

THE SORROWS OF GATHERING

A Novel

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PROLOGUE

Becca Martin waits. Becca Martin hates waiting. Arms akimbo, she stands on the riverbank scowling at her friend Nolan. He's paralyzed, frozen midway across the tree trunk spanning the river. Sweat stings his eyes and drips from his nose. The river is low, lower than usual for this time of year, and the serrated rock bed shreds the shiny surface.

"Come on. You can do it," coaxes Becca. "Don't be such a wuss."

She regrets the taunt; knows better, that humiliation never works with Nolan. It's one of the many things she likes about him: that he can't be manipulated, not like the boys at school who are victims of their puerile machismo. The two have grown up together, more like siblings than friends, and being a year older, Becca has assumed the mantle of leader. She's navigated the tree trunk as easily as a gymnast the balance beam, but Nolan, feeling less surefooted, has let his resolve evaporate.

"Don't look down," Becca says as she approaches. "Look at me."

"I can't," protests Nolan.

"Course you can."

"No, get away. I can't."

"Why not?"

A moment passes before he answers, “Because if I look at your ugly puss, I’ll start laughing, and then I really will fall.” A puckish grin sparks his young face as he raises his head.

“Stay there for all I care,” Becca says as she pirouettes and returns to the riverbank.

A cry gurgles deep in Nolan’s throat, and with each rising decibel, his assurance grows. He catapults across the trunk and tackles the retreating Becca. They tumble over and over in paroxysms of laughter, Nolan convulsing so hard he fears he’ll pee himself. Becca can barely breathe, and her impatience surrenders to a light-headed intoxication.

When their hijinks settle, they stretch out quietly on their backs, gazing up at the cloudless sky through the treetops. The leaves are starting to brown; a few release their moorings and float to earth. The August heat is oppressive. Vapors rise from the river, and the torpid air vibrates with the buzz of cicadas.

Becca and Nolan are on expedition to Old Town Cemetery. The cemetery was originally a First Nations’ burial ground, but most of the artifacts were removed late in the last century. Those not pilfered for souvenirs now gather dust in the basement of Marshford’s Town Armory. Mr. Sagamore, the postman, who is descended from the Nipmuc tribe of the Blackstone Valley, recently gave Nolan an arrowhead for his eleventh birthday. The fact that Sagamore found the flint among the headstones has inspired today’s adventure.

Becca jumps up and kicks Nolan’s foot. “Time to get movin’.” We can’t laze ‘roun’ here all day.” Without protest Nolan rises, and the duo presses on.

The summer of 1958 has brought drought to Massachusetts. The ground cover is brittle and crackles beneath their steps, which makes it impossible to keep their presence a secret. No matter, few people venture up this way, just a couple of town caretakers who mow the cemetery once in the spring and again in the fall. The locals cultivate the rumor that the site is haunted.

When the river was dammed to create the reservoir, the original part of town was flooded. Now in the dark recesses of the lake lie granite foundations, walls and walkways – a silt-covered footprint submerged like Atlantis in the depths of the Mediterranean. The ghosts are not just those of the dead re-interred when the cemetery was moved to higher ground but also the spirits of the Nipmuc who have been deprived of their final resting place.

Nolan is in the middle of a motormouth monologue, made even more breathless by the final assault up the hill, speculating on how old the trees around the cemetery might be. “Those planted as memorials,

they're a hundred or so years old, but the ones with really mammoth trunks, they could be the very last remnants of old growth, dating back maybe centuries before the Pilgrims."

That her friend thinks about such things delights Becca. His curiosity is one of the few that matches her own.

"Did you ever notice," she asks, "when trees grow close together, the trunks are like telephone poles, their...their tops a feather duster of leaves. But when given space, they branch out to this huge cumulus cloud of a shade tree?"

"When growing close together," Nolan says, "it's thought trees secrete a chemical to inhibit their neighbors' growth. An' they're called wolf crowns."

"Which are?" asks Becca.

"The big solo shade trees."

"Really? I love that." Nolan is a font of obscure facts, the result Becca presumes of being homeschooled by a professor and scientist. "But why 'wolf crown'?"

They have by now reached the summit of the hill and are gazing down at the cemetery and the colossal oak that stands sentinel at its entrance. Nolan is about to answer when Becca's hand shoots out and covers his mouth.

"Someone's there," she whispers.

"Where?" Nolan mumbles.

"Under the tree."

Nolan traces her index finger and strains to see where she's pointing. *If someone is there*, he thinks, *he must be standing on something*. As if in disproof, the great wolf crown oak shudders from the wind, and the man's feet swing from behind a headstone into view.

Hanging! they realize with a gasp.

They hold their breath and stare at each other. When Nolan can't contain himself any longer, he wheezes, "What do we do?"

"I don't know. Go see...if...he's -"

"Dead?"

"If we can help," she says turning and charging down the hill toward the great oak."

Nolan can't believe his eyes. "Are you crazy?!"

"Are you coming?!" Becca barks over her shoulder, more as a command than a question.

Nolan blanks and then decides, as frightened as he is, he'd rather stay with Becca than stand around alone, exposed on the crest of the hill. *Someone could be lurking about*. And though he doesn't want to admit it, he is curious. He's never seen a dead man before, let alone one who's hanging. *It's like an episode of "Gunsmoke," but real. Kind of.*

When Nolan catches up to Becca, she is planted at the man's feet. He isn't wearing socks, and one of his shoes lies in the grass beside an empty whiskey bottle. Becca touches the man's foot.

"Who is it?" asks Nolan, hesitant to look up at the man's face.

"Ole man Wilkins, the caretaker. He's still warm."

"Is he...?"

"Yes."

Wilkins is hanging by a thick, coarse and twisted rope, and Becca can see that the poor man's face and neck are purple.

"Why's his foot dripping?" asks Nolan.

"I think he pissed himself," Becca answers with more curiosity than astonishment.

This declaration finally makes Nolan look up. Sure enough, there is a dark stain running up the man's pant leg from cuff to fly. Nolan then notices that there is a bulge in Wilkin's crotch.

"What the...what is -?"

"Judas Christmas!" exclaims Becca. "He's got a friggin' boner!"



PART ONE

(1983)

CHAPTER ONE

The name didn't immediately register with Rebecca, so she asked her young associate Mei-Lin to repeat it. On top of her heavy caseload, Rebecca was chairing the meeting of equity partners; their task: to evaluate senior associates at the firm who were being considered for partner.

"Nolan Gathering," repeated Mei-Lin. "He says it's urgent."

A quizzical look crossed Rebecca's face. "Uh...take his number, and tell him I'm in a meeting and will call back as soon as I can." She returned her attention to distributing the candidates' files among the partners.

“He’s in custody,” asserted Mei-Lin. The mixture of apology and insistence drew Rebecca to the door of the conference room where Mei-Lin added circumspectly, “He says he’s being charged with murder.”

“Murder? Nolan? This a joke?” Rebecca said pushing past her associate.

But it wasn’t; it was deadass serious, and in less than two hours Rebecca and Mei-Lin would be in a Town Car on their way to San Francisco International Airport.

Mei-Lin was surprised at how uneasy Rebecca had become as she listened to this Nolan Gathering; never had Mei-Lin seen such a transparent display of concern on the part of her boss. Once the conversation concluded, however, the professional Rebecca reemerged and a flood of directives spewed forth, everything from having the firm’s travel agent book the first possible flight to Boston to researching current Massachusetts Criminal Law.

Mei-Lin Cheng was a fifth-year associate and was good at her job – very good. She loved working for Rebecca, although her boss could be extremely demanding, especially of the women under her tutelage. They’d met at Berkeley Law School back in ’78 when Rebecca returned to her *alma mater* as a guest speaker. Mei-Lin was inspired by the older woman’s zeal, her clarity of vision and dogged determination. She would never forget Rebecca’s saying, “There are two kinds of female attorneys: the ladies and women. The ladies flirt and the women are professionals. It is up to you to choose which kind of attorney you want to be.” It had quickly become obvious which kind made partner.

Mei-Lin dashed off, aware that completing everything assigned to her before heading to the airport would be a challenge. Rebecca returned to the conference room to inform her partners of the situation and make her exit excuses. Despite the *pro forma* grumblings from a couple of colleagues, the managing partner Michael Bartlett assured her that the firm was, as always, fully in support.

Bartlett had recruited Rebecca directly from the Public Defender’s Office, and over the years proved himself her unwavering advocate, mentor and friend. The same could not be said about some of his old-school chums, whose feathers Rebecca seemed inevitably to ruffle, whether by assertiveness, brilliance, or simply gender. Rebecca, who possessed an unusually keen legal intellect and a tireless work ethic, eventually won the respect of the majority of her colleagues. She made partner at a young age, the first woman in the firm to do so, but her achievement had not been without sacrifice. Any attempt at forging long-term personal relationships outside the firm succumbed to the demands of her hundred-hour workweeks, frequent travel, and public prominence.

Rebecca Quinn Martin was a minor celebrity. Several of her cases had received national recognition, and she appeared occasionally as a legal commentator on Bay Area television.

Once back in her office, Rebecca created a mental checklist of what she had to do before leaving. *First thing, call Bart Neele.* Neele was a highly esteemed and well-connected Boston corporate attorney who had previously collaborated with Rebecca's firm. She would ask Neele to find a criminal defense attorney to appear at Nolan's arraignment, because she did not have standing as a lawyer in Massachusetts. *God, I hope the matter never goes to trial,* she thought, *but in the event an indictment comes down, I'll have ample time to petition the court.* Finally, Rebecca would ask Neele to use his network of contacts to find out as much about the charges against Nolan as possible. Rebecca Martin, Esq. abhorred working in the dark.

There was a knock at the door, and Bartlett poked his head in. "Everything all right?"

Rebecca smiled and answered, "Of course."

It was a lie. Nolan's call had upset her in unexpected ways. Her mind was flooded with images of Marshford: its lake, her mother and, of course, her childhood friend Nolan. She hadn't thought about him in years. Well, that wasn't entirely accurate; she had forced herself not to think about him, and eventually he faded from her consciousness, as had most of Marshford and her old life.

There'd been no need to return home. Soon after Rebecca left for college, her mother had hooked up with some truck driver she'd met at the diner where she waitressed, and the couple relocated to San Antonio, Texas. Her mother always said she wanted to see the Alamo before she died. Well, she got her wish, but when she was diagnosed with terminal esophageal carcinoma (*those cancer sticks got you in the end, mom*), her eighteen-wheeling Sir Lancelot had vamoosed his ignoble ass to Las Vegas, never to be seen nor heard from again. It was like a bad Country 'n' Western song. This return to Marshford would be Rebecca's first in nearly two decades.

Bartlett closed the door to Rebecca's office. Perhaps in the privacy it afforded he might get an honest answer from his friend, because, despite the obvious, he knew something was off with her – had been, in fact, for a while. Over the past few months, Rebecca had become withdrawn and at times preoccupied. This disengagement was uncharacteristic, and he was worried about his old friend.

"Okay, so what's the real story?" Bartlett began.

"Oh, Michael, I don't have time for this now."

"Make time," he said sitting down. Rebecca stopped fussing about her desk but still volunteered nothing. "Okay. Let me hazard a guess..."

“In all the years we’ve known each other, I’ve never heard you ‘hazard a guess’ about anything.”

“Well, how ‘bout make a supposition then?”

“You won’t let this go, will you?”

“Like a hound on a fox,” he said putting his feet up on the coffee table. “I’m assuming it’s more than this potential case. That’s evident, to me at least, from your behavior of late. So, I intend to stay until you give me an answer.”

“It might not be the one you expect, counselor. Hell, it might not be the one I expect.”

Rebecca left the safety of her desk and crossed to the window, which provided a panoramic view of San Francisco Bay. She’d had this corner office for six years, since buying into the firm – at a measly quarter mil – and becoming an equity and titular partner. Michael sat across the room in the lounge area, a sunny alcove containing a set of white leather and chrome Le Corbusier loveseat and chairs, said coffee table, an Akira Tanaka abstract painting, and a striking ikebana floral arrangement. Bartlett waited.

“I’m tired, Michael.”

This response did indeed come out of left field, and Bartlett wanted to retort, *So why the hell take on a murder case?* He had his wits sufficiently about him to say nothing and give his friend the time and space to elaborate.

“When you first met me, I had such passion, such determination, and a voice in my head proclaiming, ‘There’s nothing you can’t do. You can have it all.’ How naïve that seems to me now. Don’t get me wrong, I’m proud of the career I’ve built, but I’ve come to realize, it’s not possible to have it all, at least not at once and especially not if you want to play in the majors with the big boys.”

“You know I’ve always acknowledged it’s easier for us, the ‘big boys,’ especially for me, because my wife gave up her law career to raise the girls.”

“Maybe I need a wife,” joked Becca. “Don’t get me wrong. I have nothing but the utmost gratitude and respect for you. You’ve always been incredibly sympathetic. That was, of course, also one of the problems.”

“How’s that – I don’t follow.”

“In its way it only added to the pressure. As well as working doubly hard to prove myself to the world, I also had to prove myself to you, prove myself worthy of your belief in me.”

“Oh, Rebecca, I...I had no idea you felt that way. Why didn’t you say something? I’m sorry.”

“Don’t apologize. You did nothing but support me. It’s all my doing – contracts I made in the privacy of my own head. I’ve just been

thinking of late, I need to make some revisions – reprioritize, rebalance. I don't know – something."

"An' taking on a murder trial, is that the way?"

"No. Not at all. But it's something I will have to do. This man Nolan was my best friend growing up – my only real friend. We were inseparable. I ended it rather shabbily, truth be told, and I need to make it up to him if I can."

"Sure this isn't a ruse to get back East for a walk down memory lane?" Bartlett teased. He knew full well Rebecca was neither the nostalgic type nor one to extol the virtues of small-town New England living.

"Not likely," she retorted. "And I'm hoping the charges are all a big mistake and I won't be away that long."

"Well then, I shouldn't detain you any further," he said rising and heading for the door. When his hand was on the knob, he turned back. "Rebecca, the success of this firm is due in great part to your efforts over the past decade. Whatever you need, we're here for you. *I* am here for you. It's been a long time since I thought of you as anything but an equal, one who has and continues to teach me to be a better lawyer and a better man." Bartlett smiled fondly and opened the door to exit.

"Your wife is very lucky."

"I know. I tell her that all the time. She still makes me take out the garbage on the weekends."



CHAPTER TWO

Because of the three-hour time loss flying east, reaching Marshford before the jailhouse closed for the night would be impossible, so Rebecca had made it clear to Nolan during their brief phone conversation that she'd see him first thing in the morning before his arraignment. She tried as best she could to reassure him that she would have everything under control by then and that he should speak to no one until she arrived.

"These are serious charges, very serious, and you must be extremely vigilant not to volunteer any information. Police interrogations can sometimes be unethical or coercive, wringing a confession even out of an innocent person. You must simply respond that upon attorney's advice you are declining to answer any and all questions."

“Got it,” replied Nolan. “Name, rank, and serial number.”

Rebecca stopped short of telling him not to worry and to get a good night’s sleep. Marshford’s old police station was antiquated when she was in high school, and unless the town had poured considerable sums into the neo-Romanesque edifice, then Nolan’s cell would better suit a Benedictine. *All that’d be missing – a straw mattress and hairshirt.*

Rebecca and Mei-Lin kept small carry-on bags in their offices packed with the essentials needed when a crisis arose requiring immediate travel. On this occasion, Mei-Lin’s second carry-on was her gym duffel, emptied of workout gear and stuffed with resource books. Knowing she and Rebecca would want to work on the flight, the firm’s travel agent had miraculously secured adjacent seats for them.

Mei-Lin had been born and raised in San Francisco’s Chinatown and, except for a brief business trip to Boston, had never spent any time in the New England countryside. She was curious about Rebecca’s hometown, curious to see where her mentor had grown up, but she never found a chance during the flight to broach the topic. Except for the occasional bathroom run and all-too-frequent interruptions by a cloyingly solicitous flight attendant, Rebecca focused on familiarizing herself with the specifics of Massachusetts Criminal Law. Finally, with books stowed, trays secured, and seatbelts buckled, the descent into Logan Airport provided Mei-Lin an opening.

“So, are you excited about being back?”

“Excited? Hmm. Not a word I’d associate with Marshford.”

“Oh, why? What’s it like?”

“Like every small burg in the state,” she answered, stretching each word to emphasize the provincial nature of the place.

Rather dismissive, thought Mei-Lin, and obviously not true from what little Rebecca had revealed over the years. “But it has the college....”

“Oh, yes, and a lake.”

“Well then.”

“One of over a hundred colleges and three-thousand lakes in Massachusetts.”

Mei-Lin decided not to pursue the subject, not because Rebecca had won her point, but because Mei-Lin sensed her mentor’s underlying discomfort.

What Rebecca hadn’t volunteered about Marshford was that the damming of the river in the second half of the nineteenth century to create a reservoir was a controversial affair requiring considerable politicking. It was one of the state’s earliest and boldest exercises of eminent domain to appropriate large tracts of private land for public use.

There had been protests, and violence had erupted between the townsfolk and the state officials, but the inexorable progress of industrialization and big-money political influence had prevailed.

By 1919 Massachusetts had become the most urbanized state in the union, and creating even larger water reserves to serve the expanding population throughout the region would become a necessity. With the creation of the massive Quabbin Reservoir in the 1930s, Marshford's lake was no longer needed as a reservoir, which sparked a surge in the summer real-estate market. Speculators, in league with the politicians, purchased portions of the surrounding farmland and subdivided it for vacation homes, mostly for the *nouveau rich* urbanites who preferred fresh water to salt and didn't want to waste time trekking north into the Green Mountains or west into the Berkshires. "Time," as Ben Franklin had declared, "was money."

As for Cabot College: A small band of patriarchal evangelists, led by the Congregational minister Zebulon Ward Cabot, had founded Cabot Academy in 1836. The expressed purpose of the Academy was to provide "indigent young men of promising talents and hopeful piety a liberal education with a sole view toward the Christian ministry." Following the Civil War, the Academy outgrew its first home and was auspiciously relocated to higher ground and renamed Cabot College. Ministers continued to serve as the College's early presidents and had fought zealously to limit the amount of Old Town that was to be flooded, unsuccessfully demanding that the sanctity of those buried in the cemetery be honored. Rebecca had on several occasions remarked, "It completely eluded them, these pious preachers, that the relocation of Old Town's dead to higher ground meant the desecration of a First Nation's burial ground." Such acerbic observations had not endeared her to either the local ministry or some of her teachers but had delighted Nolan.

As part of the Commonwealth's bargain with the town, Cabot was required to admit students who had no interest in pursuing the ministry, and by the turn of the century, the college had lost all affiliation with any Christian denomination and had become a fine secular school. Though not in the very top-tier of the little ivy-league like Williams or Amherst to the west, Cabot was nonetheless considered an excellent educational institution steeped in the liberal arts tradition.

A rental car was waiting at Boston's Logan Airport, and while Mei-Lin completed the necessary paperwork with the agent, Rebecca found a phone and checked in with Bart Neele. Neele informed Rebecca that he'd retained a very capable defense attorney for the arraignment and bail hearing, which were scheduled for 11:00 a.m. the next day in Marshford's District Court.

"Who's the prosecutor?" asked Rebecca.

“The new ADA for Middlesex County Calvin Kucharsky.”

“What can you tell me about him?”

“Like Ted Williams, he bats in the high 300s.”

“Of course, he would.”

“I’ve never met him, but from what I’ve heard, he’s methodical and savvy rather than intellectually agile and brilliant. And he has a reputation for playing fair and not personalizing his cases.”

“That would be refreshing. And the charges?”

“It’s early; nothing’s certain. Apparently both first and second-degree are under consideration.” A brief silence followed.

“That it?” prodded Rebecca.

“I have to be honest,” Neele answered, “my contacts were reluctant to volunteer much about the case. The climate of our legal system has chilled considerably in the past three years under Governor King’s tough-on-crime policy and mandatory minimum sentencing. Perhaps I’m just being paranoid.”

“Doubt that.”

“Given the gravity of the charges, I’ll call in a favor and should have more information in the morning.”

Rebecca thanked Neele, provided the phone number of the Wayside Hotel at which she would be staying and told him she’d be heading to the jail first thing and that her associate Mei-Lin would mostly likely field his call.

Rebecca drove directly to the hotel from the airport. Despite massive new road construction in and around Boston’s hub, enough of the old landmarks remained that Rebecca soon found Route 3. She wended her way along the Charles River, through Cambridge and then headed northwest toward Lowell. She pointed out to Mei-Lin that, should matters progress to trial, it would in all likelihood be held in the Lowell Superior Court.

As they pressed on farther northwest, Mei-Lin was surprised at how quickly the area became rural and just how beautiful the landscape was. She found the old farmhouses, the barns and stables, the meadows and the orchards of the area picturesque. “It really does look like a Currier and Ives print,” she remarked. “It’s like going back in time.”

“My sentiments, exactly.”

Mei-Lin smiled and looked out her window. As they turned down a narrow back road, she asked, “Just what sort of hotel can we expect to find in such a...rustic setting?”

“Oh, I’m sure the place has installed indoor toilets by now, though I wouldn’t count on running hot water.”

