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*With a
New
Introduction
by the
Author*



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INTRODUCTION

As a young teenager, I devoured hard-boiled private eye books along with titles by Christie, Tey, Rinehart, Taylor, and Wentworth. I especially remember summer holidays in Long Beach, California. We stayed in a small hotel down by the amusement park and the pier. I walked a few blocks into town to a small second-hand bookstore and bought books by Erle Stanley Gardner, John Creasey, Donald Hamilton, and Jack Iams.

The books were fast-paced, spare, quick.

Death by Surprise is as near that genre as I have ever come. K.C. Carlisle, the protagonist, is a young woman lawyer who has good reason never to quite trust anyone.

When the book was written, young women were just beginning to establish themselves as a force among lawyers. Then law firms occasionally had a woman lawyer. Now women lawyers often comprise a third of big firms and are equally successful in small firms and as prosecutors and defense attorneys.

K.C. is today's independent woman and a perfect match for hidden evil in a twisty tale of greed, manipulation, ambiguity, and a client in deadly peril.

Carolyn Hart

ONE

I glanced down at the legend, K.C. CARLISLE, Attorney-at-Law, in small neat gold lettering near the bottom of the storefront window. I didn't stop and look at it. That wouldn't be cool, would it? My generation is, above all things, cool. But it gave me a thrill. Not that lawyering Carlises are any kind of oddity, or treat, to La Luz, but it meant a lot to me. I had been among the first wave of women to wash through the nation's law schools. I was K.C. Carlisle, attorney-at-law, and proud of it, still glorying in it after five years of practice, five years of facing down the lady lawyer stereotype. Perhaps that was part of the reason for the kind of law I practiced. But only part. I took almost anything that walked through the door, domestic relations (God, are divorces depressing!), small-time criminal work, wills, mortgages, bankruptcy (and had they been on the increase!), titles, workman's comp., even one malpractice suit. That was the case that proved to me that expert witnesses have a lot in common with call girls. (They strive to please.) I learned a little more every day and by the first anniversary of passing the bar exam, I had gained a lot of confidence in myself and a great respect for our system of law. Inequities happen. Uneven justice occurs. But the law, cumbersome, tedious, and slow, moves forward in its ponderous fashion and more than likely, whatever your complaint, there is a remedy.

I liked looking for remedies. I was on the look out for and took the lead whenever possible in cases fighting incompetence, corruption, exploitation, or prejudice.

I represented Elida Mason Eliot when the school board tried to fire her because she was a lesbian despite her excellent reputation as a teacher. I won.

I represented Ted MacGuire, who was coughing his life away, in a suit against Consolidated Coal, accusing the corporation of moral and legal responsibility for black lung. I lost.

I filed a class action suit against the U.S. Army on behalf of James Morrison and all the other soldiers who watched atomic nimbuses over the New Mexican desert and are now suffering from assorted cancers. No jurisdiction.

I filed another class action for the descendants of the Susquehanna tribe which was summarily and arbitrarily removed from tribal lands, contrary to treaty, relocated in a desert and generally ripped off in the 1880s. That's on appeal to the United States Supreme Court.

I made some enemies. A few old friends of the family studiously looked the other way when we passed on Main Street, but I had a hunch old K.C., for Kenneth Calvin, the first Carlisle to lawyer in La Luz, might have liked my spirit. Kenneth had ridden into town in 1866, a tattered ex-Reb, looking for a new start in the faraway state of California. He hung up a shingle on the second floor of a rickety wooden house at the corner of Main and Mission, and proceeded to represent anybody who asked him. If he had, in the long run, opted more for the railroad and mining interests, you could only say he knew a dollar when he saw one. He had, as a matter of fact, done so well that his offspring still floated at the top of La Luz society, thanks to his acumen.

I unlocked the door and wondered what old K.C. would think if he could see my office. It was as simple as his first had been.

Two straight chairs and my secretary's desk crowded the entry room. I flicked on the overhead light and followed the narrow short hallway to my office door. In a tiny room to the left was my law library. The equally small bathroom was on the right.

I opened my office door, turned on the light, and sighed when I saw my overflowing 'in' box. I looked at the top of the stack. Good. Pat had finished the brief I would file Monday in the Patterson lawsuit, asking damages and a prohibition of further slander of Mabel Patterson's credit by the Central Credit Bureau which had dropped her rating from good to poor because of her divorce. Pat was a marvel and I would

be sorry when he finished night law school. He was an excellent typist, an efficient office manager, and quite a bit brighter than I'd assumed an aging halfback could be. He was still a local hero in La Luz, the aficionados remembering the fall Friday seven years past when Pat had run a kick-off back eighty-six yards for a touchdown against archrival Cordova. I had already invited Pat to practice with me and he had smiled wistfully, or as wistfully as anybody his size could, and shaken his head. He had hopes of landing a clerkship with a federal district judge and thereby making a play, after a year, for one of the blue-chip firms. I couldn't fault him for that. There are all kinds of law to practice and each is necessary for the whole to function. I don't have any prejudice against my brethren in the corporate warrens or in the big business firms. I think of us all as worker ants, each carrying his little particle, the end result being the survival of society.

If that seems a little grand, think about it. In *King Richard III*, the conspirators plan first to be rid of all the lawyers. Why? Because they knew their chicanery couldn't survive the law. It's the lawyers who hold us together, keep us apart, and maintain civility. If you don't believe it, imagine for a moment what it would be like without them. It would be back to rule by force and God love you if you're weak, poor, or have something a bigger guy wants.

So I didn't mark Pat as a loss because he wanted to be a corporate lawyer and affluent to boot. I just hoped I could find another secretary as capable as he. And maybe as big. His bulk discouraged the hoods and winos who clustered at the Red Dog Tavern down the street. I had been broken into twice before I hired Pat.

It was a tough part of town, although only two blocks from the glass-encased modern business district, but I didn't want to move. Slowly, gradually, I was becoming known to working class people. They knew where they were on my street. My office, plain and unpretentious, was as much a statement of my practice as the Persian rugs and inlaid flooring were a statement of my cousin Kenneth's.

I was happy as a clam with my surroundings, but I wasn't stupid. I had taken time, when I came in, to shove home the bolt on the front

door. It was almost nine o'clock and my street was about as safe as a path in Sherwood Forest after dark. Normally, I avoided coming to the office at night but I needed to check my 'in' box. I had spent the day in court in the little town of Rosemont, a five-hour drive to the north. But I wasn't going to stay long. A quick check of the mail and I would head home to my apartment, a languid swim, a late light dinner and an even more languid nightcap.

Then I saw the unopened letter, propped against my telephone. Pat had appended a handwritten note with a paper clip: 'K.C., I didn't open this. Thought it might be personal. Several matters are ready for sig., see in box. Also, your mother called, wanted call returned, also some dame (youngish sounding) called four times, wouldn't leave name. See you Mon. Pat.'

My mother had called? How odd. How decidedly odd.

I pulled off the note, saw the letter's face, and was automatically irritated. Yes, it would be personal and I knew who wrote it. That infuriating prig, my dear cousin Kenneth. Kenneth Calvin Carlisle the Vth, for God's sake. Which made him think he could be the only K.C. Carlisle in town. That was why he addressed the letter to Miss Katharine Cecilia Carlisle. Only Kenneth wrote to me as Katharine Cecilia. Kenneth and the IRS. But to everyone else, I was K.C. (the accent on the K, as in Kay-cee) Carlisle. It was my name and I had as much right to it as anyone else. And, if you wanted to split legalities, it was my father who was Kenneth Calvin Carlisle IV, not Kenneth's. Kenneth's father was Robert, a younger brother of my Dad's. So I thought it quite unjustified when Kenneth almost came unglued, in a gentlemanly fashion, after I passed the bar and opened up a law office as K.C. Carlisle.

Who else should I open it up as? I had demanded irritably. Besides, his clients shouldn't have any trouble telling us apart since his offices were on posh Durango Street and he dangled a Roman numeral after his name. It didn't pacify Kenneth.

So I asked why didn't he practice as Kenneth C. Carlisle V. After all, he went by the name Kenneth. I was the one known as K.C.

It would destroy the tradition, he replied querulously.

That, I said silkily, was just too bad. Besides, I would have bet my last *Reporter* that the original K.C. would have felt a lot more comfortable in my office with my clients than he would in the sumptuous decorous suite of offices where Kenneth and his partners cosseted their very rich clients.

The quarrel over our name was just another in a long series of disagreements. Name a topic. Put Kenneth on one side and me on the other.

I ripped open the letter.

Dear Katharine:

The beneficiaries of the Cochran-Carlisle Trust will meet at 4 p.m. Monday in my office to vote upon dissolution of the trust as suggested by Priscilla Carlisle. The trustee, La Luz National Bank, has agreed to authorize dissolution upon a majority vote of approval by the beneficiaries. You will recall that the trust became eligible for dissolution upon the date when all beneficiaries had reached the age of 25.

Very truly yours,
K.C. Carlisle V

cc: Priscilla Carlisle
Edmond Carlisle
Travis Carlisle

I sat down in the old creaky chair that had once belonged to the original K.C. Carlisle. He had succeeded as a lawyer but it was his grandson, K.C. III, who really raked it in. Mining, railroading, shipping. If it made a profit, he had some. And, like most of the very rich, he didn't cotton at all to the idea of sharing his spoils with the government when he breathed his last. So he made huge gifts to family members and, finally, salted away what was then a tidy two million in a trust with the principal subject to distribution only upon all of the grandchildren reaching the age of twenty-five.

Priscilla, Kenneth's younger sister, turned twenty-five a week ago.

Now, according to this letter from Kenneth, Priscilla wanted the trust opened.

That I didn't believe.

Not that Priscilla didn't love money. She did and she spent it like water washes over Niagara. But Priscilla has the brains of a woolly angora. She would think a trust had something to do with the afternoon soaps. She never had an original thought in her life.

Somebody had put her up to it.

That left Kenneth, Edmond, and Travis. Edmond is my oldest brother and his conservatism is as pervasive as my liberalism. He is a grey forty and adding up his coupons must be his biggest pleasure. He and his wife belong to a local chamber music group and take bird-watching tours.

Edmond's income is high. He has a touch of old K.C. III's monymaking skill. For that reason, he would be appalled at a dissolution, for his portion of undistributed trust income would be taxed on his tax rate.

The trust had been restricted to distributing only twenty per cent of the income earned annually. There would be a ton of money to be taxed although the principal was tax-exempt, of course. But the corpus had more than quadrupled in recent years, the trustee having had the wit and, I'm sure, the luck to get heavily into the gold market. That was back when the luscious metal sold for \$41 an ounce. You know what it sells for now. It had always seemed to me to be a bit un-American but none of the other beneficiaries had any trouble with that.

I didn't actually think about the trust too often. But I remembered every quarter when a substantial check arrived. They made the difference between stop and go, my first few years in practice. This last year I had eked out a modest profit. But I could never have afforded my apartment, sauna, Jacuzzi and microwave oven, without that extra. Or my car. I knew too that there was a contradiction in a storefront lawyer driving a Porsche. Or perhaps not. The best of all worlds.

But I had never thought about dissolving the trust at the earliest

possible moment and getting my hands on that kind of money. And my portion of the undistributed income would be taxed only at the modest rate of my regular income.

I did some rough, very rough calculations. Each beneficiary would come out with about four million. Wow!

Edmond would oppose dissolution, of course. How about Travis? Travis is my second brother. He teaches East Asian art at the University of Chicago and if anyone ever suffered from compulsive collectomania, it is Travis. His apartment rivals the Oriental Institute. If the trust were dissolved, he could buy and buy and buy.

I couldn't imagine Travis working through Priscilla. I suppose they passed in the halls at Christmas but that would be the extent of their communication.

No, it wasn't Travis in the prompter's box.

It damn well had to be Kenneth. And that was a shocker.

Kenneth was as conservative as Edmond, as prudent as the Bank of America, and as cautious as a Baptist preacher at an ecumenical breakfast.

Besides, Kenneth too would lose money on the undistributed income because of his high tax-bracket.

What could prompt Kenneth to favor dissolution? Could it be his political campaign? He had won handily the Republican nomination to run for the House seat for our District, but he was in a hot and heavy contest with Greg Garrison, the Democratic nominee. So far, the polls showed them neck and neck, but, if anything, Kenneth was favored as the District had gone heavily Republican in the last two general elections.

But how could Kenneth need money? He had plenty. He had an extremely lucrative tax practice, the income from the trust, and a very wealthy wife. If he really needed money, he had only to ask Megan. Her fortune made the Carlises look like ne'er-do-wells.

Of course, with Megan's money always available, I guessed that she and Kenneth lived his income to the hilt, a summer home in Carmel, a 27-foot yacht, weekends in New York to see the plays, two Mercedes. In

short, whatever they fancied, they had. As Greg had said bitterly, in his campaign, the Carlises just wanted to go to Washington, D.C., to join the social scene, not to represent the District. Kenneth smiled at the attack and suggested that as much is accomplished at dinner parties in Washington as on the House floor and he and Megan were quite well equipped to represent his constituency either place.

So it didn't make any sense to think that Kenneth had put Priscilla up to trying to dissolve the trust. Did Priscilla have a new boy friend, one with avid intentions? I would have to find out.

Then I yawned, too tired to care what happened to the trust or Kenneth or Priscilla or any of them. I mean, what difference did it make to me?

Well, it might put quite a huge sum of money at my personal disposal. I had ambivalent feelings about money, as everyone does, perhaps. I hated equating money with worth. I knew, from the most personal of experience, that wealth doesn't reflect anything except a particular talent, that of making money. And, too often, it was a talent of some forbear, not the present possessor, who might not have the wit to earn a subsistence if thrust into the world without a penny. I liked the idea of everybody starting fresh. The inheritance taxes make a feeble attack on inherited wealth, but, believe me, the ultra rich, with the able assistance of clever tax-lawyers, stay that way, generation unto generation.

But I didn't have to think about it right this minute. I reached over, marked the time of the meeting on my calendar, then riffled quickly through the stack of papers in the 'in' box. At the bottom was a copy of the morning paper, the *La Luz Beacon*. I had left early. It was a long drive to Rosemont, so I hadn't read today's issue. I looked at the front page in irritation. There it was again, another editorial touting Greg Garrison and berating Kenneth. It was almost enough to drive me to support my cousin. The *Beacon's* attacks came as no surprise. The *Beacon* always opposed the Carlises on any front. It was owned by the Nichols family. The Nichols and the Carlises did not socially interact. It could be an awkward fact sometimes in a city the size of La Luz. You did not invite a Nichols and a Carlisle to the same party. It had always been thus, since

before I was born as far as I knew. I didn't know why. Mother and Dad always sloughed away my questions, responding vaguely that old man Nichols and Uncle Bobby had hard feelings. They were both dead now but the *Beacon* apparently didn't know it. If it hadn't been for Greg, I would have rallied to Kenneth even though I was a Kennedy Democrat.

But there was Greg. He was just a little older than I. He was handsome, tough, and the most exciting person I had ever known. Greg was District Attorney when I had my first criminal case. My client, Tommy Wallace, was accused of holding up a convenience store. The clerk identified him. Greg had a reputation as a tough prosecutor on this kind of case. Too many hoods high on drugs had killed too many clerks along the Coast in recent years. But Tommy's older sister believed he was innocent. She patiently placed ads in small town papers up and down the coast and talked the radio station into repeating free her query, "If you gave a ride on Highway 101 on the early morning hours of Aug. 14, 1978, from Laguna Beach to Santa Barbara to a young man with blond hair and a tattoo on his right arm, please come forward to prevent a miscarriage of justice." Tommy had claimed he was hitchhiking during the hours the robbery was committed. A Robert Michaelson of Santa Barbara heard the plea and responded. The jury believed him so Tommy was acquitted. After the case was over, Greg spoke to me on the way out of the courtroom. "Congratulations, Counselor. I don't run into many Perry Mason endings. How about a cup of coffee?"

That was the beginning of a hectic friendship. Greg assumed that I remembered him. We had gone to the same high school. I didn't, frankly. He had been from the wrong side of town, a poor boy who worked after school for money, not fun, and didn't have the time to play sports. So the boys with money and time were on the football team. Like Kenneth.

"Big deal," Greg said once, bitterly. "Macho football player. Hell, I could take Carlisle with one hand."

"I suppose there is a lot of hand-to-hand combat on the House floor," I responded drily.

Greg glared, his eyes hot and angry. "He's always had everything.

Well, I'll tell you one thing, K.C., his money isn't going to buy this election for him."

Damn the election. Well, at least it would soon be over.

The *Beacon* headline announced:

CAMPAIGN TO CLIMAX WITH DEBATE

The *Beacon* was sponsoring a debate between Greg and Kenneth a week from tonight in the high school auditorium. I glanced at my calendar. The debate would be on Halloween evening. I wondered if the voters would be amused. Trick or treat. But it wouldn't be a laugh-filled program to me. It promised to be a harsh confrontation. Greg would want me there, prominently on his side.

I sighed. I didn't like to be pushed. And I was tired. Too tired tonight to sit around thinking about Greg and Kenneth and the Cochran-Carlisle Trust. Tomorrow. As Scarlett, one of life's survivors, knew full well, you can handle anything . . . tomorrow.

I began to restack the papers then stopped to listen. Yes, that was the rattle of the front door knob. The door was locked, of course, locked and the dead bolt shot home.

The handle rattled again then a loud knock reverberated. I hesitated. The knock sounded again. I didn't like the flutter of fear in my chest but I also don't like the rape statistics in our fair coastal city. I reached down, opened the shallow right front-drawer and picked up the .22 pistol Greg had given me after the second break-in of the office. I tucked the gun in the waistband of my skirt, beneath my beige linen blazer, and walked out into the front office.