THE TELLINGS OF JUAN RIVERA
Inspired by a true story

Juan Rivera had blue eyes right up until his very last years. Not the sparkling color of actors or the deep blue of the ocean, but a diluted shade that was almost gray. The Irish brought that feature to parts of northern Mexico during the Texas Revolution, but in the small southern town where Juan was born it meant he was different from everyone else, and being different meant he was tormented. It probably started as simply innocent curiosity, but eventually brought taunting, and when that went unchecked, led to Juan being beaten.

In those day he was known as the Rivera Runt, for Juan was also very small, much smaller than his brothers and sisters. His parents were no help, being ashamed and suspicious of this strange little blue-eyed thing ever since its birth. They avoided him whenever they could, and when they couldn't they mocked him. When he began returning from school with cuts and bruises they assumed it was his own fault. They blamed him for not fighting back, but his small, wild struggles put off very few. Picking on him became regular sport. By age twelve he had several scars, and his nose had been broken twice.

I didn't meet him until almost seventy years later, and only learned of this from Rosie, who learned it from his sister Anna. My companions and I were all near eighty, all former soldiers and widowers who'd been single long enough to recover some of the manly foolishness our wives had polished off. We gathered several times a week to strengthen it with wine and cards in Rosie's Cafe. Rosie criticized our manly nonsense heavily and often, even as she protected us from the outer world by allowing us to sit there for years, playing cards and drinking wine. I think she loved us nearly as much as we did her.

We were playing there when we noticed Juan for the first time. He was shorter even than Rosie, and much thinner—maybe a hundred ten pounds. He was dressed second hand like the rest of us, but his shirt and slacks were pressed. We were always presentable, of course, but

Juan always looked dressed for church.

We were immediately on guard of him, for he had Rosie's attention. That was a certain trespass against us. She was *our* friend, and there she was, sitting and chatting with another near eighty-year old man. Rosie was a large woman, years younger than us, and though there was never anything but friendship between her and us, she enjoyed pretending there might be almost as much as we did.

So we were a little jealous, I suppose, seeing her attention taken up with this other little man that day. But then other customers came in and she got up to host them. First, however, she brought Juan over, and invited him into our group.

"Why don't you join these boys?" she said, with confidence that made her suggestion hard to attack. Nevertheless, we were put off—not by Juan's eyes, though that's the first time I noticed them—it was the uninvited intrusion she was suggesting. But Rosie's suggestions always had a certain concrete weight, so we glanced at each other for a thoughtful moment, then shrugged that we didn't mind. Juan gave her a little bow of thanks, then turned and gave us one that seemed more of appreciation, and sat. He played with us for almost twelve years after.

We weren't great at cards. We each won enough to be respectable, but not so much that it risked friendship. Juan fit right in; he never won more than he lost. More importantly, he never once tried to take over conversation. We were all monarchists or socialists, so there was plenty to carry debate to the brink of argument. But Juan never once took us over the edge.

It helped that he had a certain dignity in him. He drank and joked and even sometimes swore like the rest of us, but he was calmer with his jokes, a little quieter with his swearing, and more restrained with his drinking. And he gave these little bows of respect to whatever bit of wisdom someone offered, or to whatever point of emphasis he wanted to make, or of thanks such as that I've just mentioned. I don't know if it was the fights he had when he was a kid or his time in the military, or maybe some gene that works its way around inside someone until it sculpts

personality into that of a true gentleman, but whatever it was, Juan had it. Being old soldiers, we weren't easily impressed, and yet we all looked up to the little man.

Rosie became friends with his sister Anna, and learned her theory about Juan's beatings as a child. She said the inner scars of those years allowed a thicker skin to grow, and that in turn let his small confidence to blossom. Not that he was ever cocky, or ever bragged. He was different from us that way, for in our small group bragging was an art form. It was one of so many things dear Rosie scolded us about, but we loved telling a good story. It didn't matter that the story was a lie. The importance was much more in how it was told—in the telling. There was a simple rule about tellings. Success required indifference, as if whatever grand thing you just invented was really no matter. It helped to remember the details, but getting 'caught' never mattered as much as the telling.

Hans was the best at this. In the flush of wine and a winning streak he'd tell stories about women he'd had in Vegas the night before. He never actually set foot in Las Vegas, and the amorous part of his life probably hadn't worked since long before his wife died, but that didn't matter. Nor did the way his failing memory led to frequent, later differences in the details. What mattered was that his stories were wonderful tellings. They came an easy grace and carried glorious detail, and let our imaginations escape well beyond their aging walls. The length and breadth of the tellings depended upon his mood, of course. If he kept winning, the things he'd done increased, sometimes spectacularly, but if he started losing…well, you almost hoped he'd beat you.

Juan was never in Hans' league here. Not that he had trouble with conversation. He'd compliment others' stories, but when asked about things *he* did, he'd just give little bits—about his military service or fist fights—then cut them off before they ever became remarkable. Rosie said Anna claimed they were true, that Juan never exaggerated a single thing in his life, not even with wine or with other men. That, of course, would not be possible, but is again less important.

It was clear early on that Rosie liked him. Juan was always the gentleman, but never more with her than any other woman—not that we saw, anyway. Hans asked him about his love life one day. Juan resisted, but then gave a short story about how he and his wife Cornelia had enjoyed a whole life's worth or romance in their short marriage, and that after he'd had nothing left for others. Such a thing left him open to serious criticism in our group, but he said it so quietly, and with just the right hint of sadness, that we had to let it go. It was one of his best tellings, and we never spoiled it by asking for more.

We learned the rest from Anna and Rosie. Anna said his wife Cornelia was a lovely woman, but so much larger than Juan that he looked more like a son than her suitor at the wedding. She'd been taunted herself—but for her tall figure, not her features—and Juan had tried to stand up for her. It led to one of his beatings. But Cornelia was one of the few in Yaze who didn't consider him a freak, and she began to protect him in school. As time went on their mutual appreciation blossomed to affection, and by the time he was thirteen Juan asked her to marry him. The courtship needed only another three years before they walked down the aisle. Juan's parents neither cared nor attended, but hers was upset about it. But their daughter was a large woman with a strong mind, and her mind was set to marry this man. So, she did.

It was over almost before it started. Cornelia got pregnant a few months after the wedding, and didn't survive the childbirth. Anna said it broke Juan's heart so badly the pieces never mended themselves. He stayed in the hospital for hours after she died, not because she'd given him a son, but because he couldn't bear to leave her body.

Juan named the boy Henry. Anna said Juan was a good father, but that Henry was a difficult son. It wasn't entirely Henry's fault. Once Juan's eyes and size were noticed by Henry's schoolmates, Henry was bullied too, though not as badly as his father had been. Henry was much larger than Juan, and could defend himself. Nevertheless, his father tried to help him. He spoke to Henry's teachers, argued with other boys' parents, and even fought with one of the

fathers. But Henry never appreciated it, and they argued a lot. Juan eventually moved them to California in the hope things would change, but Anna said they never did.

Henry's anger grew, and by the time he was sixteen, he turned violent. He began shoving his father around, then slapping him, and at age fifteen beat Juan so badly his father was in the hospital. The police came, but Juan refused to press charges. It didn't matter. Henry ran away.

That was a relief to both men, for decades after. Anna said Juan tried to find his son, but Henry cut off all ties. Juan eventually returned to Yaze to help Anna start a cleaning business, then served for almost ten years in the Army before he returned to California with Anna. She married, and he'd just bought his own small house when he walked into Rose's Café that first day.

He'd been playing with us for almost ten years when Henry returned. Juan came in one day looking as if he'd run into a tree. His clothes were torn, his cheek was swollen and bruised, and he sat sorely.

"What happened to you?" Rose demanded, fingering the lapel of his coat.

Juan shrugged carefully. "I tripped and fell." He tried to bow to finish it off, but it was not a good telling.

It happened twice again that same month. He came in with bruises that said something had happened. He claimed he'd fallen or bumped into something, but they were his worst tellings. Rosie found out from Anna what happened. There'd been a loud knock at Juan's door one night, and there was his son, covered with tattoos and smelling of streets.

"I need to stay with you for a while," Henry said, and the big man brushed in. To his credit, and possibly some shame, Juan tried to help him. He took Henry to Goodwill and bought him newer old clothes, lent him money and let him borrow his Buick to get a job.

It was an old Buick, but became a pivot in both men's lives. Henry used Juan's money to get drunk, then ran the Buick through the garage door. He had a body shop friend who fixed it,

but it never ran right after. Juan hid the keys, and wouldn't let Henry use it again. It was something Henry couldn't abide. He began once again to mistreat his father, pushing, slapping, and worse. Henry's friends came over, and began to stay, and joined in the mistreatment. Juan came downstairs one morning and found a half dozen large men sprawled out around his living room, with empty cans and bottles everywhere.

Juan had dealt with such bullies before, but he was an old man now, and couldn't. And he wouldn't do anything but simply avoid him. Anna tried calling the police one day, but it made matters worse. Juan wouldn't press charges, and once the police the mistreatment became particularly cruel.

Rosie says pride hardens to foolishness in old men, and that it did with Juan that year. The little man turned down all our offers to help. Hans and I still had army pistols, and we suggested using them in some way—*any* way—but Juan refused.

Rosie made a more sensible suggestion, urging Juan move into one of four spare rooms in the big house she owned behind the cafe. Rosie's suggestions always came with the delicacy of a locomotive, but we helped her with that one. We made her wait until Juan had two full glasses of wine before she attacked, and made sure she used every weapon—safety, health, peace, and more. It was impressive, but in the end the force of her kindness ran into the weight of his pride. He finished it off an appreciative bow, and stayed in his home with Henry and the others.

It went on for weeks with Juan showing more or fewer bruises that went with the ebb and flow of young men's moods in his home. But then, for a while, the bruises disappeared. Anna said an unsettling quiet had come into Juan's place, like an eye of bad weather. Two weeks later Anna told Rosie what happened. Juan had stepped out of the shower to get a bar of soap, and heard his son talking to a friend about getting his father committed. Henry would get the home, the car and Juan's money.

It took several days before the rest of us found out. Juan wouldn't talk about it, and Rosie

was sworn to secrecy. But one night Juan folded a winning hand, and even flipped it over without thinking.

"What's going on with you, Juan?" Hans asked, pulling in the cards.

Juan took a deep breath, but said nothing.

"Tell them," Rosie insisted gravely.

Juan looked around the table. "My son is going to put me in County."

That was a shock. We'd discussed such places before, but always in passing, never under pressure. The County facility—its staff, the food, their care—was the worst, and once in you couldn't get out. And here it was knocking at Juan's door. Gloom came into Rosie's Café that evening, and followed each of us home. We all lost sleep, trying to think of some escape. We still hadn't come up with anything by the time Juan's accident happened.

It had nothing to do with his eyes, though it seemed it could have. Juan ran a stop sign and struck another car. The Buick's brakes had never worked properly after Henry's accident, and now had finally failed.

At first there didn't seem to be much of a problem. The other driver wasn't hurt badly, just whiplash. Juan took savings from his bank and sent them to her with a letter, saying it was to pay her medical bills. She sent it back, with a letter saying she was getting a lawyer.

Weeks went by without more, and our worry drifted off. But one day Juan got a knock at his door, and was served. He brought it to Rosie's, for this concerned all of us. It kindled even more fears. If this thing could help commit the small man we so admired, something like it could easily happen to any of us.

Juan called the lawyer, and it was then we discovered what lies we'd been taught about insurance. We'd been told it was just for people with something to protect, and we believed a part of our freedom meant not being chained to such things. Our wives and Rosie had warned us, but in our manliness we felt there was a certain sanctity about a soldier's home that couldn't be

lifted, unless we willed it away.

The lawyer told Juan there was no such sanctity. When the verdict came in it would be sold to pay for what he'd done. His little house might be worth two hundred thousand dollars, and he should sell now to avoid trial. It was horrible news. Rosie was the only one of us who knew other attorneys. A friend named Ellen worked at the public defender's office. Rosie called her. Ellen couldn't handle it herself, but her daughter had just passed the bar and had no job yet. Ellen would coach her, and they'd do it for almost nothing. That was good news, until we met the daughter. We had grandchildren older than Dorothy, and she seemed too giddy with excitement about her first trial to realize the gravity of Juan's situation.

There were fewer tellings at Rosie's in those months, and less sleep for all of us. I could only imagine what it was like for Juan. He seemed more sad than angry about it, but never complained. We did that for him—especially Rosie, and especially as the trial came closer.

It took place in an old courthouse. There was no one else there but us. Juan looked very small, seated there with Dorothy. She looked smart, in a new suit, but her giddiness was gone. She was nervous. The other lawyer was like a movie star—tall and tanned, with gray at his temples. It was doubly disappointing, because he was good. It became painful to watch him. He gave a thundering speech about what Juan had done, and what his client had suffered.

Dorothy read her opening statement. She tried to explain Henry's accident, and that the brakes had failed because of faulty repairs, but the lawyer hit her with sharp objections. They rattled Dorothy. She stumbled, lost her place, and dropped her notes. For a moment she looked like she wanted to run away, but Juan got up and helped her. The poor little man crouched and retrieved the papers, then stood there as she put them back in order, then patted her back and returned to his chair. Dorothy went on, weathering more objections, but finished it. She sat down, looking ashamed, but Juan patted her again, whispered encouragement to her, then sat, waiting.

The other lawyer brought a police officer and two bystanders to testify. They'd all heard a squeal of metal, and turned to see Juan roll past a stop sign and strike the other car. The woman he hit was older, but wore a very short skirt. He spent over an hour taking her through the accident and her injuries. Dorothy objected several times, and even won one or two. It seemed to give her a little footing. She got angry, and began arguing with the other attorney. The court reporter and the judge had to stop them.

It may have been a good thing, because Dorothy. She'd begun the trial with great fear, but as she got angry, she found a little steel. When it was her turn to ask the other driver questions, she set aside the notes her mother had prepared, and walked up without them.

"You weren't really hurt that badly, were you?" she said.

"Objection," her lawyer cried, and they began arguing again. The judge stopped them. He paused, weighing the matter, then shook his head. "The objection is overruled." He turned to the woman. "You may answer."

"I may?" the woman said, as if it couldn't be so.

"You must," he replied, arching his eye seriously.

She frowned at him, turned back to Dorothy, irritated. "I don't know how you can say I wasn't hurt! I was hurt badly, and still am."

Dorothy snapped right back. "Well, you made it here to court." That brought another objection, but another good ruling by the judge. He made her answer.

"Obviously. I'm here, aren't I?" the woman said crossly.

"Did you drive?"

"Well…, yes," she answered, and even she could feel a little change had come into the room.

"And with all these pains, you can walk? Without a walker, or wheelchair, or even a cane?"

"I manage."

"You've never needed any of those things, even right after the accident, did you?"

"Thank God, no. I didn't."

Dorothy looked around the little gate that led to the witness area, at the other woman's feet. "Don't your shoes bother you?"

"My shoes?" the lady said, and *my shoes?* I thought.

"You're wearing high heels," Dorothy said. "*Very* high heels. Five inch, right?"

"I don't measure them."

"Don't they bother your back?" Dorothy asked. "You've been walking around here for more than a day in them. But they're okay?"

"They're not that high."

"Would you show us?"

She didn't want to, but the judge made her take them off and show them. They were very high, spikey looking things. Rosie rolled her eyes at the woman when we talked about her later. It was a little part of the case I didn't really understand, but the feel of it was good. But then it was gone, and the choking reality was back: it didn't matter what shoes she was wearing, or that her telling had been poorly done. What did was that an old man was out running stop signs, and hitting other people.

There was a lot more arguing between Dorothy and the other lawyer after that, and rulings by the judge. They were mostly victories for him, but shuffled in the battles were some small moments that seemed briefly better, but couldn't matter. Juan brought the best of these. Sometimes just turning away from the lawyers and watching him made me feel a little better—prouder, perhaps—the way the little man was so dignified, even in that stormy place. In the midst of all that fearful, threatening activity and shouting he stayed pretty much his usual courteous self. Whenever Dorothy finished some part of the case, he'd pat her arm or shoulder,

and say something encouraging. After she scored her little point on the woman's shoes, he got her chair out and was waiting to seat her. And then, when she sat, he shook her hand and thanked her—not loudly, but loud enough that everyone could hear. It was one of very few bits of sunlight in that stormy trial, but then again, they made me sad, seeing him so, knowing what was coming.

There was one other last little scene which happened like that. With all the arguing Dorothy and the other lawyer were doing, talking over each other and shouting, the young court reporter had trouble keeping up. She was a young woman who'd been pleasant enough for a while, but when the arguing became fierce, she began muttering, then shaking her head, and eventually throwing up her hands and crying crossly, "Really!" or "Please!" The judge finally stopped things, and in the break before Juan testified, called in a more experienced reporter.

She was older, still a young woman but maybe in her late fifties. The judge waved her and Juan up. She came from the audience doors as Juan approached over from Dorothy's table. They arrived at the little gate that led to the witness area at the same time, then one of those small dances that sometimes happen when we're entering doorways or elevators took place. It wasn't important, obviously, and I'm not sure why this one stood out, but it was the last sliver of something pleasant in those terrible days, all again because of Juan. He got to the gate a step ahead of the reporter, but seeing her, stopped on the opportunity, took a step back and to the side, then motioned that she could go first.

She hesitated mid-step—as if surprised at the gesture from this small and considerably older man—then brought herself to a stop and turned slightly towards him, shook her head and waved him forward instead. Juan gave her back a little smile of appreciation, but then stepped back a little farther, turned until he faced her fully, and with a graceful sweep of his small arm motioned that she lead the way. And to finish all discussion about the matter, he added another of his bows. The reporter gave him back a quick, grateful smile, turned and went up the steps

looking a little proud.

Their dance only lasted seconds, but the room had quieted as it unfolded. By the time the two partners sat everybody was watching them: the jurors, the clerk, the bailiff, even the judge. And they were all smiling—all except the judge. He was one of those people who never smile. He watched, unsmiling, and those unsmiling eyes fixed themselves on Juan. They followed him as the dance took place, then as he and the reporter went up the steps, and then, finally, as Juan settled into the witness chair. That following stare seemed unsettling to me, so sour and grim while locked on our friend. It made me grateful Juan's case would be decided by jurors and not him. But what difference could it make? Absolutely none. The little vignette was just another unimportant bit of pleasantness in that terrible losing battle, one of the last we'd see of our friend before he was taken off to County.

Juan testified only briefly. Dorothy tried again to show the Buick's brakes hadn't been fixed right after Henry crashed the car. The judge hadn't allowed it before, but it seemed right to try again, for how could that really be Juan's fault? I hoped the judge would forget his earlier ruling, or hearing this again would think differently about it. But he didn't forget, and he didn't think differently. There was more argument, and in the end the judge hammered Dorothy with a stern lecture about the point. The brakes were Juan's responsibility, regardless of who previously crashed the car, and regardless of who repaired it. And Juan accepted it! When the judge finished, he even acknowledged the reprimand with another of his bows. Then he was excused.

The other lawyer argued for an hour. Dorothy spoke ten minutes. The judge told the jury again that Juan was responsible for his brakes. The jurors left to decide. We waited for more than five hours before they knocked on their door. The foreperson handed the verdict to the bailiff, who gave it to the clerk, who passed it to the judge, who read it and frowned at Dorothy, then gave it back to the clerk to read.

She stood, and spoke:

"Question number one: Was the defendant Juan Rivera Negligent? Answer "yes" or "no".

"Answer: No."

The other lawyer began shouting. The judge held up his hand, as if to say he needn't. It was a mistake. The judge excused sent everyone but the lawyers home. We went to Rosie's, unsure if we could celebrate. Dorothy and Ellen came later. They said we might have to start the trial over again. It was sickening. We all stayed at Rosie's house that night, and for the next two days.

Ellen and Dorothy came late Monday. Dorothy had spoken with the jury. The foreperson explained the verdict by saying Juan was "more telling" than anything else. Ellen had heard of it happening before, but had never seen it. The judge would've had to throw it out, but Dorothy had called the other side to see if they'd now take what Juan offered before.

"Her medical bills," Dorothy said, and for the first time since her giddy days she was smiling. "And they'll take them, so the case will be over."

"And the commitment?" Rose asked. The thought still hung heavily around us.

"I told the jurors what Juan's dealing with, and they offered to help. And not just them, everyone. The jurors, the clerk, the bailiff, and even the judge."

It was true. Ellen said they weren't supposed to do such things, but they would anyway. There'd be letters from all of them to say Juan was perfectly competent. Including the grim, sour judge.

We played cards well into the night. Hans won and told of how he'd celebrated in Las Vegas last night. His memory had slipped so badly that he didn't realize he was with us every night, but that didn't matter. Life was coming back to us.

Juan never returned to his house—except to pack a few things. He sold it, and moved in with Hans. He paid Dorothy and Ellen with what came from the sale.

We still play at Rosie's now. We're all near ninety now, but haven't surrendered to what such numbers bring. We've retreated, of course. We don't drive any more, but Rosie taught us about Uber. Hans and Juan will move in with me, but Rosie has four bedrooms in her big house, and thinks we should live with her. I'm not sure there's a need for that yet, but she can be quite persuasive, so who knows what will happen.

Juan doesn't talk about Henry much. It makes him sad. Rosie forced him to one night, but after saying a few words he couldn't speak at all. He stood, gave us a short bow, then went for a walk. Rosie brought him back, sat him with us, then kissed his cheek. Things went right back to normal, but we haven't talked about his son since.

Ellen joins us sometimes in cards. On weekends. She's young, still in her seventies, but wins enough to be respectable, but no more than that. Her tellings are usually about trials she's been in. To hear her tell it she's won almost everything. We doubt that, but she gives a good telling, so it doesn't matter.
