

COMMERCIAL LAW TEXT CASES AND MATERIALS

This morning he had changed the sheets. Naomi's scent was no longer with him in the bedclothes..Now he had to focus on being ready for the evening of January 12: the reception for Celestina White's art show. She had adopted her sister's baby. Little Bartholomew was in her care; and soon, the kid would be within Junior's reach..Barty had never been instructed in the rules of grammar, but had absorbed them as the roots of Edom's roses absorbed nutrients. "Sure. Does and is.".Of course, he had the Pinchbeck and Gammoner identities waiting, two escape hatches. But he didn't want to use them. He liked his life on Russian Hill, and he was loath to leave it..Tom Vanadium liked this man at once. Cop instinct told him that Damascus was honest and reliable. Priestly insight suggested even more impressive qualities..He had difficulty picturing the detective pattering in the garden on weekends. Unless there were bodies buried under the roses..Agnes, Celestina, and Grace were soon working together with a harmony that was kitchen poetry. Paul had noticed that most women seemed to like or dislike one another within a minute of their first encounter, and when they found one another companionable, they were as open and easy on their first meeting as though they were friends of long duration. Within half an hour, these three sounded as if they were of one age, inseparable since childhood. He had not seen Grace or Celestina free of despair since the reverend's murder, but here they were able for the first time to veil their anguish in the bustle of baking and the pleasure of making a new friend..Tossing the knave onto the table, Agnes said, "Barty doesn't seem too impressed with this devil"..Junior worried that he might not locate the correct Dumpster among the many. Yet he didn't switch on the flashlight, suspecting that he would be better able to find his way if the conditions of darkness and fog were exactly as they had been earlier. In fact, this proved to be the case, and he instantly recognized the hulking Dumpster when he came upon it..As he turned the corner onto Jasmine Way, he felt his heart lift in expectation of the sight of his home. It wasn't a grand residence--a typical Main Street, USA, house--but it was more splendid to Paul than Paris, London, and Rome combined, cities that he would never see and would never regret failing to see..Against the backdrop of granite monuments, Kaitlin hulked like a moldering presence from Beyond, risen out of a rotting box to take vengeance on the living..The nurse raised her eyes from Agnes to this other person. "Yes a chip of ice would be all right"..He took a long shower, as hot as he could tolerate, until his muscles felt as soft as butter..Friday, December 29, was a grand day: cool but not cold; high scattered clouds ornamenting a Wedgwood-blue sky. The streets were agreeably abustle but not swarming like the corridors of a hive, as sometimes they could be. San Franciscans, reliably a pleasant lot, were still in a holiday mood and, therefore, even quicker to smile and more courteous than usual..Seraphim's child had been alive as long as Naomi had been dead, almost fifteen months. In fifteen months, Junior should have located the little bastard and eliminated him..By the grace of Caesar Zedd and Remy Martin, Junior eventually slipped into undulant currents of sleep, and as he drifted away on those velvet tides, he took some solace from the thought that come what may, December 29 would be a better day than December 28..Nevertheless, Thomas Vanadium's hostile ghost, that terrible prickly bur of stubborn energy, wasn't done with Junior yet. Until Bartholomew was dead, the cop's filthy-scabby-monkey spirit would keep coming back and coming back, and it would surely grow more violent..As he raced into the future, the past caught up with him in the form of intestinal spasms, and by the time that he had driven only three miles, whimpering like a sick dog, he made an emergency stop at a service station to use the rest room.. "I'll always know your face," he promised. "Even if you have to go away and you're gone a hundred years, I'll remember what you looked like, how you felt"..AGNES ALWAYS ENJOYED Christmas Eve dinner with Edom and Jacob, because even they tempered their pessimism on this night of nights. Whether the season touched their hearts or they wanted even more than usual to please their sister, she didn't know. If gentle Edom spoke of killer tornadoes or if dear Jacob was reminded of massive explosions, each dwelt not on horrible death, as usual, but on feats of courage in the midst of dire catastrophe, recounting astonishing rescues and miraculous escapes..He didn't allow himself to ponder why Vanadium had come here or what relationship might have existed between the cop and Victoria. All that was for later consideration, after he had dealt with this unholy mess..He lived high, on Russian Hill, in a limestone-clad building with carved Victorian detail. His one-bedroom unit included a roomy kitchen with breakfast nook and a spacious living room with windows looking down on twisty Lombard Street..Her hands were slender, long-fingered, graceful. The hands of an artist. They were not powerful hands..He bought knives. And then sheaths for the knives. He acquired a knife-sharpening kit and spent the evening grinding blades.. "Fear?" Kathleen asked, more interested in Vanadium's words than in his prestidigitation. "You said you're offering fear to Cain ... as if that was something he would want"..The second and third rooms proved to be deserted, as well, and as muffled as the cushioned spaces of a funeral home, but an office was tucked discreetly at the back of the final chamber. As Junior crossed the third room, apparently monitored by closed-circuit security cameras, a man glided out of the office to greet him..Sliding Victoria's chair away from the table, he turned her to face him. He adjusted her body so that her head was tipped back and her arms were hanging slack at her sides..He found it difficult to make a painful personal revelation sound sincere when delivered in a shout, but he managed well enough to bring a shine of tears to her eyes: "Part of my left foot was shot off in this upcountry sweep we did"..Meanwhile, he became an accomplished meditator. Guided by Bob Chicane, Junior progressed from concentrative meditation with seed the mental image of a bowling pin-to meditation without seed. This advanced form is far more difficult, because nothing is visualized, and the purpose is to concentrate on making the mind utterly blank..The candlestick was dry. Holding this pewter bludgeon with a paper towel, Junior replaced it on the table as he had found it. He picked up the candle from the floor and married it to the stick.. "He came through the surgery well. He'll be in post-op for a while, then brought here to the ICU. His condition's critical, but there are degrees of critical, and I believe

we'll be able to upgrade him to serious long before this day is over. He's going to make it." In the city again, he stopped long enough to donate the raincoat to a homeless man who didn't notice the few odd stains. This pathetic hobo happily accepted the fine coat, donned it-and then cursed his benefactor, spat at him, and threatened him with a claw hammer..Otter said nothing..Yet through the summer of 1966, following this call, he acted like a man who was haunted. A sudden draft, even if warm, chilled him and caused him to turn in circles, seeking the source. In the middle of the night, the most innocent of sounds could scramble him from bed and send him on a search of the apartment, flinching from harmless shadows and twitching at looming invisibilities that he imagined he saw at the edges of his vision..AFTER UNDERGOING TESTS for brain tumors or lesions, to ascertain whether his seizure of violent emesis might, in fact, have a physical cause, Junior was returned to his hospital room shortly before noon..His inner turmoil boiled ever more fiercely, and the external evidence of it grew more obvious. In the cool air of the fading afternoon, he perspired as profusely as a man already being strapped into an electric chair; it streamed, gushed. He shook, shook, and he was half convinced that he could hear his bones rattling together like the shells of hard-boiled eggs in a rolling cook pot..Switching on the windshield wipers, Joey said, "That's the first time I've ever heard you admit that either of your brothers is odd..". "That's unusual, too, and I wish the etiology of this disease, which is exceedingly well understood, gave us reason to hope based on the transience of the symptoms ... but it doesn't..". "Oh, yes, I recall it now. Polar bears eating tourists in Union Square, wolf packs prowling the Heights..". When he was baking, the world seemed to be a less dangerous place. Sometimes, making a cake, he forgot to be afraid..Her metal hands were still crossed defensively over her breasts. The artist had welded large hexagonal nuts to her rake-tine fingers to suggest knuckles, and balanced on one nut was a fourth quarter..After she flushed, Angel stood on a stepstool and washed her hands at the sink.. "In cases like this, the malignancy is often more advanced in one eye than the other. If the size of the tumor requires it, we remove the eye containing the greatest malignancy, and we treat the remaining eye with radiation..". As the heavysset nurse retreated with the baby, Phimie's grip on her sister's hand relaxed, but then grew firm once more as her gaze also became more intense. "Love ... you..". Wally Lipscomb parked in his garage, switched off the engine, and started to get out of the Buick before he saw that Celestina had left her purse in the car..It's been a joy to me to go back to Earthsea and find it still there, entirely familiar, and yet changed and still changing. What I thought was going to happen isn't what's happening, people aren't who-or what-I thought they were, and I lose my way on islands I thought I knew by heart..Paul pulled her back. He gently but firmly thrust her through the open door of the guest room in which he'd spent the night. "Stay here, wait..". Wait here in the car. Give them time to settle down. At this hour, they would put the kid to bed first. Then Ichabod and Celestina would go to their room, undress for the night..Returning to his apartment, Edom had to pass under the limbs of the majestically crowned oak that dominated the deep yard between the house and the garage.. "Fourteen. It's usually the family that's behind an expression of the calling at such a young age, but in my case, I had to argue my folks into it..". "So where he threw the quarter," Barty said, as Angel listened intently and nodded her head, "wasn't really into Gunsmoke, 'cause that's not a place, it's just a show. See, maybe he threw it into a place where I'm not blind, or into a place where he doesn't have that messed-up face, or a place where for some reason you never came here today. There's more places than anybody could ever count, even me, and I can count pretty good. That's what you feel, right-all the ways things are?". Fragments of the broken wineglass crunched under his shoes as he crossed the small kitchen to the dinette. He opened the bottle of vodka and put it on the table in front of the dead woman..In truth, he was terrified. Although his need for her company was so profound that it seemed to arise from his marrow, a part of him marveled-and trembled-at his dedicated pursuit of her..That last part was true. He just wasn't loose in this world anymore. And in the world to which he'd gone, he would not find easy victims..the hilly streets of the city, ignoring all traffic lights and stop signs, pegging the speedometer needle at its highest mark, as though he might eventually be air-cooled by sufficient speed. He wanted to slam through unwary pedestrians, crack their bones, and send them tumbling..He tucked his left arm tight against his side and threw himself against the door. The obstructing furniture was heavy, but it moved an inch. If it would give one inch, it would give two, so it wasn't immovable, and he was already as good as in there..The phone rang at 3:20 in the afternoon, just after he switched off the radio in disgust. Sitting in the breakfast nook, the Oakland telephone directory open in front of him, he almost said, Find the father, kill the son, instead of, "Hello..". In addition to mulling over strategy, Tom had spent a lot of time lately brooding about culpability: his own, not Cain's. By seizing on the name that he heard Cain speak in a dream, by making use of it in this psychological warfare, had he been the architect of the killer's Bartholomew obsession, or if not the architect, then at least an assisting..Shaking off this peculiar case of the spooks, Barty proceeded toward the stairs. Just when he reached the newel post, he heard the faint creak of the marker floorboard behind him.. "No. Charming," she disagreed. "There's a meaning to it. Everything has a meaning, dear..". Immediately at the thought of regurgitation, his abdominal muscles contracted like those of a laboratory frog zapped by an electric current, and he choked on a rising horror..Besides, the possibilities repulsed him. The very thought of a splendid-looking woman like Victoria submitting to a grotesque like Vanadium would have withered his soul if he had possessed a soul..A dumpster and a dead musician had humbled him as thoroughly as he had ever been humbled before, as completely as violent nervous emesis and volcanic diarrhea had humbled him, and he had no tolerance for being humbled. Humility is for losers..The police. The stupid police. Ringing the bell when they knew he'd been shot. Ringing the damn doorbell when he lay here helpless, the Industrial Woman lurching toward him, his toe on the other side of the kitchen, ringing the doorbell when he was losing enough blood to give transfusions to an entire ward of wounded hemophiliacs. The stupid bastards were probably expecting him to serve tea and a plate of butter cookies, little paper doilies between each cup and saucer..Packed full of aftermath, the movie was too violent for Junior's taste. He had wanted to meet at a showing of Doctor Dolittle or The

Graduate. But Google, as paranoid as a lab rat after half a lifetime of electroshock experiments, insisted on choosing the theater. Inking? The sequined and tasseled hat of fame was too gaudy for her; she was a minister's daughter, from Spruce Hills, Oregon, more comfortable in a baseball cap. Neither of them needed to confirm their mutual attraction with even so much as an additional nod or a smile. Victoria knew, as he did, that their time would come, when all this current unpleasantness was behind them, when Vanadium had been thwarted, when all suspicion had been forever laid to rest. "Wouldn't live in the Caribbean if you paid me," Bill said. "All that humidity. All those bugs." Agnes had the craziest notion that he was counting them, when at his age, of course, he would have no concept of numbers. But on March 23, 1966, after a bad date with Frieda Bliss, who collected paintings by Jack Lientery, an important new artist, Junior had an experience that rocked him, added significance to the episode in the diner, and made him wish he hadn't donated his pistol to the police project that melted guns into switchblades. Based on the evidence, perhaps Sklent never laughed, regardless of how clever the joke. He scowled fiercely at the paintings in the brochure, returned it to Junior, and snarled, "Shoot the bitch." From her reading, she knew that amniotic fluid should be clear. A few traces of blood in it should not necessarily be alarming, but here were more than traces. Here were thick red-black streams. She had expected horror, although perhaps not a horror quite as stark as this, and she had also expected to be crushed by it, destroyed, because although she was able to survive any misery that might be visited upon her, she didn't think that she possessed the fortitude to endure the suffering of her innocent child. Yet she listened, and she received the terrible burden of the news, and her bones did not at once turn to dust, though unfeeling dust was what she now preferred to be. Speaking of bosoms, everywhere in the loft were braless girls in sweaters and miniskirts, braless girls in T-shirts and miniskirts, braless girls in silk-lined rawhide vests and jeans, braless girls in tie-dyed sash tops, with bared midriffs, and calypso pants. Lots of guys moved through the crowd, too, but Junior barely noticed them. No scent of gasoline fouled the air. Apparently, the tank had not burst. Sudden immolation seemed unlikely-but only an hour ago so had Joey's untimely death. Dense, white, slowly billowing masses of fog rolled through the neighborhood, scented with woodsmoke from numerous fireplaces, as though everything north to the Canadian border were ablaze. Yet he brooded even at breakfast, in spite of the consolation of clotted cream and berries, raisin scones and cinnamon butter. In better worlds, wiser Tom Vanadiums chose different tactics that resulted in less misery than this, in a far swifter conveyance of Enoch Cain to the halls of justice. But he was none of those Tom Vanadiums. He was only this Tom, flawed "land struggling, and he couldn't take comfort in the fact that elsewhere he had proved to be a better man. She was lost in his eyes: She wanted to pass through his eyes as Alice had passed through the looking glass, follow the beautiful radiance that was fading now, go with him through the door that had been opened for him and accompany him out of this rain-swept day into grace. The friendship, the work, and not least of all the sense of home and belonging that everyone felt within minutes of crossing Agnes's threshold-these things appealed to Celestina and Grace. But they didn't want Paul to feel that his hospitality was unappreciated. His patience exhausted, the pianist wrenched his hand out of Junior's grip. He glanced around nervously, certain that they must be the center of attention, but of course the reception guests were lost in their witless conversations, or they were gaga over the maudlin paintings, and no one was aware of this quiet little drama. Unobtrusively, Junior followed the musician across the large front room, but by an indirect arc, using the babbling bourgeoisie for cover. She hadn't sung since the early-morning hours of October 18, and no other paranormal event had occurred since then. The waiting between manifestations scraped at Junior's nerves worse than the manifestations themselves. Maybe he would get lucky, and an airliner would fall out of the sky right now, right here, obliterating him in an instant. A moment ago, he'd slammed into Angel's room, and that was loud, but this boomed louder, thunderous enough to wake people throughout the building. At the beginning of his third month, instead of at the end of his fifth, he was combining vowels and consonants: "ba-ba-ba, ga-ga-ga, la-la-la, ca-ca-ca." Frustrated again, she said simply, "Whenever Edom and Jacob talk about these things, I want you to be sure always to keep in mind that life's about living and being happy, not about dying." Not that she ever gave any indication that her brothers were other than a source of pride for her. She treated them always with respect, tenderness, and love-as if unaware of their shortcomings. After an interminable silence, the detective said, "Do you know what believe about life, Enoch?" Not one day in anyone's life, so her father taught, is an uneventful day, no day without profound meaning, no matter how dull and boring it might seem, no matter whether you are a seamstress or a queen, a shoeshine boy or a movie star, a renowned philosopher or a Downs syndrome child. Because in every day of your life, there are opportunities to perform little kindnesses for others, both by conscious acts of will and unconscious example. Each smallest act of kindness-even just words of hope when they are needed, the remembrance of a birthday, a compliment that engenders a smile-reverberates across great distances and spans of time, affecting lives unknown to the one whose generous spirit was the source of this good echo, because kindness is passed on and grows each time it's passed, until a simple courtesy becomes an act of selfless courage years later and far away. Likewise, each small meanness, each thoughtless expression of hatred, each envious and bitter act, regardless of how petty, can inspire others, and is therefore the seed that ultimately produces evil fruit, poisoning people whom you have never met and never will. All human lives are so profoundly and intricately entwined-those dead, those living, those generations yet to come-that the fate of all is the fate of each, and the hope of humanity rests in every heart and in every pair of hands. Therefore, after every failure, we are obliged to strive again for success, and when faced with the end of one thing, we must build something new and better in the ashes, just as from pain and grief, we must weave hope, for each of us is a thread critical to the strength-to the very survival-of the human tapestry. Every hour in every life contains such often-unrecognized potential to affect the world that the great days for which we, in our dissatisfaction, so often yearn are already with us; all great days and thrilling possibilities are combined always in

this momentous day..Perri was often fast asleep by nine-thirty, seldom later than ten o'clock while Paul never turned in earlier than midnight or one in the morning. In the later hours, to the reassuring susurrations of his wife's breathing, he returned to his pulp adventures..Further preparation-the purchase of gold coins and diamonds, the establishment of false identities-had to be delayed due to the hives. An hour short of dawn, Junior was awakened by a fierce itching not limited to his phantom toe. His entire body, over every plane and into every crevice, prickled and tingled and burned as with fever-and itched..Finally Vanadium said, "According to the lab report, the baby she was carrying was almost certainly yours." "At the back of the second gallery, on the left, there's a corridor. The rest rooms are at the end of it, beyond the offices." As Junior paced the hotel room, his fear made way for anger. All he wanted was peace, a chance to grow as a person, an opportunity to improve himself And now this. The unfairness, the injustice, galled him. He seethed with a sense of persecution.."I want you to adopt the baby." Before they could react, she hurried on: "I won't be twenty-one for four months yet, and even then they might give me trouble about adopting, even though I'm her aunt, because I'm single. But if you adopt her, I'll raise her. I promise I will. I'll take full responsibility. You don't have to worry that I'll regret it or that I'll ever want to drop her in your laps and escape the responsibility. She'll have to be the center of my life from here on. I understand that. I accept it. I embrace it." Paul knelt on one knee beside her wheelchair. "This momentous day, Agnes. This momentous day, with all of its beginnings. Hmmm?" The paramedic, fingers pressed to the radial artery in Junior's right wrist, must have felt a rocket-quick acceleration in his pulse rate.."Blood tests should reveal whether the child's yours or not. That also might explain all this." Ghosts. Sklent was an atheist, and yet he believed in spirits. Here's how that works: Heaven, Hell, and God do not exist, but human beings are as much energy as flesh, and when the flesh gives out, the energy goes on. "We're the most stubborn, selfish, greedy, grubbing, vicious, psychotic, evil species in the universe," Sklent explained, "and some of us just refuse to die, we're too hardass to die. The spirit is a prickly bur of energy that sometimes clings to places and people that were once important to us, so then you get haunted houses, poor bastards still tormented by their dead wives, and crap like that. And sometimes, the bur attaches itself to the embryo in some slut who's just been knocked up, so you get reincarnation. You don't need a god for all this. It's just the way things are. Life and the afterlife are the same place, right here, right now, and we're all just a bunch of filthy, scabby monkeys tumbling through an endless damn series of barrels." She realized she hadn't turned on the radio. Before she could reach for the switch, she was asleep..Wally had disposed of his properties in San Francisco under Tom's careful supervision. Any attempt to trace him from the city to Bright Beach would fail. His vehicles were purchased through a corporation, and his new house had been bought through a trust named after his late wife..Although Neddy had flushed to a rich primrose-pink, Junior still held his hand, crowding him, lowering his face even closer to the musician's. "If you vouched for a teacher, I'd feel confident that I was in good hands, but I'd still much rather learn from you, Neddy. I really wish you would reconsider-" This Monday afternoon, he longed for the escape and solace of half-hour pulp adventure. But he decided that he ought to at last compose the letter he'd been meaning to write for at least ten days..Dishes dried and put away, Jacob retired to the living room and settled contentedly into an armchair, where he would probably become so enthralled with his new book of dam disasters that he would forget to make luncheon sandwiches until Barty and Angel rescued him from the flooded streets of some dimly unfortunate town..His silent tears accomplished what his words could not: Nork, Knacker, and Hisscus retreated, urging him to speak to his attorney, promising to return, once more expressing their deepest condolences, perhaps as abashed as attorneys and political appointees could get, but certainly confused and unsure how to proceed when dealing with a man so untouched by greed, so free of anger, so forgiving as the widower Cain..Paul in the guest room again. Sweeping a bedside lamp to the floor, lifting the nightstand.."and wherever he went, between his shows, he always gave free performances at nursing homes, schools for the deaf-" With a bark of pain, chest to chest with defeat, the killer was borne downward by the fragrant weight, in a clink and clatter of brass handles..The station wagon rolled out, the Volkswagen bus followed it, and Wally brought up the rear. "Wagons, ho!" he announced. The morning that it happened, Barty ate breakfast in the Lampion kitchen with Angel, Uncle Jacob, and two brainless friends..Junior had thought most other policemen must consider Vanadium to be a loose cannon, a rogue, an outcast. Perhaps the opposite was true-and if it was, if Vanadium was highly regarded among his peers, he was immeasurably more dangerous than Junior had realized..Koko changed directions with a fantastic pivot turn and bounded after the girl.."Last time I looked, Miss Galloway lived to the south of us. Retired. Never married. No children." "I love you, Daddy," she said, and put the palms of her hands flat against his temples.

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