the proofs, of course, lay nestled there for all to see.

After the women had been ushered out and Mark had been set to task proofing the proof, Clifford Davis invited John into his office and waved him into the easy chair beyond the desk. John sat gingerly, expecting much the same spell as the Seige Perilous, but the chair was only moderately warm and quite comfortable.

Davis smiled at him. "Thank you," he said simply.

John shrugged. "A pleasure. It was pretty simple really. The person who put them there really didn't mean a permanent theft, I don't think."

"Yes," Davis sighed. "And that leads us to the question. I really do need to know who did it, you know. All three are integral to the review, and I can't afford to have someone of their importance doing that kind of thing."

John nodded. "I'll see what I can do. Tell me, can you see from where you sit whether the door to the office is closed."

"No."

John frowned. "Give me an hour or two. It shouldn't take any longer than that." He winked at Davis. "All for the rag, or whatever."

And that notable laughed. "Absolutely. If you bring the culprit to bay, I'll put you on the masthead. Personnel editor, or some such."

John walked out of the little alcove and into the office. He wandered for a while, looking at the books, until he finally found his way back to Mark's desk. Without saying anything, he pulled up a chair and sat down to watch the man work.

Marks concentration broke before John's silence. "What can I do for you?" "It was such a juvenile thing to do," he spoke almost peevishly, "a terrible breach of responsibility and so pointless. Why did you do it?"

Mark looked down at the floor, and idly kicked at a ball of paper.

"How did you know?"

"Elimination, really. But two things made it obvious. First, opportunity: neither of the women would have done it without first checking to see that the room was empty, but all you had to do was wait until they both left and then get up and lock the door. Second, the briefcase: When I was looking around, you couldn't see my eyes, but when I suggested 'briefcase', instead of going for Carolyn's you went straight at it. You knew the proofs were there."

Mark nodded. "I figured if Carolyn's proof was missing for a while, I could get to know Tommi - her's would be the next paper up - on a professional level

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Neither of the women would have done it without first checking to see that the room was empty.

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and take it from there. Then I would have 'found' Carolyn's paper - it's already ready for press - and the review would have been okay. I wouldn't have hurt the review."

John was silent for a long while, staring up at the ceiling. Mark looked at him for a time, and finally gave in. "What are you going to do?"

"Tell me," John looked at him and chuckled, have you ever seen "Fiddler on the Roof?"

"Yes, dammit!" Mark was mystified and exasperated.

"Well, I always liked the part of the matchmaker. Some gentlemanly blackmail is in order. Mark frowned. "You," John firmly commanded, "explain it all to Tommi. I will refrain from explaining it all to Cliff. Deal?"

Mark smiled, an almost-happy smile. "Do I have any choice? Deal."

John got up and returned to his studies, not even pausing as he passed the Davis alcove.

Several hours later, as John walked book-laden down the hall, headed for home, Clifford called him over. The two stood in the doorway of the review office, talking quietly.

"Well?" Davis said.

"Well?" John replied.

"Do you know who did it?"

"Yes."

"Well?" Davis was becoming impatient.

"I'm not going to tell you." Davis frowned mightily, and John, fearing the editor's wrath, went on quickly, "Sherlock Holmes again. 'I think we must ask amnesty in that direction'." As he spoke, John's eyes slid to the corner of the room, and Davis followed his gaze.

Mark and Tommi were sitting in the corner. He was talking quickly and earnestly to her, his features flushed and both hands holding one of her's. She was saying nothing, and not moving, but her luminous eyes

shone clear across the room, and those eyes spoke volumes.

Clifford Davis studied the oblivious pair for a judicious moment, and then turned back to John, his face assuming it's most awful aspect. "No," that man spoke, "Doyle is not appropriate here." John trembled as he continued. "Rather Shakespeare, I think. 'Men have died, and worms have eaten them, but not for love'."

"But..." John stammered.

"No buts." Davis grabbed John's elbow and piloted him firmly down the hall. "You are an honorable man Brutus, and your secret is safe. There are few things more important than the review, but that is one. I shall not ask my men to die for me." He saw the relief in John's face, and laughed. "We shall forget it all. Let's go get a beer."

"Lets." John said.