



## SELF-DEFENSE

*John V. Orth*

“MILK!” I CALLED. I didn’t have to call twice. He had been ready for the last hour, but had been waiting patiently while I had my second cup of coffee and finished reading the papers. We always went for a walk at that time, every day, rain or shine. He paced around while I got my sunglasses and picked out a cap. I have a lot of caps and try to choose one that matches what I have on. I even have three or four pairs of sunglasses for the same reason.

His patience began to wear thin as I paused to select a walking stick. I don’t really need a stick, but I take one out of habit and because it seems right somehow. I have a small collection of them. One I brought back from a business trip to China a few years ago – a light, bamboo cane with a straight, reddish shaft and a dragonhead handle that makes a right angle at the top. I don’t much like canes with curved handles. That day, I picked a blackthorn stick I had given my father years ago, and got back when he died. Like the Chinese cane, it isn’t curved at the top, but unlike that cane, this one is heavy. The handle looks like it had been part of a tree root and filled my hand. It is attached to the shaft by a brass fastener and a little bit of the handle sticks out on the other side, making a figure like a T with one side of the crosspiece shorter than the other.

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By now, Milo's patience had worn out. He fidgeted as I slipped the leash around his neck. He had a big head, like all boxers, with large, liquid eyes, and a powerful-looking set of jaws. His face didn't show much emotion, not like those little dogs that switch from smiling and playing to growling and snapping. Milo's expression was always pretty much the same, kind of serious and thoughtful. I could tell what he was thinking, but other people couldn't. To most people he seemed pretty passive – until he sprang into action. He almost pulled me down once on a walk. I was daydreaming about something or other and he was stopping to sniff, as I thought, when he suddenly took off, after a rabbit, or maybe it was a deer. I guess that was his hunting technique: no motion, no crouching like a cat preparing to spring, no quivering muscles ready for the leap – no warning – just sudden explosive action.

We live up a cul-de-sac, so the start and finish of our walks were always the same, but at the bottom of our street, there were choices. Usually, I didn't have any particular route in mind. Which way we turned depended on whether I heard sounds of construction or tree-cutting or something in the distance and headed that way to take a look – or if I saw another dog out for a walk. Better to avoid them. Sometimes Milo would just walk by, taking no notice; other times he would sit down to get a good look; once in a while he would execute one of his totally unexpected leaps.

The leaps could be a problem with people too. Most of the time he walked right by, or waited patiently if I stopped to talk. But once in a while he would jump. I've seen real looks of terror on their faces. He never actually made contact with anyone. I always had a good hold on the leash, and I never had any trouble holding him. But he could have knocked a person down. He weighed about eighty pounds and was very lean and muscular. They say people look like their dogs. I wouldn't describe myself as lean and muscular, at least the way Milo was, but I'm trim and fit for a more-than-middle-aged businessman. I don't think golf is much of an exercise, so I use the pool and the fitness center at the Club.

Sometimes people stopped us to say how handsome Milo was. Once a repairman even stopped his truck and backed up, just to get

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a better look. Another time, a young guy in a sports car slowed down long enough to tell me what a great dog I had, before he zoomed off. It could be tricky if the person had a dog. I didn't want to tell a lie, so I couldn't just say, "Your dog is handsome too," although once in a while the other dog was good-looking – in a different sort of way. So I got in the habit of saying, "All dogs are handsome," which usually satisfied them.

That day there was no one in sight as we started out, no sound of work, so I just turned more or less at random. There are very few sidewalks in our neighborhood. The houses are set back, and mostly approached by a driveway. So we walked in the street – always facing traffic, of course – not that there was much of that, mid-morning. I used to look at the houses as we went by. Milo was on the alert too, but what he was looking at was usually closer to the ground. Going every day like that, we'd notice changes along the way. A big tree died and I would wonder whether it would be cut down before it fell down. Milo would sniff at every pile of leaves or sticks at the curbside. Most of the houses in our neighborhood are well-maintained, so it was more interesting to pay attention to the ones that weren't. It's not lack of money. We're pretty well-off here. Just lack of attention, I guess. Milo was more interested in the neighborhood dogs and knew where they all lived, which ones were indoors and which were behind fences.

There is one street with a sidewalk. It was put in a few years ago – Milo and I watched it being built. It was for the kids to walk to the new high school. As it happened, that's where we went that day, and then turned off onto the footpath that leads through the woods. It's a shortcut that connects our neighborhood to the next, where the school is. The path follows a little stream and winds around some privacy fences behind houses whose back yards abut the path. Once in a while some kids spray-paint graffiti on that fence, or kick holes through it. Milo used to stop and stick his big head through the holes sometimes to take a look. At first there is an open field on the other side, so that part is usually pretty sunny, but then the path turns into the woods. Those woods don't amount to much, second-growth pine and scrub, but pretty dense, so it's

shady, almost dark, in there.

Usually there's no one around at that time of day, but on that day I noticed a couple of kids off the path, in the woods. They parted as we approached. One left and I thought the other had too. But all of a sudden, he stepped out of the underbrush ahead of us. He was a little shorter than I am and sort of fleshy. His hair was short and sandy-colored and his face was pale and a little unhealthy looking. He was wearing a dirty tee-shirt and khaki pants. And he had a gun. Somehow I wasn't surprised. I don't know why, since I had never seen anyone with a gun – except for policemen, of course, and their pistols were in holsters.

We stopped and waited as he got closer. He spoke in a slurred voice, like he was on drugs or drunk or maybe just sleepless. He didn't look too smart. Of course, he wanted money. I didn't have much of value on me. I was glad that I don't usually put my watch on until I dress to go to the office after our walk and a shower. But I did have my wallet which had some cash in it, and, I was annoyed to think, two or three credit cards – and my driver's license, and insurance cards. If he took those, it would be a nuisance. Of course, I would cancel the credit cards as soon as I got home. In case of theft you don't lose anything if you report it promptly.

I took my time getting out my wallet, so I could get a good look at the guy. Maybe five feet nine inches. White male. Age, late teens or early twenties. Average build. No obvious scars or identifying marks. I was trying to remember what's in police descriptions. I was thinking about offering him the cash, so I could keep the cards. I would be cancelling the cards anyway if he took them, so they wouldn't do him any good. He told me to hurry up, and maybe it was the sound of his voice that did it, harsh and impatient. Milo jumped. It surprised me. I guess I thought he was doing what I was doing, just waiting to get it over with so we could go on. And it surprised the kid.

Milo jumped. The kid shot Milo. I hit the kid with my stick. That's what happened. It took only a few seconds. And yet, as I remember it, it seemed to take a lot longer. I guess it's because I remember each separate action – like when you drop something and

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can see it falling through the air before it hits the floor. I only knew Milo had jumped because of the sudden tug on the leash. Maybe the leash threw him off, or slowed him down. He never reached the kid. I saw his beautiful brown body in the air. I looked at the kid and saw the flash of fear in his face. He turned his head toward Milo and pulled the trigger. I heard the sound of the shot. The force of the bullet stopped Milo in mid-air, and he crumpled up. I dropped my hand down the shaft of the cane, raised it, and swung it at the kid, as hard as I could.

I bent down to Milo. The bullet had torn him apart. I knew he was dead and yet I picked him up and started running down the path “to get help.” Just where the path joins the sidewalk there’s a house where an old man lives. We used to pass him as he walked around the neighborhood smoking a pipe. We hadn’t seen him recently, but I’d smelled the pipe smoke that morning as we passed his house. I ran up the front steps holding Milo in my arms and kicked at the door, furiously. I kept kicking. A frightened woman’s face appeared at the window. I guess it was his wife. She screamed and backed away. I’m not surprised as I think back. I was holding Milo’s broken body, and crying, and his blood was all over my shirt and pants. I yelled, “Call the ambulance.” I guess I still thought there was some chance of saving him. I turned around and sat down on the step, holding Milo on my lap and trying to comfort him. I think it was then I realized, really realized, that he was dead. I almost turned to say not to bother, but I couldn’t move. I just sat there and cried.

In a few minutes a police car arrived, then another, then another, then an ambulance. I think even a fire engine came. The first officer approached – rather slowly, it seemed to me. He asked if I was hurt. And the emergency medical people were coming at a run. I said, “He shot Milo.” I don’t really recall exactly what happened next. They tried to get me to put Milo down, but I just shook my head and held him and cried. Finally, they brought a blanket and I put Milo on it as gently as I could. It was a white blanket, I remember that, and there wasn’t too much blood on it. I guess most of it was on me. They wanted me to lie down or something, but I told them I wasn’t hurt. What I think I actually said was, “I’m fine.”

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Two or three times the officer asked me what had happened before I could answer, and I finally said, "Some kid tried to rob me and he shot Milo." "Where?" he asked. Then, more insistently, "Sir, tell us where." I pointed down the path, and a couple of officers took off in that direction at a run, pulling their pistols.

In a few minutes they came running back and got the medical people who were trying to help me, and they all ran off together. A guy came back and got a stretcher out of the ambulance and went back down the path, slower this time. When they returned with the stretcher, they loaded it in and drove off. Then a policeman said he was taking me to the hospital, although I kept telling him that I didn't want to go, that I was alright, that I just wanted to go home. Finally I agreed, but only if we took Milo home first. Of course, my wife was scared, seeing me all bloody, but I told her I was alright. Some kid tried to rob me and he shot Milo. The policeman carried Milo in, wrapped in the white blanket. He started to put him on the floor, but I said to put him on the table.

I wanted to change clothes, but they wouldn't let me, which I still think was stupid. I wanted my wife to stay with Milo, but she said she was coming along. Of course, there was nothing wrong with me, so later they had to take her back home to get me some clean clothes. I had to stay there for a while "under observation." I don't know what they were looking for. Finally I insisted they call my own doctor, who came pretty quick. It was all a waste of time. Milo was dead, and there was nothing to do about it.

While I was still at the hospital, the policeman returned and asked me to describe what had happened, which I did. It was only then that they told me the kid was dead. They had the blackthorn walking stick, all wrapped up in plastic, and asked if it was mine. I said it was. The knobby end, the short end of the handle, was bloody. The brass ring that connected it to the shaft was bloody, too. It must have caught him on the side of the head. I told them that the cane had been my father's and that I wanted it back. I thought about asking for a receipt, but didn't.

Finally we went home. We were barely in the door when someone from the newspaper called. I told him he could read the police

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report, but he wanted to come over and talk to me, so I said okay. Milo was still on the kitchen table. I pulled back the blanket and looked at him and cried until I couldn't cry any more. I hadn't even had a chance to say goodbye. The reporter arrived and I told the story again. He took my picture and wanted to take Milo's too, but I wouldn't let him. He said I had been very lucky. I didn't know what he was talking about. I still don't.

The next day the District Attorney's Office called and asked me to come to their office in the courthouse. "It's just routine," they said. "Whenever there's a death." They offered to send a car, but I said I would drive myself. I would come down in the afternoon. First, I had to get Milo's body to the vet's, so they could arrange for his cremation. It also occurred to me that maybe I should talk to a lawyer. I didn't have a regular guy. Hadn't used a lawyer since we closed on the house twenty years ago. I don't think he's still around. And I hadn't thought much of him anyway. There was a guy I knew from the Club who was an attorney. I found his number in the phone book and called him at his office. I caught him as he was about to leave – for lunch at the Club, in fact. He'd seen the story in the paper and offered to meet me at the courthouse. Which reminded me that I hadn't looked at the papers this morning.

At the courthouse we were met by a guy who introduced himself and said he was an investigator. If he was surprised that I had brought along a lawyer, he didn't show it. I just said he was a friend, but they seemed to know one another. The lawyer asked to speak with me alone first. The investigator said that was fine. He'd be in his office. There was no hurry. He showed us to a little conference room and left us there. The lawyer asked me if the account in the paper was accurate. I said I didn't know. I hadn't read it. So he said I should just tell him what happened. This was the third or fourth time, and I was getting a little tired of it. Afterwards, the lawyer said it was self-defense. And I said, "Milo wouldn't hurt anyone." Then I realized he was talking about me.

"Were you afraid the kid would shoot you?" he asked.

"No," I said, then added, "I didn't think about it."

"What did you think the kid would do?"

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“He’d just shot Milo,” I said, and added, “I didn’t know what he would do.”

“Didn’t you think he might hurt you?”

“I told you, I didn’t think about it.”

“You know, that kid could have killed you,” the lawyer said. “Think about it.” But before I could say anything, he said he would go get the investigator.

The guy came back and asked me to tell the story again, slowly, from the beginning. He knew it was hard, he said. “But we have to investigate.”

“What’s the point?” I said. “Milo is dead.”

“Sir,” he said, a little stiffly, “We have a dead body here.”

I didn’t say anything. So, I told my story again, slowly, from the beginning. He asked if I knew the kid and I said “No. I never saw him before.” I started to describe him, but he interrupted me and said, “We have the body.”

My lawyer asked if he’d been identified.

“No. There was nothing on him.”

The lawyer asked where he’d been hit, and the investigator said, “On the left temple.”

“You know, my client is right-handed.”

I wondered how he knew that, or why it mattered. I guess he had been watching me. Then he said, quietly, to the investigator, “They were still facing each other.”

Finally we got around to whether I had been afraid, or, as the investigator said, “been put in fear.”

Before I could answer, the lawyer interrupted and asked where the gun was found.

“It was still in the victim’s . . . .” The lawyer corrected, “The deceased’s . . . .” The investigator continued, “right hand.”

Had I been “put in fear”?

I said, “He’d just shot Milo. I didn’t know what he would do next.”

“Tell us what you thought at the time.”

“I didn’t know what he would do next.”

“Did you think he might shoot you?”



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“He’d just shot Milo. He was capable of anything.”

“Was that all?”

“Yes,” I said.

“Why did you hit him?”

“He’d just shot Milo,” I said – and added, “I didn’t know what he would do next.”

There was a pause, then the investigator said he would be back in touch. The lawyer told him that he was representing me.

As we left the courthouse, I asked whether I needed a lawyer. He said, “Yes,” then changed that to “I don’t know. I don’t think so. Probably nothing will happen, but it might. You know, you could be charged.”

That surprised me. “For what?” I asked.

The lawyer stopped and turned toward me, “Look,” he said, “You knocked that kid’s brains out. With one swing of the bat.”

“It was a cane,” I said.

He ignored that and asked whether I had a criminal record.

“Of course not,” I said, getting annoyed.

“You never saw that kid before, did you?”

“I already answered that,” I said, more annoyed.

“You go on a walk every day, don’t you?”

“Yes,” I said. “What difference does that make?”

After a pause, he said, “Don’t worry. No jury’s going to convict you on these facts. And no sensible prosecutor is even going to try. Still,” he said, “we don’t want to take any chances.”

“I don’t feel like I killed anyone,” I said.

Nothing came of it, of course. I don’t even know if the District Attorney or anybody else talked to my lawyer or not. I never asked him. He never sent me a bill, so I guess they didn’t. I sent him a couple of bottles of wine.

Come to think of it, somebody must have talked to him because a couple of weeks later at the Club he told me that the kid had never been identified and no one had claimed the body. I asked what they do in cases like that, and he said if it’s not used for organ donation, the body is usually given to a medical school for dissection.

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For a while my neighbors were all up in arms. The kids had to stop using the path.

I was a ten-days wonder. People called or wrote me notes. The president of the neighborhood association came by and said he wanted to thank me. "For what?" I asked. "Milo's dead."

"Have you seen that wooded area?" he said. "We got the city to clear out all the underbrush. They put in lights and an emergency phone. The police go by twice a day."

"I haven't been back," I said.

The chatter finally stopped. I was glad of it. All that talk about self-defense. I guess that's what it was. I never say much about it, though. But I think about it. I think about what happened a lot. I still don't feel like I killed anyone.

Milo was cremated and I have his ashes in a little box on my dresser, and I look at it every morning and evening. The vet had a paw print made in plaster, which I have there too. Milo's name and the date are on the bottom. I look at that and remember. I don't feel any anger. I never have. It just makes me sad. And I wonder why things happen. Why we went that way on that day. Why the kid happened to be there at that time. Why Milo jumped. I still don't remember what I was thinking after the kid shot Milo. I don't remember being afraid.

But I do know in my heart of hearts that if the kid had dropped the gun after shooting Milo and turned to run away, I would have hit him just as hard.

