

DON'T SAY A WORD

By

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PROLOGUE

Eleven year old Marianne Singer was found kneeling over her five year old sister Shelby with a bloody hammer in her hand. Her mother told the attendants in blue jump suits that she had heard her daughter say she would kill her younger sister. She had to tell them what she heard. "They were always fighting and Marianne was always threatening to kill her."

"I didn't do it. She was like this when I found her," Marianne insisted. She started crying and bent over, sobbing.

The ambulance attendants took Shelby away in an ambulance with the sirens blaring. A Detective and a lady dressed in black slacks and jacket came and put Marianne in a plain black car and drove away.

"It won't be for long, Marianne. They don't keep little girls for a long time." Rex, her stepfather said while untangling her fingers from his clothing. "Remember, don't say a word to anyone about our secret," he whispered to her as they led her away.

CHAPTER ONE

It was the fifteenth of March the day real trouble started. It was a gray, cold day in Fremont, Indiana. Rain spattered against the dirty snow piled at the curbs, melting it and washing it into the flooded storm drains. That's the reason Mavis Zachary got off work just a little after two from her waitress job at Pink's Restaurant. There were no customers. The restaurant and the motel attached were named after Mr. Harris, the man who owned it. He had been dubbed "Pink" when he was a kid. He had light red hair, so light red that it was almost pink. The restaurant and everything inside the restaurant was pink, even Mavis's uniform. Rex, her husband, said she only worked to humiliate him.

"I'll stop working when you make enough money to take care of us," she said. Of course, it wasn't her fault that she had to work. She only took the job after he hurt his back so badly that he wasn't able to work anymore.

She went to work at four o'clock in the afternoon and worked until midnight except for every other Saturday when she had to work day shift. Today was her Saturday to work. It had been a long week. Another bad day, another bad week. No customers, no tips. She sighed and wondered if things were ever going to get better. A quick look at the clock told her there were still two hours before she could go home. She glanced at Gina Kendall, her co-worker and her best friend. Gina, a plump, aging blond in her late forties, stood with one hand on her hip, a cleaning cloth dangling from the other. They could always find cleaning to do when it wasn't busy. Pink demanded it, really. Recently, the whole place was shining.

"Would it be alright if I go home now?" Mavis asked with a sigh, hoping Gina would say it's okay.

"Do you see anybody in here? It's not likely we're going to get mobbed this late in the day!" Gina rubbed at an invisible spot on the counter top. "Pink will come out and help if it gets too busy, which I seriously doubt."

"Thank you. Well, I guess I'll see you on Monday then."

"You have a good weekend," Gina said. She turned and busied herself with merging the half empty ketchup bottles.

Mavis walked around the long pink counter and down the pink hallway towards the pink locker room. Her feet hurt and she could feel tension building up between her shoulder blades. She changed from her work shoes into her loafers and wondered whether Rex, her husband, would be in a good mood. Their home life consisted of a montage of loud late-night violent spats and police calls that drained her energy and kept her from sleeping. But, please God, not tonight. She was just too tired and discouraged to fight tonight.

The rain changed from a pelting storm to a steady, miserable drizzle that clouded the windshield as she drove along the interstate. It was a forty-five minute drive even in good weather from Fremont to Aniston, Indiana where she lived. She stopped at the local Sack N Save Market to buy groceries before going home. Peanut butter and jelly, God, it seemed those kids ate a gallon of peanut butter and jelly and a bread truck full of bread each week.

The garage door was half open as she pulled up into the driveway. Her kids had ridden their tricycles right on that very driveway and sidewalk. They had watched the tree in the front yard grow from a tiny sapling to a towering oak. It wasn't such a bad house, but it was small and for many years had needed work. Not much chance of Rex doing it now. She paid a neighborhood boy to shovel the

snow in winter and mow the lawn in the summer. She got out and walked around her old weather beaten Chevy, opened the trunk and picked up the two bags of groceries and walked into the garage.

The tiny body of her five year old daughter lay in a widening pool of blood with her lifeless face pointed upward. Marianne, her eleven year old daughter, stood looking down at her sister, a bloodied claw hammer clenched in her hand. Campbell's soup cans rolled in all directions, Swanson's TV dinners clattered to the floor, and a box of tampons fell and bounced as she dropped both bags of groceries she had been carrying. "Oh, my God! Marianne, what have you done?"

Marianne turned to face her mother and the red handled, slippery hammer clattered onto the floor into the pool of blood. "Mommy! I didn't do it!" Marianne ground her teeth together. A habit she had picked up from her stepfather.

Mavis leaned over her youngest daughter's body. "Shelby! Shelby, my God,"

"I'll wake her up," Marianne said and started for the small body. Her cheek was smeared with blood. "No!" Mavis cried. She stood up and with a hand to her oldest daughter's chest, pushed her violently away. "Get away from me," she snarled. She leaned over her youngest daughter again and felt for a pulse. "Is she dead?" Marianne asked. Mavis moved quickly to the garage phone, dialed 911, then turned and leaned down to hold her youngest daughter's hand.

A siren sounded in the distance and Mavis looked up. A man and a woman in dark blue jump suits ran in. They had gotten there in less than five minutes. They opened a square silver colored box and pulled out a small plastic ampule, which they waved back and forth under the child's nose. "Can you hear me?" one of the attendants called to the child. "Probably a concussion, or a fractured skull," the young woman said. They gently eased the small body onto a stretcher.

Mavis told the attendants in blue jump suits that she had heard her daughter say she would kill her younger sister. She had to tell them what she heard. "They were always fighting and Marianne was always threatening to kill her."

"I didn't do it. She was like this when I found her," Marianne insisted. She started crying and bent over, sobbing.

When Mavis was at work, Marianne's job was to help her father take care of Shelby. Marianne was supposed to get dinner every night for Rex, Shelby and herself. When Rex was home they all ate TV dinners or canned soup and a sandwich. Their meals consisted mostly of peanut butter and jelly sandwiches when it was just the two of them. Marianne spread the peanut butter thickly, gouging holes in the bread. Most of the time Rex went out and didn't come home until after Mavis was already home and in bed. When Rex came home real late Marianne could hear the awful sounds they made when they fought. She covered her head with a pillow to block out those terrible sounds. The next day Mavis would try and cover her bruises with pancake makeup but you could still see those black and blue marks. Those times her arms were covered with bruises, she would have to wear a sweater to work, even on hot days. "I have a chill," she explained. "Maybe I'm comin' down with the flu." She carried a tissue around with her and wiped her nose a lot to validate it.

Each evening while waiting for their mother, Marianne felt alone, responsible. Their mother made one thing clear to Marianne; if anything happened to Shelby she would be blamed. The responsibility rested with her.

Marianne's mother thought Shelby was a little angel. That's what she called her; her little angel. When their mother did arrive, she didn't always speak to Marianne but went to find Shelby, usually

asleep on the couch. "Shelby's a pretty girl, she's not like you," Mavis would often say. She tucked Shelby into bed and kissed her good night. Never once did Marianne remember her mother kissing her or tucking her into bed.

Marianne was big for her age. Her breasts were just starting to form and she was tall, already taller than her mother. Marianne's hair was black like her mother's, but Mavis hair was curly while Marianne's hair hung straight down. Of course, Mavis went to the beauty parlor for a perm once a month. Marianne tried changing her looks by changing her hair style. She parted it on one side then the other, parted it in the middle, then combed it straight back. It didn't help; she was stuck with very straight black hair. She thought if she could change her facial expressions it would help her appearance and make her mother love her more. She forced a smile and watched herself carefully---mouth closed, mouth open, teeth showing, teeth hidden. Nothing seemed to help.

Shelby was blond like Rex, only Shelby's hair was silky and lay in little ringlets around her cherub face, while Rex's was long and stringy. It was Marianne's job to see that Shelby was washed and dressed. Marianne brushed her hair and could feel her skull through her hair. It felt thin and fragile like an egg. Sometimes when she was mad, she felt like cracking it open like an egg.

Mavis was older than Rex and had never been married to anyone before him. Someone else did it to their mother before she got married, the kids said. Marianne had a different name than the rest of the family. Her name was Singer, the same as her mother's was before she married Rex. All the rest of them were Zachary's. She couldn't remember any other Daddy but Rex. Although Mavis didn't really think Marianne looked like her, their physical similarities, apart from Marianne's tallness, were undeniable. Her mother had never told her much about the man who had fathered her. Clever, was all she had usually said. Once though, when Marianne had been ill with chicken pox, and hot and itchy, she had relented.

"What was he like?"

"Skinniest man you ever saw."

"Where'd you meet him?"

"In a park. I was catchin' a suntan and these bits of newspapers started blowin' in my face. I was a pissed off at them blowin' all over me and then this man comes runnin'. He grabbed and grabbed but couldn't catch them all. So he just stood still, a helpless look on his face. It was so funny, I started laughin'."

"And then?"

"I helped and we chased all over the place after them papers. When we sat down to get our breath back, he told me he was a student. He was ever so clever. Can't remember what the devil he was studyin'. Somethin' I'd never heard of then or since."

"Why didn't you marry him?"

"Marry him? Good Lord, Marianne, I wasn't ready to get married and he wasn't the type I'd have wanted to marry by a long shot."

"What else did he look like, Mom?"

"Lord, stop the questions, child."

Mavis saw the disappointment however, and said she would write it all down for her. Put it in an envelope to open when she was dead and gone. Marianne was happy with that.

Besides Marianne and Shelby there was Josh, Rex's son. Josh baby sat them until he turned eighteen. Then he said he was no "fuckin' baby sitter," and refused to baby sit them. It was just as well. He had started attacking Marianne. Her half-brother, having witnessed the physical abuse by his father repeated the abuse on Marianne and Shelby when he was left in charge, hitting them when they wouldn't do what he wanted.

Josh didn't go to school, but hung out with his friends, smoked pot and God knows what else. Rex said if he didn't get off his ass and pay his own way he was going to kick him out.

"You and who else?" Josh screamed at him. Mavis ran between them, pushing one then the other. "Him and me, that's who!"

Josh slammed out of the house. "Leave him alone," Mavis said. Rex swore. Then he started laughing. Then he began hugging and kissing her. Mavis pushed him away and he twisted her nipple. "Ow, that hurt," she said. She crossed her arms to protect her breasts. "Let me kiss it and make it better," he said, and started unbuttoning her blouse. "Not in front of the kids, Rex. I've told you a million times." Mavis pushed him away and went and sat on the couch, flipping the remote from one channel to the next, barely waiting to see what was playing, while Rex went to the kitchen for a fresh, tall can of beer. "Not in front of the kids," he muttered, mocking her.

Mavis was never home. Maybe that was part of the reason what had happened between Rex and Marianne had gotten started when Marianne was eight. Every Saturday morning when Mavis left for work, Marianne raced to get into the warm place their mother left in their bed. This particular morning Mavis was running late. Dressed and smelling of perfume and toothpaste she came in to say good-bye. Her jet black hair framed her perfectly oval face. The pink bow in her hair made her hair look even blacker. She always wore pink lipstick and matching fingernail polish. Even her eye shadow was pink. Rex grabbed her and pulled her down on top of him while she kept telling him to stop. "Don't go to work today. Call in sick." He tried hugging and kissing her but she kept pushing him away. He was messing up her hair, her lipstick, she said.

After his wife left, he rolled over real close to Marianne. He hugged her so tightly that his hairy forearms irritated her cheeks. She tried to get up but he hugged her tight. His hands ran up and down between her legs and over her chest. Afterward he said it was a secret. "Just between you and I," he said. He went hunting and brought home some rabbits. He nailed their feet to the garage door and told Marianne she had to watch while he skinned them. He ran his hunting knife up their bellies, cut their heads off and gutted them. "That's what I'm going to do to you if you ever tell anyone our secret," he said.

Sometimes after that, he would get into bed with her while she was sound asleep. She would waken and he would be on top of her. "It was just a dream," he said, more often than she could count. She knew it wasn't a dream. She wouldn't dream anything as horrible as the stench of his liquor breath.

Then one of those Saturday mornings Marianne had wakened with Rex carrying her to his bedroom. He was in his pajama bottoms. Mavis was already gone. Marianne was half asleep and half awake. He lay back on the bed and pulled her over on top of him. "Let's play horsey," he said. He lifted her in his two hands like she was a rag doll and sat her on top of him. His penis stood straight up, erect, and hard. Very hard! Marianne giggled. "Be still," he said sharply. "I won't hurt you," he said. He bounced her up and down, up and down. "We're just playing horsey," he said. Then Shelby was in the doorway, her eyes sharp and black as her teddy bear's. "I'm tellin' Mom," she said. Rex pushed

Marianne off and jumped out of bed pulling up his pajama bottoms. “How long you been there, Shelby?” he asked, and went pounding off to the bathroom, not waiting for Shelby to answer.

Marianne went to the kitchen and poured them each a bowl of corn flakes. Shelby wolfed hers down then ran off to watch cartoons. Rex came into the kitchen, scratching his beard. Bristly black hairs showed above the V-necked Tee shirt he was wearing. His face was blotchy and swollen. He poured himself a glass of wine. He once told her that wine he drank was rare vintage wine. The stores had placed different labels on the bottles that were imported to America, he said. Marianne looked at the prices on the bottles in the supermarket and found that they were the cheapest of wines. He was not only an alcoholic, but a pathological liar as well. He downed the large glass of red wine and turned to her. “What happened in there is a secret between you and I. Don’t ever tell anyone. You know what will happen if you do.”

It was ten minutes more before the attendants in their blue jump suits turned to Mavis to tell her that her daughter was dead. Marianne would never forget the scream her mother gave before she fell to the floor. The attendants carried Mavis into her bedroom on a stretcher, made a brief phone call then gave her a shot of something that made her sleep.

Moments later, Rex’s truck pulled up into the driveway. The motor hummed for a moment, then died. It seemed only seconds until Rex walked through the door. He had told Marianne he was going to see his buddy for an hour or so. Marianne had to stay home that day to watch Shelby. Rex couldn’t find her, he said. She was hiding, and he didn’t want to run all over looking for her. Shelby was always doing things like that. Marianne thought she did them just to make her mad.

The ambulance attendants took Shelby away in an ambulance without their sirens. Detectives and a lady came and put Marianne in a plain black car and drove away.

“It won’t be for long, Marianne. They don’t keep little girls for a long time.” Rex said while untangling her fingers from his clothing. “Remember, don’t say a word to anyone about our secret,” he whispered to her as they led her away.

CHAPTER TWO

During summer vacations, Marianne had to take Shelby with her when she played. The summer when she was ten, the kids played in an abandoned farm right on the edge of town near the woods. Aniston had always been a General Motors town, until the world learned a new word, "Outsourcing." Jobs were sent to Mexico, Hungary, India and other parts of the world where labor and buildings were cheaper. The layoffs had been massive and the impact on the town devastating. People packed up their families and went to other states in search of work. Local businesses closed their doors, while apartment buildings, bars, grocery stores and even farms sat empty. Buildings sat decaying for lack of attention. Overgrown with weeds, the old Hanley farm sat gray, forlorn and forsaken. The house and barn were weather beaten, the barn just on the verge of falling down. The kids had broken all the windows in the house and there were gaping holes in the roof. It was supposed to be torn down but the kids were glad it wasn't yet. They were a little scared out there but thought it was a great place to play. They called it their "hideout."

The girls liked playing house. Sometimes they played that they were waiting for their husbands to come home from the war. Dressing and cuddling their dolls, talking to them, comforting them telling them, "Don't cry, Daddy will soon be home." They played a game of "The farmer in the dell," to let the boys choose their wives.

The game always started with a "farmer" in the center of a circle of children, all singing: The farmer in the Dell, the farmer in the Dell, Hi - Ho - the dairy - o, the farmer in the dell. The farmer wants a wife, the farmer wants a wife Hi - Ho - the dairy - o the farmer wants a wife. Who do you want for your wife, who do you want for your wife? Michael, a neighborhood boy, always seemed to choose Marianne. Michael was nearly 13 but still liked to play with the kids. Marianne always ran to join him in the center of the circle while the children continued to sing: "The wife wants a child, the wife wants a child, Hi - Ho - the dairy - o, the wife wants a child." Marianne naturally always chose Shelby and Shelby then got to choose a nurse that was always someone different. "The child wants a nurse.... The nurse wants a dog..... The dog wants a pat..... We all pat the dog." They all patted the dog vigorously on the back and the dog became the "farmer" in the next round of the game until all the boys had a wife and all the girls had a child. The boys played war and killed each other. They played Robin Hood and stole from the rich and gave to the poor. They took away little girls bracelets, necklaces and rings and gave them to other little girls.

Michael didn't believe in stealing for any reason or in war or and anyway, someone had to stay at home to care for the women and children. They all went into the woods to use the bathroom. Giggling and pushing each other, with loud screeched warnings that someone was coming, someone was peeking, they went out in the woods instead of going all the way home. One hot summery day when Marianne went out to the barn to play, no one was there but Michael. He had his bible in his hand and he was standing up behind a make shift pulpit, made from old wooden crates. "I want to be a preacher when I grow up," he said, flipping through the bible. "That means we will have to make a lot of sacrifices" he said. "Maybe we can be a husband and wife team and go to Africa or China or somewhere to be missionaries." She always had Shelby with her but Michael said that would be alright. "We can take her with us." Michael knew a lot of interesting things and when Marianne brought him a picture of Jesus, he was real pleased. "A wife can be a big help to a husband in that kind of work," he

said. In some ways Michael was very smart and in other ways he was still a child. He overheard his parents talking one evening when he came home lugging the huge family bible with him. "There's something wrong with that boy, always carrying that bible around with him like that. He should be out playing cops and robbers like the rest of the kids." They nodded their heads in agreement.

"Why don't you ever come home?" Mavis asked. "What do you do out there in the woods when you have to go to the bathroom?" Marianne told her she could hold it. "There are wild animals in there," her mother told her. "I don't want you going out there anymore." Marianne told her she never saw any wild animals out there.

They went on a picnic there once. "Show her where they are," Rex said. "You're making so much noise you've chased them all away," Mavis told them. They all caught poison ivy. "You're lucky I didn't get it there," Rex said to Mavis. "Why is she lucky?" Marianne asked, but Mavis got mad and wouldn't let him say. Marianne knew then that it was about sex. She knew about sex. One day when Shelby had made waves in the bathtub and had gotten the floor all wet. Marianne had to mop the floor and then she got into the bathtub herself. When her mother came in, she had her hand down there. "You'll wear it out," Mavis said. "The next time I catch you at it, you'll have to go stand in the dark closet."

"Shelby does it too," she cried. "How come Shelby never has to go stand in the closet?"

"Shelby is only a little girl, too little to have to stand in the dark closet."

Sometimes, to show off, the big boys would go to the woods with a big girl. Then they came back laughing and swaggering and pushing each other. One day Josh came out to the woods. "I want to take you for a walk in the woods, Marianne," Josh said. He was so polite she could tell that he wanted to please her. "What about Shelby?" she asked.

"Michael will watch her for you," he said.

Josh was very quiet on the way out to the woods. He didn't talk at all. Marianne had to walk real fast to keep up with him. When they reached a place where it was shady and quiet, he asked what all the kids did out there in the woods. "I heard you say that you play house," he said.

Marianne told him how the boys went to war and he said that was just kid stuff. She even told him about using the woods for a restroom and he laughed. "I'll show you the real way to play house," he said, and he pushed her a little. Marianne didn't know what to expect and worried that she wouldn't do good. "There's poison ivy in the woods," she said. "There's no poison ivy here," he said and pushed her again. He pulled her down to the ground and started kissing her.

"Why, Marianne. You fooled me. You're not a little girl at all, you're a woman," he said afterward.

"I love you," Marianne said, the way they did when they played house.

That upset him. He began to shake. Even his teeth chattered. A drop of sweat fell from his forehead to Marianne's face. She was afraid to wipe it away. She was afraid to make him mad. If he got mad at her he wouldn't love her anymore and she just found out that Josh loved her and she loved him. He turned his back and Marianne thought he was disappointed in her. She didn't know if she did alright, if she did what mamas did. She was ashamed too, because she had to pee. He was very polite and didn't look. Then he walked her back where she could see the rest of the kids and left.

That night Josh and Rex had a big fight and Josh slammed out of the house. He didn't come back for a week and Marianne missed him. After all, she had just found out he loved her and she loved him.

CHAPTER THREE

The Fultz's, the Whitaker's, the Dwyer's, the Facinelli's, the Scott's and all the neighbors from along Lowell Road, the handsome street they lived on, stood along the Fultz's manicured lawn speculating about what had happened. They stood around the fire truck and the ambulance, talking quietly amongst themselves. They watched while Shelby was taken away on a stretcher in a black body bag. Mrs. Fultz tried questioning the attendants, who didn't really tell her anything.

Mr. and Mrs. Fultz had been their next door neighbors as long as Marianne could remember. The Fultz's lived so close that Mavis and Helen Fultz could call to one another across the driveway when the kitchen windows were open. The houses were only a few feet apart on that side. Mrs. Fultz liked to sit by the window with her cup of coffee, staring out at the garden that Rex had put in for them before he hurt his back. The garden was small but elegant. There was a cherub in the center that spewed water out of its mouth and small gnomes and elves were placed just around the base. It had stone benches they could sit on to watch the fountain. Mavis had hung a humming bird feeder on a branch of a tree and it was fun to watch them flitting around it. Rex had even created a flagstone walkway, flanked by low trimmed hedges and shrubs.

"She's just a nosy old busybody." Rex said, and scratched his crotch. "She hangs out around that window, afraid she might miss something."

"You're so stupid. What else has she got to do? With her legs so bad and all?"

They had gotten into the habit of talking out the window when Mavis couldn't leave Shelby alone. Mrs. Fultz had problems caused by arthritis in her legs and wasn't able to walk around much or even stand up without a walker. She sat at the kitchen table and kept her feet up to talk. Some days it was so bad, Mr. Fultz had to carry her to the daybed in the living room, and she had to stay there all day.

The Facinelli's lived in a fancy house on the other side. Rex always called the Facinelli's; "Mr. and Mrs. Rich Bitches." Mr. Facinelli was an attorney and had his own practice on the twelfth floor in a building downtown. Facinelli & Messina. Pietro Facinelli and Franco Messina. Italians. Mr. Facinelli said to call him Peter. His name was Peter in English, he said, and his partners name was Frank.

The summer evenings were warm and long. Especially since Indiana had changed the time zone like the rest of the country. It didn't get dark until after nine PM. The grown-ups sat out on the Fultz's screened in front porch, and talked as they sipped coffee or iced tea, tinkling ice in their tall glasses. Rex brought his own six-pack of Budweiser and kept going back and forth to the refrigerator. Lightning bugs flickered in the yard and children squealed with laughter, rushing about trying to capture them. Marianne liked to sit and listen to the adults, but some of the kids were playing hide and seek and kept calling her. They all had popsicles that Mrs. Fultz handed out. Mrs. Fultz told Marianne to call her Aunt Helen. "What's the matter with your tongue?" Mavis asked her, but Mrs. Fultz took her side. "Leave her alone, she's just a little shy." She leaned down and hugged Marianne.

"Raising girls is such a worry," Mavis said.

"I love her like she was my own," Mrs. Fultz said. "I've always wanted a daughter."

Mrs. Fultz had a nephew, Leon, her only brother's son, who was just like her own because she had never been able to have children. He'd lost his parents and his leg just above the knee, in a car accident when he was only twelve. Leon had been thrown out of the car and bore the brunt of the impact. He slid across the pavement and under the wheels of an oncoming car. Many of his bones were broken,

including one shattered leg. His leg was so badly mangled that they had to remove it. Many of his internal organs sustained considerable damage as well. He was in extremely critical condition and his remaining relatives were told that he would die. He had gone into shock and had been deeply traumatized by the death of his parents. He made slow progress and eventually recovered. Mrs. Fultz brought him home with her as soon as he was able. No one in the family had argued about it. In fact, they were relieved that Helen had taken charge of the boy. He lived with his aunt and uncle like a monk, only going outside when he absolutely had to.

Leon's mother and father had been fairly attractive but something obviously went haywire when the two genes combined. Leon had a pushed in face and eyes that were close together, crowding his nose. He had a long scar that ran right below his right eye and curved downward to his mouth. "He looks like a prize fighter," Rex said.

"Alright, so he's not so handsome. Handsome is as handsome does," Mavis said, then added, "Beauty is in the eye of the beholder."

Marianne pretended she was looking for four leaf clovers in the lawn close to the porch, even though it was getting dark, so they wouldn't notice her and tell her to run away and play. Mr. Fultz, whose first name was Max, always had a cigar in his mouth. He puffed and chewed on one all the time. He had a peculiar habit of blinking his eyes while chewing it. Chew, blink, chew, blink, chew, blink. He was in his late fifties and had a sturdy build that hinted of a life spent on a farm. He considered himself an expert on whatever subject was being discussed. He owned a chain of exotic tea and coffee shops. He had come into family money and had invested in those stores. Rex said he spent his days driving around all over Central Indiana from one store to another picking up money. "Hard work," Rex said, meaning it really wasn't.

Marianne saw Mr. Fultz coming home sometimes with canvas bags, one in each hand, when the bank was closed. She could tell that the sacks were heavy. "Probably laundering money," Rex said.

"He wouldn't do anything illegal, Rex," Mavis said.

Rex snorted. "Well, he seems to have you eating out of the palm of his hand." He took a long drink out of his Budweiser can. "Look at the way he put the blame on me over those houses."

"Now don't get started on that again," Mavis said.

"He's gotta' be doing something else. Can't make that kinda' money sellin' coffee or tea."

Way back, when Rex was still able to work and Max had just gotten his inheritance, Rex and Max were going to form a partnership. Max's money would back it and Rex would do the work. Rex said he should've gotten the bigger share because any one could have money but to make things was special. The two of them formed a partnership called Fultz and Zachary, Ltd. They built houses, first one then the other, then they'd put them up for sale. They all thought they were going to be rich but the houses always seemed to cost more to build than Rex figured, and something always seemed to be going wrong. It wasn't Rex's fault. The building inspectors picked on him. Max was losing money and Rex wasn't even getting a decent wage. So they dissolved the partnership. Max blamed Rex as if he had stolen his money.

Leon had also lost some money from what he had gotten from his insurance settlement in the business too. He had been awfully mad when he found out that Rex had lost the money that belonged to his uncle and him. The arguments started over again sometimes, and Leon always shouted at Rex that he had robbed them.

Leon was disgusted with the conversation. He limped off the off the porch using his cane, good leg first and went to where Marianne sat on the lawn. "C'mon Marianne, I know a good place to hide." Shelby had been catching fireflies in a jar and there was a loud crash as she dropped the jar. She started to cry so the kids asked her to play hide and seek and let her be "it." She could count well when she tried but she was likely to get tired and quit. "1, 2, 3, 4, 35, 36, 88, 89, 100. Here I come, ready or not."

Leon could walk awfully fast with his artificial leg and his cane. "Where do you think we're going?" he asked.

"To the woods, out by the old farm."

He pulled her into the backyard. There was an old shed back there and he opened the door and went inside, pulling Marianne in with him. "C'mon in here, quick," he said. He had pasted a lot of posters of motorcycles, surfers and para-sailers on the walls. Pictures of all the things he would like to do if he had both legs. He had a battery operated radio, some chairs and a small table in there. There was no electricity but he had lots of candles and a kerosene lantern.

"Welcome to Leon's clubhouse," he said with a flourish.

He closed the door, lit the lamp and sat in one of the chairs. Leon was almost twenty now but he was smaller than Rex or Josh.

"Come sit down with me." He pulled her down onto his lap she pulled her dress down over her knees, nice and neat.

"Sometimes I go to the woods to play," she said, swinging her legs back and forth.

"What do you do in the woods?"

"We play house. One time Josh came out to play too." Marianne stared, wondering how she could lie down. The floor had a carpet but that shed was awfully small; it was going to be pretty cramped.

Leon sat her off his lap. "Marianne, listen to me carefully. You're just a little girl. Don't try to grow up too fast. Do you understand what I'm talking about?" He cleared his throat. "You listen to Uncle Leon, now"

She felt ashamed that she wasn't big enough for Leon.

"You're not my uncle," she said.

"Don't be mad at me. I knew you since you were in diapers."

Marianne giggled.

"I guess your mother tells you not to be in a hurry to grow up too, doesn't she?"

"I don't tell her much of anything. She's not home very much."

"Do you understand what I mean about not growing up too fast?"

"Sure."

He whistled a strange whistle. "I think you do."

Marianne liked him talking to her straight like that. It made her feel grown-up.

He laughed. "I love you Marianne. Honest to God, I don't know how old you really are. But no more playing house," he said. "No matter who asks you, or if they offer you presents, and even if they offer you money, don't take it."

"Mama says I was born old, Uncle Leon." She called him that because it made him laugh and made her feel good.

"You're just a little girl. Don't forget."

“I don’t forget anything. I let her think I’m old if she wants, but with you I’ll be a little girl.”

“You can talk to Aunt Helen about things like this, you know. She knows you’re just a little girl. Uncle Max does too.”

The game of “Hide-and-seek” was over when they came out of the shed. “Why didn’t you come when I called you?” Mavis asked coldly.

“We didn’t hear you.”

“Why do you want to play with little kids?” she asked Leon.

“Because he can’t get any girls his own age,” Rex said. He cleared his throat and spat over his right shoulder.

“Leon can get any girl he wants.” Helen said, and put her arm around Leon’s shoulders.

CHAPTER FOUR

Mavis Zachary sat quietly in the law offices of Messina and Facinelli, her hands folded in her lap. She emanated a fresh shocking grief. Helen Fultz had offered to come with her that day in spite of the pain in her legs. She walked to the car, very slowly, leaning on a walker.

"I'm so sorry about your loss," Peter Facinelli said to Mavis.

"Thank you," she said. The sympathy shook what little composure she had, and she slumped in her chair. She looked barely functional as she struggled for calm.

"Helen has offered to loan me the money for a retainer," she said.

Helen lifted her head. "It's not a loan," she said. "I want to do this for Marianne," she said. "Let me help you."

"No. I don't like to owe people. I'm paying every penny of it back," Mavis said. "Even if I have to work double shifts forever."

"I'm not people. I love Marianne like my own and I loved Shelby. Just take the money for her sake, for my sake. For once, forget your Goddamn pride."

They argued until Mavis exploded into tears.

Instantly contrite, Helen put her arm around Mavis shoulders. "I'm sorry I made you cry. After all you're going through! Please forgive me."

Mavis shoulders shook slightly. She fished for a tissue at the bottom of her bag and dried her eyes.

"Of course, I'll be completely grateful for anything you can do."

And so it was settled. Peter Facinelli sat quietly behind his desk, hands folded, while they worked out their differences. His mind had been on the attack on the little girl. A single stroke had killed her. Her skull fractured and the brain within her skull so badly damaged that it had shut down the rest of her body within a very short time. It hardly seemed possible a twelve year old could do that sort of damage with a single stroke, but still..

"You can save her. I know you can," Mavis was saying now.

"I'm not a savior." Peter had learned that the hard way. "I will do everything I can to help her but you need to know there are no guarantees. The outcome may not be what you want. There is too much evidence against Marianne."

"I can't lose her too," Mavis said as she wiped her eyes on a wadded tissue. "Not after Shelby," Mavis said. "I couldn't stand it."

Peter leaned forward and looked directly at her. "She may have done it and if she did, I can't save her."

"I just want you to get her off. She's only twelve. She's so impulsive. She does things that even she doesn't understand."

"You do understand that we might lose?"

"Yes. Of course I realize that we might lose! We can't! I couldn't stand it." She was getting upset again.

Helen Fultz put an arm around Mavis shoulder. "Everything will be all right."

Directing herself to Peter she said, "I wish this situation could work out. I'm afraid for Marianne. I'm afraid for all of them."

She gazed past his shoulder, out the window to an azure sky, splashed with luminous white clouds. “Too many things have already happened to imagine anything but more tragedy.” Reaching over, she touched Mavis’s hand. “I just hate a defeatist attitude. I have as much hope for the situation as anyone can.”

She dug in her bag for her checkbook. She stood and leaned over Peter’s desk and began to write. “Is ten thousand dollars enough to start?”

“Uh, yes. That’ll be fine.”

He placed the check in a blue zipper pouch in a desk drawer and turned back to them.

“All right.” He cleared his throat and shifted in his seat. “Mrs. Zachary I know this is a tough time for you but I will need your cooperation.”

“Of course,” she said in a low voice.

“Can you think of anyone else that might have been at your house that day? Anyone at all?”

She looked confused, as though she hadn’t given that any thought at all. She took a minute to answer. “No. No one.”

“I will need to come out to look at the house. Was anything missing from the house?”

“No. Nothing missing.”

“You do know about the recent thefts in the neighborhood?”

“Yes,” Mavis said. “But it seems absurd to think anyone would come to our house to rob it, the smallest and shabbiest house on the block.”

“Did the police hint at whether they thought this event could be linked to that series of crimes?”

“I know they are looking at other possibilities. That’s all they said.”

“Good.” Peter glanced at his notes.

“Isn’t it unusual for a girl of Marianne’s age to have the strength to hit someone so hard as to kill them?”

“Marianne is strong. She’s big for her age. They were always fighting and Marianne hit Shelby many times.”

Mavis put her head into her hands and started weeping again. This time inconsolably.

CHAPTER FIVE

The trial was long and difficult. Marianne was held in a juvenile detention facility since her arrest nearly a year ago. She was one of the nation's youngest murder defendants, and was convicted of an adult charge of second-degree murder, but the judge called the law under which she was charged "fundamentally flawed."

"While there is no guarantee Marianne will be rehabilitated at age twenty-one, it is clear that nine years is enough to accomplish this goal," Judge Ronald Fisher said. "Marianne Singer will stay locked away for at least nine years and will be released at age twenty-one whether or not she is rehabilitated," he further stated.

Marianne's case gained national attention as she became the first youth charged with second-degree murder to be prosecuted under a 1992 Indiana law that allowed adult prosecutions of children of any age in serious felony cases.

Judge Fisher said Marianne's family, and especially her parents, are permanently emotionally scarred as a result of "this horror."

Peter Facinelli argued she deserved a lesser sentence and she wept as he talked to the judge.

"Your honor, we are all diminished as a society by the fact that one so young is to be sentenced for a crime so serious," he said. "I express my sorrow to the Zachary family for all the losses they have been through..." Marianne dabbed at her tears.

The trial judge also talked of the state when delivering his sentence.

The newspapers reported only that a twelve year-old local girl was judged a danger to the community and sentenced Tuesday to nine years at The Harmon Correctional Facility, a secure detention facility for girls.

Her attorney said he was shocked by the decision and asked Judge Robert Fisher to reconsider it, especially in light of the eleven months she had already spent in juvenile detention. Mr. Facinelli also asked that the girl be released to foster care as an alternative. In deciding the case, Judge Fisher rejected Facinelli's request that she be placed in a foster home. Instead, he followed a recommendation by Madison County Human Services Department social worker, Beverly Holland, who called Marianne uncontrollable, dangerous and a threat to the citizens of Madison County. Ms. Holland said at the Harmon Correctional Facility she will be in a secure facility where she can receive counseling and education, and learn to accept authority and deal with the issues that caused this atrocity.

He said the girl could be released from custody sooner than the nine year sentence, depending on her behavior.

Facinelli said he would decide whether to file an appeal after conferring with Marianne's parents. Rex didn't attend the trial.

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