

## A DAY AND A BIT MORE WITH E. GRADY†

*Claiborne Barksdale\*\**

After the deposition we are eating a late lunch at Galatoire's. There may have been a couple of glasses of wine. Something sets him off, he sours, complains about the sun from the mirrors, placed exactly there to annoy him.

"Let's go get you some suits." Up and out.

We go to Haspel Bros, a beloved client bequeathed to him by C. Arthur and Melvin. He buys me two suits.

"Thank you."

A hint of a sneer. "Don't thank me. I just don't want you embarrassing me anymore."

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The first time I laid eyes on Grady he was presiding at the Jackson Young Lawyers' Association. I was looking for a job.

He was wearing a light-blue seersucker suit, pink monogrammed shirt, floppy white pocket square, pastel tie. White bucks, of course.

He started out funny and charming and then something occurred to him that he didn't like and he meandered for the next five minutes in petulance, dismissiveness, cynicism and sarcasm,

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\* There may be a few "stretchers" in here, as he likes to call them, and a few anachronisms, but to the best of recollection and belief everything set forth below has at least some basis in fact. Any suit for libel will be vigorously defended.

† Judge Jolly: By way of riposte, my longtime friend, Claiborne Barksdale, has in recent years devoted himself exclusively to writing fiction of which this article is an example. Although there is a seed of fact planted here or there, such seeds of fact are no competition for the fertile (and learned) imagination of a talented fantasist.

\*\* J.D., University of Mississippi 1974; Jolly, Holloman & Miller, 1974-77; U.S. Senator Thad Cochran, 1977-81; law clerk for Judge E. Grady Jolly, 1982-83.

none of which had anything to do with Jackson, youth or the legal profession. All of this, like the shrimp, lightly sautéed with a little garlic.

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“Do you think you would ever actually buy a Rolls-Royce?”

“Noooo. Well, probably not. Hard to say. Maybe. Who knows? I don’t believe Bettye would ever let me go quite *that far*.”

“Not to mention how the clients would feel about it.”

He usually drove a late-model black Oldsmobile with the flair and panache of a hearse. Even at an early age – mid-thirties – for all of his youthful looks, he tended toward the geriatric. I suspected that his shuffling and his posture, bent as weathered tuckamore on the shores of Newfoundland, were at least partly a ruse so the clients would overlook his wide-eyed owl-like boyishness. He was always going around spouting “Prufrock” about growing old, wearing the bottoms of his trousers rolled, daring to eat a peach, etc. Or “Crossing the Bar,” about not mourning him when he died, although he later admitted that the number of people at his funeral would depend on whether it rained that day.

At some point, perhaps portending a mid-life crisis, he bought a green Porsche. The Porsche had a long, sloping hood that even Grady, with his unmatched mechanical skills, couldn’t quite figure out how to shut. He retained Becker or Child, or maybe C. Bass, or maybe all three, to represent him. The Case of the Snapping Snoot. Seeking damages in the millions. Emotional distress, etc., etc. Unfortunately, the case was settled, the terms never disclosed outside the sanctum sanctorum of the Weaver Gore Coffee Club.

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He had put up yard signs for Thad, in the rain, and Thad felt like he owed him one, so Thad recommended him for the Fifth Circuit.<sup>1</sup>

There were rumblings among Mississippi's staunch Reaganites, rumors, gasps, about youthful *liberalism*, his stint with the NLRB, his confessed feeling sick when crossing the state line back into Mississippi during a particularly dark period. Letters and phone calls poured in, nerves had to be soothed, assurances made.

After several months of inertia, Thad let me tag along with him to meet with Reagan's attorney general, William French Smith. He of a clear desk and an uncluttered mind. Dust motes swirled through the office as Thad stated his case. He vouched for Grady's bona fides. None finer. Solid. You bet. Sure, he occasionally used to wear madras jackets, but so what?

Thad managed to drag him across the finish line.

Ascension to the bench for Grady was like putting Toad of Toad Hall behind the wheel of a late-model roadster. Off to a whistling start, he discovered that nothing was quite as exhilarating as wiping out five-hundred years of Anglo-Saxon jurisprudence with the swoop of a pen. So many of his early opinions were taken up en banc that he took to wearing a pith helmet to conference.

People say things have calmed down over time.

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We are sitting in a dark booth at the Sazerac Bar. I want a gin-and-tonic but he orders us a couple of Sazeracs.

"Tell me this isn't a beautiful bar." He looks at me to make sure that I agree.

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<sup>1</sup> After a bit of my wandering, Grady got me a job with Thad.

Silence falls like linnets' wings on the shoulders of the evening. (Yeats. "The Lake Isle of Innisfree." Another of his favorites, along with Faulkner. At some point he talked some unfortunate friends into forming an investment group, Flem Snopes, named for one of Faulkner's Frenchman's Bend rascals who traded cows on the side. Grady's Flem Snopes traded pork belly futures. For a while everything was up, up, up, visions of Rolls-Royces and antique Hepplewhite secretaries dancing in their heads. But then either pigs or the future took a bad turn and, like big boys, they blithely augured Flem into the ground. It turned out, to everyone's astonishment, that Grady knew as much about pork belly futures as he did about another can't-miss investment he was desperate to make but that Bettye refused to allow, something involving monkeys riding mechanical ponies.)

Finally, drinks in front of us, he breaks the silence. "I spoke to the graduating med school class last spring."

He waits for me to ask him what pearls of wisdom he had shared with them. My faculties are as dimmed as the booth we are sitting in, however, and, suits or no, I am tired of his badgering. I am a little curious, though. What could he – a labor lawyer – have talked to graduating doctors about? Obstetrics?

"What did you talk to them about? Obstetrics?"

"Very funny." He is walking that edge. "I told them to anchor themselves to non-material values."

He sits back, satisfied with himself for a moment. Then his eyes light up like a ten-year-old's, he leans forward and grabs my arm across the table. "Irony of ironies. One of them came up to me afterwards – this is a true story – I think it may have been a friend of yours who came over when I left my house in your charge – and told me he'd been in my hot tub!"<sup>2</sup>

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<sup>2</sup> I house-sat for Bettye and Grady on occasion and, while so doing, on occasion, entertained.

One Sunday shortly after The Ascension we drove down to a sitting in New Orleans.<sup>3</sup> The lovely Miss Bettye Simmons, formerly of Brooklyn, Mississippi, drove. Grady sat in the passenger seat working or reading or telling stories or jabbing at the radio every thirty seconds. Nearing New Orleans, sidetracked perhaps by one his stories, Bettye missed a turn and off we sailed toward Byzantium. He exploded like a cherry bomb. Bettye told him he had to apologize. Which he did, sort of.

I witnessed this from the backseat and thought, not for the first time, that he, a complicated, prickly, but basically aptly-named man, should have been born in the 18<sup>th</sup> Century, that happiest of centuries. Perfectly self-aware, he and Samuel Johnson would have gotten along famously. Plus, just think, he could have worn a wig to complement his bespoke robe. (Consider Yeats again, "Lapis Lazuli," and you catch glimpses of one of the hopeful Chinese men with glittering eyes, climbing eternally toward a half-way house.)

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This day in New Orleans is never going to end. We somehow somewhere have made it to dinner.

"Damn it, get the steak tartar."

"I don't want the steak tartar."

He shakes his head, the cosmopolitan from Winston County who had in fact worn madras jackets at Ole Miss to Freshman English under the watchful eye of Dr. A. Wigfall Green, disgusted once again by my provincialism. You could cut the tension with an olive spoon.

"That's right, eat the same thing every night for the rest of your life." He pokes at me with his finger. "It's like Carter says, you may not live to be a hundred but it's going to feel like it."

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<sup>3</sup> After another bit of my wandering, Grady let me clerk for him.

His steak tartar arrives, he eats two bites, pushes it away, a faintly bilious look on his face.

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He has blown up many a dinner party, incited actual violence, although he usually manages to remain hors de combat, citing bad back, dental work, poor eyesight, overall lack of athleticism and muscle tone. Unless jumping on the back of an enraged lawyer in order to save another lawyer (a friend) from being mauled and crammed into the fireplace with a broken jaw, constitutes “combat.”

He bears watching when he is quiet. Boredom and a touch of Usher’s Green Stripe make for a volatile blend. As a rule he sits in the host’s dining room, stirs his drink, then lobs some casual verbal bomb – which he dreamed up that afternoon and may or may not actually believe – onto the table. “Only property owners should be allowed to vote.” If no one takes the bait he ratchets it up with a shrug. “If you don’t believe that you’re a feather brain.”

There is, at most, one Grady. Somehow, for all of his misanthropic qualities, he has innumerable close friends. He is a respecter of class but isn’t bound by it. The ratio of the people he likes versus those he doesn’t is pretty low. All of which is to say that, somehow, he gets invited back.

His provocations are of course not restricted to dinner parties.

Who can forget, for example, the world premiere of Mississippi’s new anthem to replace the venerable “Roll, Mississippi,” set to the haunting strains of “Roll with Ross.” The Mississippi Symphony, the Mississippi Chorus, the hall packed with Mississippi’s finest. What a night!

He sat twitching on the front row.

The new anthem (alas, never to be heard again) was performed. Applause, applause, bravo, *bravissimo!* Except for the lone white-haired, red-faced critic leaping to his feet on the front row, booing as loudly and lustily as he can through cupped hands.

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It's the next day. We've made it back to Jackson alive and are standing in a crowded room at Wright & Ferguson.

"That guy over there? Pretentious and coarse."

"Countiss?"

"No! The deceased. The one in the box."

You want to be with Grady at a funeral, he smoothes over the rough spots.

We stroll through the crowd.

"I'd rather be hustling clients at the Mississippi Manufacturers' Association."

He always says we should love our clients. He apparently has mixed feelings about this one, though, the one in the box.

"Well, then, Grady, tell me something."

"What's that?"

"Why are we here?"

He thinks about this for a second. Then his eyes begin to twinkle and he smiles. "Ah, m'boy, that's the question, isn't it? Why, indeed?"

