

AN ANATOMY OF ANATOMY OF A MURDER

FREDERICK BAKER, JR.

Distinguished chief justices, justices, spouses, and honored guests, including members of the Voelker family, Gracie Voelker Wood, John's son-in-law, Ernest Wood, John's grandson, Adam Tsaloff, and his lovely wife, Mary, and of the Voelker Foundation, President Richard F. VanderVeen, it is a privilege to speak about John Voelker and his best seller, "Anatomy of a Murder." It also is a privilege to be introduced by Wally Riley, a man who sat beside Joseph Welch at the Army McCarthy hearings when he said, "Sir, after all, have you no decency?" John deeply admired Joseph Welch, and, with Otto Preminger, chose him to portray Judge Weaver in the movie of Anatomy. As you probably noticed, the book contains more than one reference to the excesses of the McCarthy era, such as Parnell's admiring assessment, at page 199, of Judge Weaver's careful observation of traditional constitutional processes, "the present day zeal for which can scarcely be said to be reaching epidemic proportions."

It was my good fortune to know John, and, through him, to meet some remarkable people, including Charles Kuralt, who described John as the "closest thing to a great man he had ever known."

The startling success of Anatomy played a literally pivotal role in the trajectory of John's life. This (Grand) hotel, where John often stayed when he presided over meetings of the Prosecutors' Association, and where a room has been set aside in his honor, seems

a fitting place to talk about it.

We in Michigan are observing two fiftieth anniversaries. The first is that of the publication of *Anatomy*, which the state bar has commemorated on the cover of our annual directory issue, to celebrate the signal success of one of our most famous members.

The second is that of the completion of the Mackinac Bridge, which, until the Verrazano Narrows Bridge was completed, at five miles in length, reigned as the longest suspension bridge in the world. Like Polly, John had little love for the bridge. As Polly put it for him, at page 335 (in a slight anachronism, since the bridge was not built when the actual case of *People v Peterson* was tried in 1952), "for years the straits stood as our English Channel against invasion from the south. And now this goddam bridge, which our gleeful chamber of commerce sturdies have added to their nightly prayers..."

John loved his UP. He lived here all but a few years of his life. His grandfather came first to Houghton-Hancock during the copper boom and was a brewer and saloon keeper. He brought his family to Ishpeming by oxcart and established a saloon, where John spent a fair amount of time as a youth. Though he spent much of his free time at the Carnegie Library, a block from his Ishpeming home, he also waited tables at the saloon, in the process absorbing the rich dialects of the French-Canadians, Finns, Italians, Cornishmen, and Swedes who worked in the forests and mines. We hear the dialects he mastered most clearly in "Danny and the Boys" and his short stories, but Sulo, the sleepy Finnish jailer in *Anatomy*, provides an echo of one of John's Favorite U P dialects.

John's school teacher mother instilled in him the love for words and reading that so

profoundly shaped his life and character. He played endlessly with words, and loved nothing better than punning and compressing humor into them. After several readings, I still chuckle when, in response to Judge Weaver's inquiry whether counsel have any jury requests for him to consider, John writes: "No, your honor, I lied whitely." And Polly's rueful comment, when Mary Pilant's bartender proves uncooperative, that "I wish I had been sweeter to him when I was little," is, for my money, laugh out loud funny.

John graduated from Northern Michigan University and then the University of Michigan Law School, where he met his future wife, Grace. He graduated from law school in 1928, and then returned to Marquette for a couple of years to work as an assistant prosecutor. But he and Grace tired of trying to maintain a long distance relationship, so he followed her to Chicago, where they married in 1930. He spent the first three of their 61 years of marriage as what he called a "law looker" for a large Chicago firm, buried in the bowels of the library and miserable in the big city. You find that expression, "looking law," at several places in the book. It was in Chicago that John began writing, mostly stories about the U P, as therapy for his homesickness and unhappiness. He remarked that he started writing at the "height of the depression," referring not only to the great economic depression of the 1930s, but also to his own unhappiness in Chicago. He told documentary filmmaker Sue Marx that he believed that "the very anonymity of city life is dangerous to the human animal." He hated the city.

He loved his U P.

At last, he persuaded Grace to try life in the Upper Peninsula. Within three years, he was elected prosecutor, "the first Democrat to hold the office in Marquette County," he remarked, "since the time of the flood."

He continued to write, using the pen name Robert Traver, combining his mother's maiden name with his deceased brother's first name. When I asked him why he did not publish under his own name, he said he did not want the voters of Marquette County to think he was "spinning yarns on company time." But that is probably only a partial truth, because he used the pen name before he was elected prosecutor. I think he was just naturally a very private man and liked the camouflage of a pen name.

His first book, "Troubleshooter," was published in 1943. It was one of the series of two collections of stories that he called his "DA books," based on his experiences as a prosecutor. It also happens to be the first of his books that I encountered. My father, who wanted to be a lawyer, had read it during his final illness, and as a boy I came across it among his things and read it. Years later, when I met John, I told him that my father had read and enjoyed "Troubleshooter" and had aspired to the law, which was my grandfather's profession. John obligingly inscribed my copy of "Troubleshooter" with typical irreverence: "To Fred Baker Jr., whose granddaddy was a judge while my daddy

had a saloon with the longest bar in Ishpeming."

John served for 14 years as Marquette County Prosecutor. It was a part time office, and if he had not spent so much of his time fishing, he probably could have prospered more than he did. But he loved to be on the stream and disappeared often, sometimes for days, into the wilds, leaving little love notes to his family that Gracie has recalled fondly to me.

John's respect for law enforcement is probably the one conservative aspect of his legal outlook reflected in his opinions -- very seldom did he write to expand the rights of the criminal accused. But, like Polly Biegler, who would have settled for a jail term for Smoky Madigan, the guilty-pleading whiskey thief in Anatomy, John had a profound sense of the importance of compassion in the administration of justice.

The early stories John crafted from his DA experiences are fascinating, and almost always funny. One good example is his story about the gentle and very practical solution he devised to the persistent problem posed by a house of prostitution. He simply instructed the sheriff to post a deputy outside the ill-famed house with instructions to conspicuously write down the name of each patron as he entered, for later publication in the local newspaper. The unwonted publicity soon prompted the proprietress to move on when her customer base collapsed.

The stories in his DA books are wonderful bedtime reading, but his consistent success as a prosecutor also explains why he found himself out of a job after 14 years, after losing the 1950 election by 36 votes: "Sooner or later," he observed ruefully, "if you are any good at the job, you will have annoyed enough of your constituents and their friends and relatives that they will combine to throw you out of office. And that's what they did."

(mouse to john looking into the camera, for all the world looking like a movie star, 5)

So there was John, like his fictional character Polly Biegler, at the age of 46, with a wife and three young daughters to support. He had no job, and practically no private practice to sustain his family, having spent his spare time fishing and writing fiction.

He did some harebrained things to make money, including prospecting for uranium. It was the early 1950s and the height of the nuclear arms race. Uranium was much sought after, so John bought a Geiger counter and went prospecting. He thought his fortune was made when the Geiger counter started clicking crazily. He had already planned how he would spend his millions when his claim assay returned with the single word "thorium," a radioactive substance common throughout the U P, but worthless for building atomic bombs. He alludes to this episode in his introduction to Anatomy, and he

wrote a wonderfully funny story about it. But the fact was that, if an unlikely sequence of events had not ensued, John probably would have passed his life in genteel obscurity, practicing law and fishing in the remoteness of the U P.

It was about this time, in 1952, that he defended the case of *People v Peterson*, which, as he put it, "some say was the basis for a book I wrote called 'Anatomy of a Murder.'"

(mouse to 6, the trial photo)

(This is the only known photo of the trial, because, like Judge Weaver, Judge Bell forbade photography in the courtroom).

After being sued by Mr. Peterson (or, as you know him, Lieutenant Manion), the client he successfully defended on a murder charge, for a piece of "Anatomy's" profits, John was careful to distance the book from the actual case. Peterson's suit was unsuccessful, to John's infinite satisfaction, since, like Lt. Manion, Peterson absconded after his acquittal without paying John's fee. After Peterson sued, John always carefully maintained that "Laughing Whitefish" was his "only historical novel."

(mouse to 7, congress card)

Like Polly Biegler, John went on to run and lose a race for Congress. Polly's description, at page 11, of "the feeling of utter forlornness and emptiness that sweeps

over a man when he is finally beaten at the polls," is one that came from the heart.

Having lost two elections in a row, John was pretty downcast. His mood did not improve when, after a winter spent writing the story that John crafted from the Peterson trial, *Anatomy* was rejected by several publishers.

(mouse to 10, the rejection)

By this time, in 1957, John was hard pressed to meet his family's needs. He and I agreed that daughters are an especially expensive hobby. His three previous books, the 2 DA story collections and "Danny and the Boys," were small sellers, and his practice was not exactly thriving. He once remarked that if he could have fished all year round, he probably never would have written any books. But fishing also stole time from his practice. At that critical juncture in his life, John felt as if he was a failure, much like his humiliated alter ego, Polly Biegler, in *Anatomy*.

(mouse back to 8, literary el dorado)

But just at his darkest hour, an amazing confluence of events combined to elevate this obscure northwoods ex-DA from obscurity to world-wide fame and acclaim.

"Soapy" Williams (so called because of his connection to the Mennen toiletry family) was Michigan's Governor. It was pointed out to him that the tradition of having at least one seat on the Michigan Supreme Court filled by someone from the U P

had fallen into disuse.

Perhaps some of you have heard of Tom Downs, who practically invented election law, the seasonal work of itinerant lawyers that is now practiced across the nation. He was active in Michigan Democratic party politics and close to Governor Williams. With Gus Scholl, a labor leader also close to the Governor, he was sent to interview the two final candidates for the appointment to the U P seat, John and an Escanaba lawyer, Paul Strom. I should mention that Paul Strom's twin sons, Peter and Paul, were students of mine in law school, and now serve on the Voelker Foundation board. They hold no grudge that John, rather than their father was selected, and have together worked hard with John's dear friend Gigs Gagliardi to honor John by coordinating the Voelker Foundation's trout habitat projects.

Anyway, Tom Downs told me this story, and swears it is true: After Downs and Scholl finished the standard interview, they asked John one last question, "why do you want the job?" Tom says that John laid his finger beside his nose for a minute to consider the question, and then replied, "Because I have spent my life on fiction and fishing, and I need the money." According to Tom, John's candor so delighted Governor Williams that he chose him to fill the vacant U P seat on the Court.

(mouse to 9, "after that, etc...')

Amazingly, on the very same weekend that John received word that Governor Williams had chosen him for the Court, John also learned from St. Martins that it had accepted *Anatomy* for publication. An editor at St. Martins, Sherman Baker, who had worked with John on some of the DA books, took the enormous manuscript and whittled it down to publishable length.

(mouse to 11, the editing callout)

As a result, just after he joined the Court, "*Anatomy*" was published and began to climb the best seller list, where it stayed at number one for 29 weeks, and among the top 10 for over a year. Suddenly, John was prosperous and, as he once wryly remarked, found himself "a promising young author at the age of 52."

(mouse 12, 13, and 14)

His comment in a Free Press interview (image 14) that the career of either Voelker or Traver would have to give proved to be prescient. The book's success took him on a wild ride to national prominence and 29 weeks -- a record at the time -- as number one on the best seller list.

(mouse 15 through 21)

I believe that the freedom that the prosperity he earned from the startling success of *Anatomy* accounts for some of the whimsical aspects of the way John

campaigns for reelection, and for some of the sheer joy of writing reflected in many of the over 100 opinions he crafted in his less than three years on the Court. That output, by the way, would now be pretty close to the current Court's entire output for the same period. Though we do not have the time to study his opinions today, an example or two are worth noting.

At their best, his opinions were a stark contrast with most judicial writing. As he put it, "the average judicial opinion is among the dullest and murkiest writing in the world. ... For every Holmes or Cardozo, who at their best wrote a kind of luminous legal poetry, there are a thousand judges who appear to write with their feet, whose main discernible aim seems to be to impress and project a socratic image rather than to illuminate... ."

John's opinions were often a refreshing change from that diet of murk. One example is *People v Hildabridge*, the famous nudist colony case, in which he dissented so eloquently that one justice switched his vote to give John's dissent a majority. The police had raided the Sunshine Gardens Nudist Colony on a warrant for indecent exposure sworn out by officers who had visited the place without a warrant so that they could claim to have been offended by what they saw. Though John disclaimed any support for the cult of nudism, "whose presumed enchantments totally elude me," he nevertheless

concluded that the convictions should not stand, observing: "Private fanaticism or even bad taste is not yet grounds for police interference. If eccentricity were a crime, then all of us were felons." 353 Mich at 579.

Probably my favorite passage, though, and one that finds an echo in Polly's observation at page 244 that the experience of being in trial is "like nightmare and ecstasy all stirred up together," is this little vignette from his opinion in *Huffman v First Baptist Church*, 355 Mich 437, 446 (1959):

"We are so often compelled to repeat this elementary proposition that we are moved to observe that it is probable that few trial judges, however experienced or learned, if given more time for meditation and research, would again give precisely the same jury instructions that they actually gave. Upon further reflection their instructions would doubtless be less halting and redundant, infinitely clearer and more cogent and more on target -- much like the compelling jury arguments most lawyers make to their bedroom ceilings the night after the trial is over."

That opinion reflects John's experience as both a practitioner and as a judge, and his sympathy for the frailties and failings of both.

His notoriety as a famous author gave him great freedom to campaign as he liked. He told me that one of his favorite campaign techniques was to set up a small ring in a parking lot outside a busy store and put on a demonstration of precision flycasting. Try to imagine anyone campaigning for a seat on the high court today using such a campaign technique! Wherever he went, it drew a crowd. And I can vouch for his incredible ability to put a fly exactly where he wanted it. Even as an old man, fishing in the difficult

tamarack and alder thickets that surrounded his fabled Frenchman's Pond, he could put a roll cast fly exactly where the rise was occurring.

On one occasion, John was campaigning with Sixth Circuit Judge Damon Keith, who was then a young man running for a seat on the Wayne Circuit bench. It was 1960, and Michigan had not yet really begun to overcome the heritage of racial discrimination and segregation that would ignite 7 years later in the Detroit riots, whose 40th anniversary we have lately been mourning. It was John's third campaign in three years. He and Keith hit it off and they decided to go to lunch. One of John's supporters had given John the use of his membership at a prestigious Detroit club, so John took Judge Keith there and presented himself to the maitre de. The man was in a terrible pickle: on one hand, he had a sitting Supreme Court Justice requesting a table, but on the other hand, the club was restricted, "no negroes allowed," and this Justice had a black man with him. He asked John and Judge Keith to wait for a moment and quickly had a table placed behind a palm tree, in a remote corner of the dining room. He returned and led John and Judge Keith to the table and seated them there, screened from the view of other diners. When John realized what had happened, he said that he looked at Judge Keith, and Judge Keith looked at him, and together the two of them got up and stalked out without a word. That was the beginning of a lifelong friendship, and one of the germinal events that

percolated in John's creative subconscious to become his next book, "Hornstein's Boy," of which just a little more later.

(mouse to 24)

By the time John was reelected to the Court for a third time, in 1960, this time for an eight year term of his own, Otto Preminger had called, asking for the rights to Anatomy and promising to film the movie on location, in Marquette. John was now not merely prosperous, but, by the standards of the day -- and certainly by the standards of the U P -- suddenly freed of all financial concerns. That is what Anatomy did for John -- suddenly, in the span of about two years, he was transformed from a necessitous, if respected, small town attorney, to a figure on the world stage whose future, and that of his family, suddenly was secure.

(begin mousing 25-40, movie images)

And it seemed that suddenly, "half of Hollywood had descended upon Marquette." Jimmy Stewart, Otto Preminger, Lee Remick, Ben Gazzara, Eve Arden, George C. Scott, Arthur O'Connell (who portrayed Parnell), Joseph Welch, and, not least, Duke Ellington, who composed the score for the soundtrack in Marquette. All became fixtures on the local scene while the movie was being filmed. And they especially enjoyed inscribing the wall in the basement of Gigs Gagliardi's Roosevelt Bar when the

film wrapped.

It seems as if everyone in the Marquette area who was living then has a story about that amazing time. I will illustrate with an example, one of dozens I could cite, from just a couple weeks ago. A lovely woman named Celee Battisfore, who lives in Lansing, has for the past several years kept the books for the Voelker Foundation. We were exchanging emails about some question in connection with the Foundation's annual report, and I said "You know, Celee, if I were crazy, I would ask you if you are related to the sheriff in Anatomy of a Murder, because you share his last name, which is fairly uncommon." Her matter of fact response was that her husband is from Marquette and he had told her a story about how John Voelker had named the sheriff in Anatomy after her father-in-law...

John resigned from the Court, as I mentioned, after serving only a week of his third term. Unlike the political geniuses who counseled Governor Milliken, and who thought Wally Riley's late wife, Justice Dorothy Comstock Riley, could be appointed to fill a term to which a deceased Justice had been elected, but had not yet begun to serve when he passed away, Voelker realized that he had to both win his election and begin to serve his new term, so that Governor Williams could appoint another Democrat to replace him. Once he fulfilled that political obligation, he resigned. He wrote that he was

“pregnant with book,” and that, “while others may write my opinions, they cannot write my books.”

(mouse to 41)

The collision between his career as a Justice, as John Voelker, and his career as an author, as Robert Traver, had, as he had foreseen, resulted in a clear winner: John returned to Ishpeming and the house he had built on Deer Lake with some of the royalties from Anatomy and never really left the U P after that.

(mouse 43 to 47)

The first of the books with which John was "pregnant" when he left the Court was a novel of political intrigue, "Hornstein's Boy," in which a character based on Damon Keith played a part, as well as one based on Bill Ellman, who was the model for Hornstein's Boy. My friend Rich and I had the great honor to meet the two of them in Judge Keith's chambers, and I treasure my first edition of "Hornstein's Boy" inscribed by each of them.

John published several other books in the years that followed his resignation from the Court, including “Trout Madness,” “Jealous Mistress,” “Laughing Whitefish,” “Anatomy of a Fisherman,” “Trout Magic,” and “People v Kirk.”

"Hornstein's Boy" contains a pithy epigram that I have never forgotten: "In a

democracy those most gifted to govern are all too frequently those least gifted in the dark arts of getting to govern."

John declined most speaking invitations after he retreated to the U P to write and fish. He even refused to attend the commemoration of the bust that occupied the foyer outside the Supreme Court's old Law Building court room. When Rich and I were asked to try to persuade him to attend, he wrote back to decline politely, observing that "I doubt that these old eyes will ever see a city again." And so far as I know, they did not.

The first time I met John, he had invited Rich and me to come meet him at a place called Paulie's Rainbow Bar. I have always wondered if perhaps that was the source of the "Polly" nickname for Paul Biegler in Anatomy. It was across from the old Mather Inn, in Ishpeming, and had no sign. You had to know it was there. Paulie sold beer and shots -- no food. If anyone dared to inquire if a burger was to be had, he would reply, "what do you think this is, Burger King?" It was peopled by regulars and we waited for John's arrival humbly, acutely conscious that we were outsiders, flatlanders, trolls from below the bridge. And, what's worst, like Claude Dancer, we were from Lansing!

John ambled in and we introduced ourselves. He invited us to make ourselves comfortable, because he had a cribbage match to play. Just then a fellow came in, still dusty red with ore from his shift at the mine, and they sat down to play. John fell behind

badly and had barely rounded the corner onto fourth street when the miner pegged to within five holes of home. The last hand was dealt, and things looked bleak for the self-proclaimed U P cribbage champ, but John played gamely, as it were, and he had the first count. He pegged masterfully and flopped a 26-point hand on the table, leaving his opponent sputtering in disbelief, defeated

It has been said of John that he was so beloved in his community because he took each person as he came, and treated everyone with dignity and respect. And when Polly says, at page 93, "when in doubt, tell the truth," you are hearing John.

But he was not a simple man -- it would be a mistake to think so. He was unpretentious. But when you hear him mock literary pretension, as when he writes, at page 175, that "plot these days is anti-intellectual and verboten ... Symbolism now carries the day, and it is the one true ladder to literary heaven," do not suppose that he did not concern himself with the great and important literary themes. Though he spoke modestly of his work as "spinning yarns," he explored the human soul just as surely as Dostoyevsky. What is Anatomy if it is not a study, an anatomy lesson, as it were, of the truth seeking process, and of the elusiveness of truth itself?

John's one great and overriding theme was the importance of the law itself, and of the role it plays in society. The passage at page 63, in which Polly ruminates on

the role of the law as "the fireman that extinguishes society's brushfires, substituting orderly ritual for the rule of tooth and claw," finds its fullest expression in his later work, "Laughing Whitefish," at page 24 of the first edition, in Dean Lassiter's lecture to the graduating class of the University of Michigan. That class included Willy Poe, the lawyer who took on the mining interests on behalf of a little Indian woman. In that story, which is based on actual decisions of the Michigan Supreme Court, as he did in "Anatomy," at page 63, John wrote his response to Dickens' Mr. Bumble, who so famously called the law "a ass:"

"The very slowness of the law, its massive impersonality, its insistence upon proceeding according to settled and ancient rules -- all this tends to cool and bank the fires of passion and violence and replace them with order and reason."

And consider "the lecture," at pages 32 to 47, in which Polly tells his man the law so that Manion could tell him the things that might possibly invoke the defense of insanity. It is such a deft example of how a lawyer can walk the fine ethical line between coaching a client and counseling the client on what testimony might offer salvation that it is included in Ladd and Carlson's evidence text, which is where I first encountered "Anatomy of a Murder," while studying evidence with Ronald Carlson.

John literally created a new genre when he published Anatomy. Before then, no novel had so truly depicted the actual preparation and trial of a case. The Grishams and

Turows who have followed all owe a debt to John, who wrote a novel that was both true to life and true to himself.

So, as I was saying, after the cribbage game was won, John turned to us and said, "Boys, would you like to come out to the pond?" We were stunned and delighted. We would have been happy with five minutes of the great man's time. He spent the day with us, showing us little oddities and stopping to pick sugarplums, blueberries, and mushrooms. Then we fished at his fabled pond and cooked the little trout we caught with the mushrooms we had picked, accompanied by Old Fashioneds, a wonderful drink that sadly has fallen from vogue.

He told us about the time he was interviewed on television by Fred Friendly, along with Justice Douglas and some Lord or other from England. Fred Friendly asked each of the other esteemed judges if they cooked. After Friendly finished with Lord Whoosis, who went on at some length about some flaming French dish he adored, he turned to John and said, what about you, Justice Voelker, do you cook? To which John replied simply, on national television, "After an Old Fashioned."

It was a wonderful day, the first of many to come. As we parted at the intersection north of Sands, he waved to us and said, "Come back lads, but not too soon." From then on, if we got a postcard saying the morels are in season or the boletus edulus look like

hamburger buns strewn across the forest floor, we would drop what we were doing and go see John.

(mouse 48)

Eventually, we talked with him about starting the Foundation. John thought about it for a couple of years and finally said that, although it made him feel "a wee bit embalmed" to have a Foundation named for him, it might be all right to do a few good things using his name. He joined in the incorporating, and donated to the Foundation the right to reprint a few of his books, which he signed over and over, toward the end vowing that in his next life his name was going to be much shorter.

With the proceeds from the sale of those limited editions and donations from those who loved John we have raised and spent over \$100,000 assisting 14 Native American students to attend law school. Not all Indians have lots of money now that casino gambling has made some tribes more prosperous. The Foundation's help has sometimes made the difference, and that is a difference that John wanted to make, for reasons that will be obvious if you know the story of "Laughing Whitefish," one of the books we reprinted with his permission.

We have also awarded 8 Robert Traver Flyfishing Fiction awards, which Charles Kuralt called the most prestigious outdoor fiction prize in America.

We have assisted in establishing new trout habitats and developed the renamed Voelker Lake as a youth fishery.

We also recovered the rights to 5 of John's books, which he had signed over to an unscrupulous publisher who took advantage of his trust and his failing vision, only a month before he passed away.

(mouse 49)

Then we posthumously published John's twelfth book, "Traver on Fishing," a companion to "Hemingway on Fishing," both edited by board member Nick Lyons and assembled from stories we found in his papers and from the books we got back for his wife, Grace. Rich and I contributed a chapter to that book and I took the cover photo on the softbound edition. We are proud of it.

On what proved to be our last visit to the pond with John, he took us to a favorite spot nearby where two birch trees had grown intertwined like lovers. He told us that some people look at trees and see lumber, but for himself, he saw the beauty of the forest. A timber company had bought this stand and intended to clear cut it for pulp. "I'm not much of a lawyer anymore," he said, "but I've filed suit, and I figure if I file a motion every month, I can keep these two alive as long as I am." And he did.

It was fun to know John. And I shall never forget him. I shall also never

forget the day I heard that he had passed away. I was at the office when a friend called with the news. I called Rich and we arranged to meet and drive up to Ishpeming for the funeral. I went home first and, for some reason, I checked the mail. And there was a letter from John, mailed the day he died. Here is what it said:

Dear Fred,

Thanks for your enclosures and the sweet note from ol' Luigi's relatives. I must be feeling better as I'm working on my first real story in years, tra la. The old eyes seem to be slowly improving and I recently made that Watson, Cornell, Rock Back road run all alone. Deer, more deer, and even crows. Pretty soon fishing, morels, and the magic of spring, and I've already picked a few pussy willow buds that expand in a non-bourbon vase. Got to go get the mail and mail this to a downstate friend. Sprig is cubbing.

Best,
John

His great heart stopped on the drive home from the post office after mailing that letter and his fish car coasted to a stop in a snow bank not far from his home on Deer Lake.

Strange as it may sound, John's funeral was the most enjoyable I have ever attended, because it was just an assemblage of his friends who fell still when it was time and then took turns saying something about him. When my turn came, I said, "John did not suffer fools gladly, but he was always very kind to me."

So it is that I think we are all lucky that Anatomy liberated John to live life as he believed it should be lived, on his own terms. When asked if he was a religious man,

John replied that he was, but he practiced his religion in the woods. Once, when a priest kept asking to visit him when he was in the hospital, John finally relented and let him drop by, because he thought it might make the priest feel better.

But I think that you get the best sense of his spiritual side if you read his

"Testament of a Fisherman:"

I fish because I love to; because I love the environs where trout are found, which are invariably beautiful, and hate the environs where crowds of people are found, which are invariably ugly; because of all the television commercials, cocktail parties, and assorted social posturing I thus escape; because, in a world where most men seem to spend their lives doing things they hate, my fishing is at once an endless source of delight and an act of small rebellion; because trout do not lie or cheat and cannot be bought or bribed or impressed by power, but respond only to quietude and humility and endless patience; because I suspect that men are going this way for the last time, and I for one don't want to waste the trip; because mercifully there are no telephones on trout waters; because only in the woods can I find solitude without loneliness; because bourbon out of an old tin cup always tastes better out there; because maybe I will catch a mermaid; and, finally, not because I regard fishing as being so terribly important but because I suspect that so many of the other concerns of men are equally unimportant – and not nearly so much fun.

John was a funny, generous, wise, just, and thoughtful man. And he believed in the four classifications of judges described at page 313 of Anatomy: "Judges, like people, may be divided roughly into four classes: judges with neither head nor heart -- they are to be avoided at all costs; judges with head but no heart -- they are almost as bad; then judges with heart but no head -- risky, but better than the first two; and finally, those rare judges who possess both head and heart."

May all here, for having read the book, aspire with greater success to belong to the fourth category.