

Randy O'Brien



Judge Fogg

JUDGE FOGG

Randy O'Brien

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Chapter One

The handcuffs bit into his wrists. Charles tried to twist the chain so he could feel his fingers again. The words from an old Negro spiritual sprang to life in his mind.

“There shall be peace in the valley, someday.” A tiny drop of blood squeezed from the end of his thumb and stained his pants.

“Ruin these new pants and Bella will kill m-” he stopped himself. A grin played at the edges of his mouth for a second, then disappeared. “Could I have a bandage?”

The processing officer checked out the old Black man. The officer set his jaw, turned his chin away for a moment and sighed. He twisted slightly in his chair and began tugging at the drawers in his desk. “Yes, Judge Fogg. I’ll get you something.”

Charles forced a lightning, politician’s grin. “I caught my thumb on the metal trim on the car door.”

He finally caught a glimpse of the young man’s name tag. “Officer Brown.” On the officer’s desk, dentist-office music from an old clock radio droned softly in the background. He opened the middle desk drawer, pushed around the debris, closed it, and then opened the right side middle drawer. He took a tin box from the desk and pulled out a bandage. He handed it to the judge and yawned.

“You could let me go,” the judge said. He smiled and peeled the paper away from the pad.

A stern frown formed on the officer’s smooth, round face. Brown gawked at the judge and leaned against the cigarette machine.

The judge started waving his hands in front of his chest. “No, no, not like that. I mean you could take off the handcuffs.” From the radio, Bette Midler crooned “From a Distance” as if her rent check depended on it.

The officer droned, and then turned back to his electric typewriter. “It’s against policy, but you already know that.” He translated the remainder of the

chicken scratches of the handwritten report of the arresting officer and pecked the summary out on the ancient IBM.

Then Officer Brown stopped typing, sighed, and reached for the bottle of Liquid Paper.

“I hate when that happens,” Charles said.

The young man’s hand shook as he rolled the form through the platen.

“You know, I met you once before. You saved your cousin from choking while I drove the cruiser. I never forgot that. That’s why I voted for you, twice over last the eight years.” Brown said.

The judge said, “You think I owe you an explanation?”

Finally, the officer said, “yes.”

Judge Fogg smoothed the edges of the bandage across the end of his thumb. The whites of the old man’s eyes had yellowed over the years. The wrinkles around the corners traced the edges of his cheekbones and disappeared in the hollows of his cheeks. He shut his eyes and gently massaged the bridge of his nose. Three furrows in his forehead grew even deeper as he tried to remember the last time he’d been in the holding room. In what seemed just the blink of an eye, two decades flew past in Charles’ life. In his mind, “Peace in the valley, some day.”

“I know what you’re thinking. ‘This could never happen to me.’“ He had stood in the young man’s shoes twenty years before, asking other men the same question. “Son, I just don’t know how it happens.”

The processing officer shook his head, stood and took the judge by the arm. “There’s no justice in the world, Judge,” he said. “You see the other day they took Milli Vanilli’s Grammy back?”

The Judge nodded and said, “There’s no justice.”

They wound through a maze of hallways under the Criminal Justice Building and up the stairs. Charles turned up his jacket collar and nodded to the officer as he opened the door. The glare of the television camera lights blinded Charles for a second. The officer grabbed his elbow as they stumbled over the threshold.

“Why did you do it, Judge?” The voices came out of the blackness just beyond the lights. He kept his mouth closed.

“There shall peace in the valley, some day,” played in his mind.

The officer turned Charles left, then down a short hallway. The camera-

men and reporters were behind them now, but their voices echoed down the marble walls. “What did you do with the money?”

A wooden door opened. Charles felt a rush of hot air against his face. The judge tried to catch his breath and step forward, but he stumbled over an electrical cord. The booking officer, still holding him from behind by the wrist, helped Charles regain his balance and turned him toward the bench at the back of the room.

Judge Fogg stood in handcuffs before his friend and colleague, Paul Canary. Charles searched Paul’s pale, blue eyes for sympathy. The judge smoothed the papers and signed his name to the writ.

Paul glanced up from his papers and into the eyes of his friend.

“Motion denied.” He cleared his throat, then said, “Bail is set at half a million dollars.” And with that, the officer carted off Nashville’s first elected Black judge, Charles Wilson Fogg.

* * *

Charles stared at the ceiling and wondered what to do next.

He could sleep, but the images flooded his mind. The faces frozen in repose, with blood dripping from their wounds.

He would shake his head to clear the cobwebs, but when he tried to sleep, all he saw were the faces of the people he’d watched die.

* * *

1953

Grandma pricked the end of her thumb with her needle. Her eyes flickered slightly and a tiny drop of blood formed. She stuck her thumb in her mouth for a moment, then pulled the digit from her toothless mouth. “There shall be peace in the valley, some day, O, Lord, Yes,” the old woman softly sang, “peace in the valley.”

The boy would not look up from his book, would not let the old woman’s wailing distract him. He had already devoured all the Stevenson he could find in the downtown library that summer and now he chewed on Defoe.

“Don’t make out like you didn’t hear me. I said, ‘you done decided what you want to be when you grow up?’” She sucked the blood from her thumb.

The boy would not look up at the old woman as she rocked. His smooth, high forehead wrinkled, then relaxed as he sank deeper into his story. His large, brown eyes quickly swept the page as his tiny fingers slithered down the margin.

The air stirred, but the humidity remained so high that the breeze only made him more uncomfortable. Holes in the front of his T-shirt “air conditioned” him. Still, he wiped a bead of sweat from his smooth, charcoal-colored cheek. He brushed his finger under his nose as the breeze brought the sickening sweet smell of soured milk from the Carnation milk plant down the street. His shoulder jerked when he heard the music of the ice cream man’s truck as he turned over the engine and inched back away from the loading dock. Charles knew his pockets were empty, so he returned to his book and imagined as best he could how the popsicle might feel sliding down the back of his throat.

“Don’t you be thinkin’ ‘bout no ice cream today.”

“I wasn’t thinkin’ ‘bout ice cream.” His nose still buried in the book. A tiny dagger of anger rose in his gut.

He wasn’t about to let the old woman get his goat. “I was thinkin’ ‘bout a popsicle. Ain’t no cream in that.”

The old woman guffawed. She had about thirteen coarse white hairs on her head and ferocious wrinkles crisscrossed her face and neck. Her voice cracked, but sounded as soft as the pile of socks lying at her feet. She stuck her finger through two holes in one sock and said, “Boy, you is somethin’.”

“I’m gonna have me all the ice cream I want some day,” he said with determination.

“Sure you is.”

“All the money I want, too.”

“Money, too.” The old woman cackled and returned to her sewing.

Charles tried to ignore her. He swallowed hard, but he felt the dagger cutting the back of his throat. He knew she laughed at him and not with him.

“Didn’t I ask you a question?”

The boy touched the edges of the frayed cover and turned the yellowing pages. The old woman leaned over the arm of the chair. “I’m talkin’ to you.”

She smelled of vanilla extract and flour from the morning's baking. "Charles Wilson Fogg."

Without looking up, Charles said, "I wants to be a police."

The old woman cackled again. She leaned forward in her rocking chair and threw her head back. Her gums flashed in the hot, afternoon sun. Charles considered lifting the edge of her long skirt to see if she laid an egg. "You wants to be a policeman in Nashville, Tennessee? Don't you know what you are?" She pushed her long, smooth face next to his and whispered. "You're a Negro. Ain't no white man gonna let you become a policeman. White man ain't gonna let you be nothin' he can't control."

"I said I'm gonna be a police and that's what I'm gonna be," Charles said. He turned another page and gripped the cover of the book. The tips of his slim, brown fingers turned pale. A ladybug crawled across the toe of his shoe.

He gently pushed the bug from the end of his shoe and onto the hot wood floor panels of the porch. His liquid brown eyes returned to the page, but he had long since stopped following the words on the page. He stared at the number at the top of the page.

"Why in God's green earth would you want to be a policeman?"

Charles' large, brown eyes swept past bars on the old woman's windows, to the end of his Grandma's porch and out on the dusty street. On the corner to his left stood Miss Susie's, the whorehouse. He gazed across the street at Fat Gopher's Bar and Grill. Charles already knew what went on in the back room and he was only nine years old. Farther right was the rundown "Come On In" market with groceries in the front, "credit available" and "numbers" in the back. Big Foot Thompson had already asked Charles to join his organization. The red and white emblem of the milk plant peeked from around the corner of "Big Foot's."

"Grandma," Charles said. He stood and put his hands on his hips. "I'm gonna be somebody, some day. I want to help people. I wants to clean up this town."

The old woman let out yet another cackle. "Who you think you are, Eliot Ness?"

A voice from a bush alongside the porch. "I believes he can do whatever he wants to." Asa moved slowly toward the front steps. The toes of his de-

formed foot twisted into the dust. He sported his summer Mohawk hair cut. A thin sheen of sweat glowed along the outline of where his hair would eventually grow again. Asa Gamble glared at the old woman, then spit.

“Your little cousin there stands up for you pretty good.” Grandma smiled, then pulled a thin, black sock closer to her face and stuck her thumb through the hole in the toe.

“You remember, Charles, you can always count on family, no matter what.”

Charles reseated himself and pushed his nose even deeper into the words on the page. The dagger rumbled around his stomach, then magically disappeared. His chin sunk low on his chest. “No matter what,” he mimicked the old woman.

A tiny whirlwind kicked down the four-lane street. It started in the parking lot of the Piggly Wiggly, then crossed South Street to the sidewalk in front of Eddie’s Pool Hall, then crossed the street and ran up the back yard of the Murfreesboro Road Housing Projects.

“I say that little tornado predicts it’s gonna’ storm tonight.” She clucked her tongue and gurgled. “But it don’t matter what your little cousin there predicts, you ain’t never gonna’ be no police.” She smiled and picked up her stitch.

“I will,” Charles muttered between clenched teeth. His eyes flashed at the old woman. “I will.”

* * *

1963

Charles’ badge glinted in the hot August sun. He rested the palm of his hand on the butt of his gun as he walked. He walked slowly. He stood tall, eyes hard and sweeping left and right. He had changed little since childhood. His once chubby cheeks smoothed and he finally grew into his oversized ears.

Even with Charles walking slowly, Asa had a difficult time keeping up. Asa walked with a slight catch in his gait and his stubby legs made his stride shorter. “Everything changes,” Asa said.

“And nothing changes,” Charles said. They rounded a chain link fence

and stepped into the housing project.

Children played in a mud puddle and old women rocked on their front porches. "I thought she would never die."

Asa stopped and fished in his jacket pocket for a handkerchief. He switched his Bible from his right hand to his left and mopped the sweat away from his eyes first, then his shining forehead. His hairline had begun to recede prematurely. In truth, a family resemblance between the cousins would be hard to find. Where Charles' form fit the mold of a finely-tuned athlete and attracted copious female attention, Asa's structure exacted few stares or smiles from women.

Tragically, Asa's club foot took longer and longer to warm up each morning. A doctor told him he'd have to use a cane sometime in the future. "She was something, I tell ya'."

Charles tugged at the collar of his uniform. The nightstick tapped gently against the side of his leg. His brass buttons shone in the hot, afternoon sun. From an open window he heard a radio playing *He's So Fine* by the Chiffons. "Taking in the environment," they called it at the academy.

"I don't remember it ever being this hot when we lived here," Asa said. He loosened his tie and watched a little boy playing with mud pies.

"I sometimes find it hard to believe we were ever that small," Charles said. He waved to the little boy. The boy's eyes grew big, and he quickly jumped up and ran to his apartment.

The boy's reaction surprised Charles. "Guess I scared him."

Asa smiled. "A Negro police officer in this neighborhood is still an oddity."

"Oddity," Charles mocked. "When did you start using words like that?"

"About the time I stopped saying, 'I wants to go to the sto'."

The young men laughed. They playfully bumped into each other. "Up ahead on the left," Asa said.

It gladdened Charles' heart that he had his cousin to help him today. The old woman's death had hit him hard.

While her presence stopped being a dominant force in his life years ago, her words and love continued to guide him through tough days. "We didn't leave that long ago."

They stepped around two girls playing with dolls in the middle of the

sidewalk. Asa clipped his key ring from his belt and fondled the silver key.

“She didn’t leave much,” Asa said as he opened the door.

Charles said, “she never had that much.”

“Except children to raise,” Asa agreed. “She always had one or two children to raise.”

“Where are they all now?” Charles asked.

Asa followed Charles into the living room. “Seemed bigger when we were growing up,” Charles said. The stifling air forced Asa to remove his tie quickly and unbutton the top three buttons on his shirt. An ancient air conditioner sat above a dust-covered grille. Asa sat his Bible on a coffee table, clicked on the power and after several chugs, the air conditioner hummed.

“How do you stand that uniform?” Asa asked.

Charles turned quickly. His eyes squinted tight and a vein began throbbing in his neck. “This uniform stands for something. Something I believe in.”

“Cool out, man,” he said, palms up. “I just meant it was hot in here. I’m all for it. Might need a speeding ticket fixed someday.”

Charles opened the lid of an old trunk. Dust rose and filled his nostrils. He rubbed the end of his nose, but couldn’t stop the sneeze.

“God bless you,” Asa said.

“I remember,” Charles muttered. “It was her favorite saying.”

In unison they said, “I already been blessed.”

Asa took a deep breath. “Did we deserve anybody this good in our lives?”

Charles lifted an old, rotten shawl from the top drawer of the trunk. “That a question?” He dumped the shawl in the middle of the floor. “Nobody deserves as good as her.”

Asa sat in the old recliner and pushed back. The footrest wouldn’t move. He crossed his legs at the knee and tapped on the sole of his shoe. “She was wrong about one thing.”

Charles feigned surprise. “I hope you didn’t remind her.”

Asa glanced at his cousin Charles, so tall and official in his uniform. “Naw,” Asa laughed. “She was never wrong.”

Charles pulled a rotting pair of boy’s socks from the trunk. “You think she ever threw anything away?”

Asa scanned the dusty room. Water spots covered the ceiling and the wallpaper peeled from parched fiberboard. He spread the dirty curtains and scanned the back yard through dingy windows. He turned and ran his finger along the rusty sewing machine sitting against the wall. Above them, framed pictures of Dr. Martin Luther King Jr. and John F. Kennedy stared down at the men. "She really let go when we moved out. She just got too old to do housework," Asa said.

Charles reached into the bottom of the trunk and pulled out a photo album. "Look at this."

Asa stood behind Charles and looked over his shoulder. He smiled at the tiny, black faces smiling at the camera. "Is that Grandma?"

"When she was a little girl. Look at all the faces.

She told me once these traveling photographers would come through and take pictures of people, then mail the photos back. Neighbors from all around showed up to have their picture taken."

"So we're not even related to some of these people."

"Family and friends, sometimes it hard to tell the difference," Charles said as he put the album back into the trunk. He began to feel frustrated with the old pack rat.

"Why did she save so much?" he asked himself. "What was the point of saving a photo from the last century when you couldn't find the space for a new bed or a heater." He vowed he'd not let the past hold him back.

"Most of them we're not related to," Charles said.

"Crazy world," Asa said. He walked toward a chest of drawers. "Wouldn't it be something if we found a big stack of money in a drawer or box somewhere?"

Charles frowned. "You know she never had any money."

"I know, just wishing."

Asa pulled open the drawers and began rifling the old clothes and jewelry. "Did you see in the paper the other day? Willie Mays signed a new hundred-thousand-dollar contract with the Giants. Imagine what you could do with just a couple of thousand right now."

"There's no use thinking about that," Charles sighed.

"It's not going to happen."

"It could." Asa stopped his search. "You could go to law school."

“And you could open that restaurant,” Charles agreed.

“And if wishes were dishes,” Asa said. “What was the rest of that one?” Asa returned to the chest of drawers. He pulled out an antique, black purse with rhinestones and a rusty clasp.

Charles stopped his rummaging and stared at the ceiling.

“Ends with something like, ‘if turnips were horses, then all men would ride’.”

Asa chuckled. “Close enough.”

Charles bent over the trunk, then slipped to one knee.

The tears dropped from his cheeks and fell on the dry, cracking leather strap holding the lock to the trunk lid.

“I can’t stay much longer, Charles. I’ve got to get ready for work tonight.” Asa continued rummaging through the chest of drawers when he heard Charles sobbing. “Charles?

Hey, you okay?”

Charles held something in his hands, but Asa couldn’t see. Asa walked across the room. He rubbed his nose and wiped sweat from his cheek. He stood over Charles as tears filled his eyes.

“She kept it,” Charles croaked.

Charles held a tattered copy of *Robinson Crusoe*.

“She kept everything,” Asa said.