
Opening Extract from...

The Crying Tree

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PART I

CHAPTER 1

October 1, 2004

THE DEATH WARRANT ARRIVED THAT morning, packaged in a large white envelope marked *confidential* and addressed to Tab Mason, Superintendent, Oregon State Penitentiary. Mason had been warned the order might be coming. A couple of weeks earlier, the Crook County DA had let the word slip that after nineteen years on death row, condemned murderer Daniel Joseph Robbin had stopped his appeals.

Mason dropped the envelope on his desk, along with a file about as thick as his fist, then ran his hand over the top of his cleanly shaved skull. He'd been in corrections for twenty years—Illinois, Louisiana, Florida—and on execution detail a half-dozen occasions, but he'd never been in charge of the actual procedure. Those other times he'd simply walked the guy into the room, strapped him down, opened the blinds on the witness booth, then stood back and waited. He'd worked with one guy in Florida who'd done the job

fifty times. "It becomes routine," the officer told Mason, who was busy puking into a trash can after witnessing his first execution.

Now Mason slid into his chair, flicked on his desk lamp, and opened Robbin's file. There was the man's picture. A front and side shot. He had been nineteen years old when he was booked, had long scraggly hair and eyes squinted to a hostile slit. Mason turned the page and began to read. On the afternoon of May 6, 1985, Daniel Joseph Robbin beat, then shot fifteen-year-old Steven Joseph Stanley (aka "Shep") while in the process of robbing the boy's home at 111 Indian Ridge Lane. The victim was found still alive by his father, Deputy Sheriff Nathaniel Patrick Stanley, but died before medical assistance could arrive. The remaining family members—wife and mother, Irene Lucinda Stanley, and twelve-year-old Barbara Lee (aka Bliss)—were not present during the incident. The Stanleys, who were originally from Illinois, had been living in Oregon for a year and a half when the incident occurred.

The superintendent leafed through more pages—court documents, letters, photos—then leaned back in his chair and looked out his window. A squat rectangular building sat on its own toward the north end of the prison's twenty-five-acre grounds. The last time someone had been executed out there was seven-plus years ago. Mason had been working his way up through the ranks at the Florida State Prison out of Raiford, aspiring for a job like the one he had now—head of a large correctional institution, good salary, power. He blew out a long, disgusted breath. Why now? The Oregon penitentiary was way overcrowded, inmates doubled up in their cells, half of them out of their minds; fights were breaking out left and right, gangs getting tougher to handle; there were race issues, drugs—all while funding for counseling and rehab continued to get slashed. Why now, and why this?

Mason reread the warrant. The execution was scheduled for October 29, 12:01 A.M.

"Less than a goddamn month," he said, shaking his head. Then,

as if to rouse himself, he clapped his mismatched hands, one as dark as the rest of his black skin, one strangely, almost grotesquely white. There was no complaining in this job, he told himself. No moaning about what needed to be done. No stammering or stuttering or doing anything that might show the slightest bit of reluctance or hesitancy. No. Everything in his career had been leading him to this kind of challenge: his demeanor, his words, his actions would all set a tone. And he knew exactly what that tone had to be.

CHAPTER 2

September 1983

She remembered the date, September 20, and the time, 6:00 P.M. The scent of the air was spiked with apples and over by the river geese were taking to the sky. Her son, Shep, thirteen and a half years old, stood in the field near the barn playing his trumpet. And her youngest, Bliss, was on the tire swing with her best friend Jeff. And she, Irene Stanley, thirty-two years old and trim as a pin, was making her family dinner.

Nate pulled up in their brand-new pickup, tugged off his wide-brimmed Smokey Bear–style hat, waved to his kids, banged through the back door, and smacked a U.S. map on the counter next to where she was cutting vegetables.

He was a handsome man, with fighter-hard muscles, copper-colored hair, and bright green eyes. She smiled as he shucked off his jacket, dropped it and his hat on the kitchen table, and announced that a buddy of his back in the service had called that morning.

"He's a sheriff out in Oregon. Says he wants me to come be his chief deputy."

Irene glanced up from her cutting. "Since when are you looking for a job?"

Nate had been a Union County deputy for going on nine years. Not *chief* deputy, but getting there. He was smart, gregarious, a war hero. He'd be elected sheriff one day, Irene was sure.

"Since I talked with Dobin. That's his name. Dobin Stubnik. We were pretty tight in Nam."

"Sheriff Stub*neck*?"

"Stub*nik*."

"Ooohh." Irene reached for a potato, sliced it in half. It'd be stew for dinner. Beef, with carrots, potatoes, and those little onions Nate hated but the kids loved.

"He's a good guy," her husband said. "Smart, quick, going somewhere." He pushed aside Irene's cutting board, then opened and flattened out his map—crisp and new, blue and red lines crossing the lower forty-eight. Nate traced his way from the middle of the heavyweight paper to its very left side, stopping on the word *Oregon*. "It's desert country out that way," he said. "Wide and open. Hell, parts of it are still considered frontier."

Irene looked at where Nate's finger stopped and imagined a scene from some John Wayne movie: cowboys, Indians, saloons with buxom barmaids. The farthest west she'd ever been from their home in Illinois was St. Louis, and that felt good enough.

"There's everything there, sweetie. Mountains, lakes, the ocean—you name it."

Irene set down her knife. She'd grown up in the house where she now stood. Her mom had cooked in this kitchen; so had her grandma. The place was built by her great-granddad, and it sat on a fine and fertile piece of ground with the Mississippi curving around it like a hand. And Nate? He grew up not three miles away. For fifty-five years his family had run Carlton's only butcher shop. Irene

and Nate's two children, Shep and Bliss, went to the same school she and Nate had gone to. Had some of the same teachers, even. Southern Illinois was their home, their only home. And it damn well was going to stay that way. She turned to face her husband. "*Family,* Nate. We have no family out there."

Nate snatched up his map, then folded its creases tight and clean. "Yeah, well, we've always lived 'round family. Yours, mine—I mean, don't you ever just want to break out and see what we can do on our own?" He slapped the map against his hand. "It'd be good for us to get out of here."

Irene gave her husband a look, then pulled her cutting board back in place, wondering what in the world had gotten into him and, more important, how in the hell she'd get it out. Nate wasn't a tall man, but he carried himself with the sureness of one. A thick, sturdy neck holding up an even thicker head. Nothing got in his way once he made a decision.

"I don't know what you're talking about, Nathaniel Stanley. Moving wouldn't be good for anyone but you, if that."

Nate grabbed a carrot, bit into it, then walked to the sink. Irene sighed and cut into another carrot, her knife snapping the board loud and hard. "You don't just pull your life out of the ground like some kind of weed, Nate. I mean, I know people do it, but it doesn't make it right. This is home." *Snap.* "Everyone's here." *Snap.* "Your mom, your brother, aunts, uncles, cousins, nieces, nephews." *Snap, snap, snap, snap.* "Everyone who's anything to us, right here. It doesn't matter if we're tired of them, mad, bored, or what. They're family. *You don't leave family.*" Irene scraped the cut rounds into her bowl and walked to the sink. "Anyway," she said, nudging her husband out of the way with her hip, "the kids are in school. Bliss just got voted class secretary, and Shep, well . . ."

She turned off the water, picked up a towel, and looked out the window. The sun, a burgeoning red ball in a scarlet sky, had turned everything—the ground, the barn, even the children—all shades

of peach and pink. Bliss and Jeff were climbing the old maple, and Shep was still in the field with his trumpet. He was playing "Silent Night," and its long pleading notes made Irene clutch the towel to her chest. It was his closing piece to the day, and he'd either play it outside, when the weather was good, or inside on the piano. Nate often complained that it drove him nuts to hear a Christmas song all year long.

"Shep." Nate spat the last piece of carrot into the sink, then slammed the window shut. "A place like Oregon? Hell, it'd be good for the boy, you know that?" He wiped his mouth with the back of his hand. "Fact is, Irene, I think it's just what the kid needs."

CHAPTER 3

October 1, 2004

SUPERINTENDENT TAB MASON'S RIGHT HAND had begun to lose its color while he was in his mid-thirties. It started in patches, making it look like the tall, muscular black man had been hit by bleach. Then the patches spread and merged until the entire appendage looked as though it could belong to any one of the white men on Oregon's death row. The only difference: his hand had never killed anyone.

Not that he hadn't come close. A memory triggered, a single flash of a smile, a scent of chalk, wood, and sweat. Tulane and that hideous garbled laugh of his . . . Mason tightened his grip on the phone receiver and shut down the images with a quick and nearly effortless efficiency.

"Mason, buddy." Dick Gefke's voice came over the receiver. "You going to the game?"

Mason rolled his eyes. He'd been on hold for four and a half minutes and didn't have time to talk sports.

"No, sir, 'fraid I can't make the game."

"Now, Tab, you have any idea what you're missing?"

Mason admitted he didn't, and his boss sighed. The way Gefke, a former college quarterback, figured, black men just had a natural affinity for sports. "An instinct," he'd said more than once. Taken as a whole, the superintendent considered the director of the Department of Corrections a kindhearted ass, just like a lot of people Mason had met since moving to Oregon five years earlier. Nice enough individuals, but so unused to being around blacks they constantly overcompensated, coming up with all kinds of comments that if said in another environment—Chicago, for example—would have gotten their asses kicked. That or just shot.

"I got other things going, sir."

"That's too bad, 'cause we're sure as hell gonna blow Arizona out of the water. Me and Suzie, we're heading to Eugene tonight. Avoid the traffic."

Mason imagined the big, bearlike man and his exuberant exclamation point of a wife cruising down Interstate 5 in their pine-green Expedition decked out with their alma mater's mascot. *The fighting fuckin' Ducks.* He shook his head. "Yeah, well, I'm sure it'll be a good game. Look." He ran his hand over his smooth head. "There's another reason I'm calling." Mason told Gefke about the death warrant.

"Well, goddamn. Stopped his appeals, huh?"

"Yes, sir."

"And we've got what, four weeks to get ready? Guess they couldn't have timed that any better. You know where the governor is right now?"

Mason picked a piece of lint from the sleeve of his suit coat, rolled it between his fingers. "No."

"Portland, talking with a victim's rights group. His staff just called a little while ago, wanted figures on the new prison. You know what he's doing?"

"Campaigning," Mason answered, dropping the lint into a small silver trash can.

"That's right, campaigning. It's a tough race, and with this thing coming when it is—Jesus. Well, let's just say you've got yourself one mighty big responsibility."

Mason nodded into the phone. He hadn't considered the upcoming election when he read the death warrant.

"When was the last time we had one of these things, anyway?" the director asked.

"Nineteen ninety-seven. Seven years, four months, two weeks, and two days ago, to be exact."

"What, you don't know how many hours?"

Knowing that it took an average of twelve minutes for a man to die by lethal injection, Mason glanced at the clock and did a quick calculation. "Eleven," he said. "And forty-eight minutes."

Gefke chuckled. "You're something, I'll give you that. You still have that container of pencils all sharpened up?"

Mason's gaze went back to his desk, where he did indeed have twelve pencils all honed to needlelike tips.

"That's what I like about you, Tab—no surprises. Look, you've probably thought of this already, but you should get hold of the superintendent in charge the last time we had one of these things. See how he handled it, 'cause I'm telling you, there can't be any slipups. Especially coming when it is. But you can handle that, right?"

Mason grabbed a pencil and began tapping it against his thigh. "I can handle it, sir."

"Good. So, from my end, what is it you need?"

Mason looked across the room at a picture of his daughter. She was seven in that one. Still tied her hair up with those colorful rub-

ber bands. Still smiled. Now the pictures her mom sent showed a young woman with orange hair and an overload of makeup planted on a way too knowing face. Sixteen years old, and he swore she looked like a hooker. "You're supposed to inform the governor and the attorney general about the warrant. I'll have copies delivered."

"Right," said Gefke. "I'll handle the outside end, but I'm telling you now, I won't exclude you. I know you don't like it, but you're going to have to be front and center on this. Press conferences, interviews, all of it. And I'm warning you, those reporters—they'll be like flies on shit, no question about it."

Mason stopped drumming the pencil. He didn't like dealing with the press, but more than that, he didn't like the director's analogy. It felt too precise. Executing someone *was* a shitty job. Maybe not for others, but to him, right then, on that bright, clear October morning, that's just what the job felt like.

"So," Gefke said, "what are the odds?"

"Sir?"

"Hundred bucks says soon as you tell this guy Robbin his time's up, he'll hightail it to a phone and call his attorney. There's no way in hell he'll just sit back and let this thing happen. It's against human nature."

"I'm not sure," Mason replied. "He's not an easy one to figure out."

"Yeah, well, we'll see. Just be careful. Have a staff member or two nearby when you tell him, just in case he loses it or something."

Mason considered this. Robbin's record at the penitentiary was clean. Cleaner than clean, really—didn't bother anyone, read a lot, sketched. He'd even earned the privilege of taking a few classes. "I don't think there'll be trouble, but that brings up something else. Waters is supposed to be there with me when I tell Robbin—you know, as security manager. But he's off hunting with his kid. He won't be back for a week."

"That's your call. Have someone else there if you want."

"What about you?"

Gefke laughed. "I don't think so, buddy. Like I said, this is your baby. I handle the political end, you handle the procedure. Are we clear?"

"Yeah," Mason said. "Completely."

CHAPTER 4

October 1983

LAYERS OF SOFT, PULP-COLORED FLESH bulged and sagged around Pastor Samuel White's pale blue eyes. He was thinking—elbows on his desk, hands crossed, index fingers tapping. Irene sniffed and wiped her nose with a soggy handkerchief. How could she not be upset? They were moving. Nate had called from Oregon that morning. He had accepted the job and even signed papers for a house in some place called Blaine. "It's nice," he said. "Nice neighborhood, and the town, nice and small. Just like Carlton."

But Irene didn't want to live in Blaine. Didn't even want to hear its name. Moving made no sense, no sense whatsoever. But what was she going to do? She asked her pastor. "What? Tell me, what do I have to do to stop this thing?"

"Now, Irene." White folded his hands and leaned against his desk, a large old wooden platform covered with church bulletins,

hymnals, and heaps of mail. "It's not going to do you any good to get all worked up over this."

She frowned. Her sister, Carol, had told her the same thing. "You go where the job is," Carol said. Completely ignoring the fact that Nate already had a job, and a home, and a church, and friends, and family. Irene could go on and on.

Pastor White looked over his glasses and counseled Irene to calm down and accept Nate's decision. It was her job to support her husband. "Your duty," he said, righting his posture.

"But my kids . . ."

"Bliss and Shep will be fine. You've got to remember, you-all wouldn't have been given this challenge if the Lord didn't think your family was up to it. I mean, who knows what waits for you out there? You just have to have trust, that's all." With that he lowered his head and began to pray for Irene and her family. And as she sat in that old wooden chapel, home to a thousand different memories, she could feel her will begin to bend and shape itself around her husband and his desires.

Just as it always had.

The next day Nate returned from Oregon with a fistful of postcards and a mortgage for a house at 111 Indian Ridge Lane. He described Blaine as rural and his job as "exciting, more responsibility, bigger region, that kind of thing." And from the postcards the place did look beautiful, with snowcapped mountains, trees as wide and tall as silos, and rivers as clear as cut crystal.

"It's really something," Nate told his family. "We'll learn to ski, go mountain climbing. The ocean's nearby, and there's rodeos all summer long. Heck, one of the biggest in the country's right out there in Oregon." He pronounced the name of the state just like he did the name of the old Wurlitzer at church, an *organ,* and corrected Irene when she said it otherwise. "Or-*ee*-gone, hell. You got to learn to say the name right. You never hear no one but tourists call this place Ill-i-*noise.*"

He had a point, but then, Irene hadn't ever met a tourist anywhere near Carlton. Southern Illinois was a quiet backwater filled with lakes, swamps, hills, bluffs, and towns named after coal companies and the thick carbon they hauled from the ground. Icy in winter, thick with bugs and snakes in summer, the area simply didn't draw people like the Ozarks did to Arkansas or Nashville to Tennessee. Carlton didn't have lines of shops selling T-shirts and fudge; there were no wooden Indians outside its storefronts, or cabins along its lakes. Its feel was small, its ambitions even smaller, and Irene liked it for that. It made her think their life was safe. It made her think it wasn't a good idea to leave.

But they did. On October 19, 1983, they boarded up their old farmhouse, said goodbye to friends and family, and, under a cover of autumn rain, left Carlton.

FOUR DAYS LATER THEY ARRIVED in Blaine, Oregon, population 5,000 and clearly declining. Nate drove a U-Haul with eleven-year-old Bliss at his side, and Irene and Shep followed behind in their Chevy pickup. They'd driven together the entire trip because Shep had refused to ride with his father. And Irene couldn't blame him. Not one hour before they left, Nate had dropped the bomb.

"Truck's full," he said, pulling down the U-Haul's door with a big whacking clash. "Piano's staying. There's no room."

"No way!" Shep yelled through the rain.

"What do you mean, no room?" Irene grabbed the door, pushed it back up. "There's *got* to be room."

But there was no space for their six-foot-long upright.

Irene offered to leave the couch, the dining room table, their bed, anything. But Nate wouldn't budge.

"I'm not about to start hauling things out of this truck just to make room for an old piano that will likely take up too much space in our new house anyway."

A few minutes later, Irene found Shep huddled in the corner of his bedroom.

"I'm sorry," she said, pulling her cardigan around her as she slumped beside him. "You know it probably wouldn't have been good for the piano, anyway. Altitude change, and the cold, and with this rain . . ." She took a deep breath and looked around. The bedroom had been hers growing up. One window faced east, toward the road, and the other looked out on an apple tree she and her father had planted when she was little. The tree filled the window now, and the few apples that still clung to its branches looked like ornaments against the pewter clouds. It made her want to cry. "We'll get you another piano, son. I promise."

Shep's gold-colored hair fell forward as he tucked his head to his knees. "He doesn't like me playing."

"Now, Shep."

Her son had started playing the piano when he was two, pulling himself up on the wooden bench and fingering the keys, not pounding them, like most toddlers, but touching them lightly, then letting each note play itself out to nothing. This went on for weeks, one note after another, with Shep just sitting and staring at the yellowed ivories as if he could see the sound. Then, out of nowhere, he began putting notes together to make songs—"Mary Had a Little Lamb," "The Wheels on the Bus," simple one-handed stuff he'd poke out while singing softly to himself. Irene began singing more complicated tunes, then bought a few albums to see if he could copy those as well. Before she knew it, he was playing "Simple Gifts," "Für Elise," and "Ave Maria." At age four he began lessons with the church organist; then, when he turned seven, Irene brought down her father's horn from the attic, and with that she discovered she no longer needed evidence of God. She could hear him every single day declaring through that horn that there was more to this world than she would ever know.

Shep wiped his face with the sleeve of his flannel shirt. "He ever say why we're moving? I mean, the *real* reason? He ever tell you that?"

"The *real* reason? Shep, he's got a good job waiting. And it'll be good for us, seeing new parts of the country. It'll be exciting." She patted his arm. "You'll see."

He looked at her. "You know he hates me. You know that. Right?"

"Shep! You shouldn't ever talk like that. It's not right. Your pa, he was thinking of you, thinking of us all when he accepted this new job."

Years later, Irene would remember her son's look: disbelief, carved by a sadness that lay way beyond his years.

"I don't believe that, Ma," he'd answered. "I'm sorry, but I just don't."

IRENE FOLLOWED THE U-HAUL THROUGH Blaine, driving down a one-way street named Main South. Crippled-looking buildings lined both sides of the pavement, plywood nailed over many of the windows. She knew what it was like to live where people depended on what either lay deep in the ground or sprouted up out of it, and the quality of the smile in the market always depended on the price farmers got at the co-op or the chance discovery of another seam of bituminous. But Blaine looked different—harder and uglier in a way that almost seemed tragic. Even during the worst days of Illinois's farm crisis, with foreclosures everywhere and businesses shutting down one after another, Carlton's tree-lined streets and sturdy brick storefronts still held the promise of better times to come. Blaine, in contrast, looked incidental, an afterthought built by people who had no intention of staying.

Nate had told her before they arrived that cattle prices were down, and that Blaine's last remaining mill was knocking workers off the line as fast as it had once pushed through logs. And she knew

that in hard times the law—Nate and men just like him—would be busy. Fights, abuse, suicide: all the dark stuff comes out when the land can't provide. Irene had known all that before she came, but still . . .

She put on her blinker and followed Nate onto Tannenbaum, driving past a grimy-looking gas station and a Dairy Queen. At the end of the road they took a left into a neighborhood of flat, brick-shaped homes lined up like abandoned railroad cars. Irene stopped the truck and reached for Shep's hand as her husband backed into the driveway of the third house on the left, a dirty-yellow ranch with a chain-link fence and a FOR SALE sign pounded into the ground, the word *Sold* smacked right across its face.