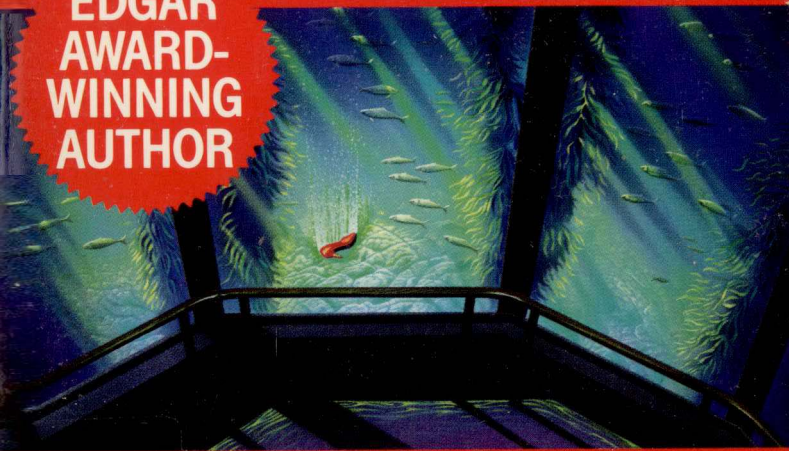


# DEAD IN THE WATER

AUTHOR OF  
NEW ORLEANS MOURNING

Julie Smith

EDGAR  
AWARD-  
WINNING  
AUTHOR



A Rebecca Schwartz Mystery

A dead body in a kelp tank turns  
the aquarium's employees into  
potential piranhas.



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**DEAD**



**Julie Smith**

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It was one of those days in Monterey when the air is washed and polished like a lens. The sunsine had a goldy look and the red geraniums burned the air around them. The delphiniums were like little openings in the sky. There aren't many days like that anyplace.

John Steinback, *Sweet Thursday*

## Acknowledgments

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# CHAPTER 1

Sometimes in the life of a lawyer (even one as dedicated as I), there comes an overpowering urge to be under the sea, not so much in an octopus's garden as in a hermit crab's.

I indulge this fantasy vicariously, by keeping a one-hundred-gallon saltwater aquarium in my living room. A lot of people think I'm weird.

Marty Whitehead was weird, too.

It was late August when she called that last time, and I was staring out my office window thinking how odd it was to feel so empty and sad on such a beautiful day. I didn't want to make nice over lunch. I wanted to hole up like a hermit and be as crabby as I liked.

"Gosh-I'd-love-to, so-sorry, I'm-booked," I said, or something close enough. I'd said it a lot lately and I was getting it down pat.

"Drinks then?"

"I'd really love to, but I've got to try this case tomorrow and I could probably be ready sometime in October if I worked every minute. One of those things, maybe next time . . ."

"Oh." Her voice was low and gave nothing away, but something didn't feel right.

"Marty, is anything wrong?"

"No, I'm fine. Well, I guess you should know, but it's all

right, I'm coping just fine. Don's dumped me, but it's okay. Really."

Rob Burns hadn't dumped me, exactly, but it was our relationship that had me in the dumps, and you know what they say about misery. I had the damn drink with her.

My true love had gotten a Nieman Fellowship and had already left for Cambridge to find an apartment. I knew that Nieman Fellows returned from Harvard after a year; and that, like anyone else in this great country, they were free to receive visitors during their year. And I knew that a Nieman was about as prestigious as anything in journalism and that this was the high point of Rob's career. So why was I so sad?

Because I knew it was over, that's why. Rob didn't know, but I did. I wasn't sure what the problem was, exactly. The easy explanation was that I felt he cared more about his job than he did about me. He was a reporter for the *Chronicle*—a workaholic who could forget dates and cancel weekends when he was on a good story. But I had a nagging feeling that was only an explanation of convenience.

There was my half to think about, too. I found myself more and more haunted by ugly questions, questions like "What's wrong with me?" Or worse: "Am I really so unlovable, his job looks better?"

Since I like to think of myself as an independent, capable, twenty-first-century kind of woman, these clingy thoughts, so suggestive of poor self-esteem and emotional dependency, weren't comfortable, to say the least—even buried deep, which was where I carried them. You bet I kept them deep. No Rob Burns or anybody else was going to view the spectacle of Rebecca Schwartz begging and nagging.

After two years of the same old setup, I had to conclude that, for whatever reason—something about me, something about him, something about both of us—Rob wasn't really working out.

It was going to be an awful wrench. If anything, the Nieman made the whole thing easier, because he'd be gone in a natural way while I got used to the idea—but not having him around was going to be hard as hell. It already was. He'd only been gone a week and I was moping about so unproductively that Chris Nicholson, my law partner, was begging me to take a vacation and make it official. My sister Mickey, able to tell by my eyebags how badly I was sleeping, had shown her concern by giving me some Seconal prescribed for her after a miscarriage.

Our smart-aleck secretary, Alan Kruzick, had hung the office in black the day before Marty called—you'd have thought it was someone's fortieth birthday. Kruzick, one of The King's most loyal subjects, had an Elvis song for every occasion and a blaster to play it on. His favorite trick was to greet me with the song of the day, flipping the switch when I walked in. The day of the black office, it was "Heartbreak Hotel." Normally I would simply have picked up the nearest chair and heaved it at him. That day I broke into tears.

So I was easy prey for Marty. She was someone who'd be so busy crying in her own beer, she wouldn't mind if I did the same. In fact, she was so much worse off than I was that I could almost forget my own troubles. I didn't for an instant buy that "really okay" garbage.

We'd met at a party. "Marty," said our host, "has an aquarium even bigger than yours."

"Saltwater?" I'd asked her.

"Uh-huh."

Already I liked this woman. Saltwater aquariums are much rarer and tougher to maintain than freshwater ones. "How many gallons?"

"Let's see. Nearly three-quarters of a million, I think—if you count all three tanks."

Our host, I saw, had been putting me on. This was no



living room fishbowl we were speaking of. "You must live in Monterey," I said.

"Yes. I'm marketing director at the aquarium."

The Monterey Bay Aquarium is one of the wonders of the world. I was momentarily filled with envy.

"How marvelous!" I blurted. "And how are 'the lovely animals of the sea, the sponges, tunicates, anemones, the stars and buttlestars, and sun stars—' "

Marty took up the quote "—the bivalves, barnacles, the worms and shells, the fabulous and multiform little brothers—' " She stopped, looking exhausted. "And so on. My favorites are the anemones." Mine, too—Marty was making big points, but she didn't even stop for air. "You should see what we got this week—a wonderful, funny Mola mola. It's so ugly, you want to take it home and kiss it."

"But molas are open-ocean fish."

She shrugged happily. "Now and then they wander into the bay, looking a little like bewildered Frisbees."

Pleased with himself, if a little mixed-up, our host had drifted on, knowing he'd delighted a couple of aliens who'd found someone with whom to speak their native tongue.

Marty and I could have gone on about bivalves and barnacles for hours (and did for the better part of one), but our respective escorts eventually caught up with us—Rob and Marty's husband, Don.

When the gents turned up, the conversation swung, as it often did when Rob made a new acquaintance, to why the *Chronicle* was such a bad newspaper. Since Rob thought it quite a good paper and adored working there, it might be imagined this was not his favorite subject. But he was infinitely good-natured about it, and even persuasive as to his own view. And so he and Don hit it off as well.

The four of us went to dinner after the party, and Marty and Don swore to have us down to Monterey for a weekend. But Don was always traveling, it seemed. . . . Anyway, it

never happened. On the other hand, Marty and I usually got together for lunch or drinks whenever she was in the city.

Now she had a dead marriage and two children—ages ten and twelve—who were sure to be as brokenhearted as she was. If you thought of the marriage as a fifteen-year investment, she also had fifteen years down the tube.

As we drank—she had white wine (quite a few glasses of it), I had red—I got the whole story, probably now in its hundred-and-ninth telling: “It was so *sudden*, Rebecca. There was no way to see it coming, no way to prepare.

“One day he came home and said we had to talk. I’d gotten off early and I was making vegetable soup. He said he’d fallen in love with somebody else and he was moving out.” She shrugged. “And that was that.”

“Pretty much of a shock.”

“The shock was the worst part.” She straightened her spine and stared straight ahead. “But I’m over it now.”

Sure she was.

Not knowing what to say, I let some time go by, thinking I was witnessing one of the worst cases of denial I’d seen. I’ve noticed some people cover their sadness with rage, and some, their rage with denial. Marty seemed to be in the latter class, but she’d at least gotten down to rage in one area. She said in a voice loud enough for everyone in Tosca to hear, “He didn’t even tell me who she was!”

“It was someone you knew?”

“My boss.”

Marty had a one-of-a-kind job. The family had moved to Monterey on her account, not Don’s. She might be in marketing—the least piscine of jobs at the aquarium—but she could be in marketing anywhere. She was there because she loved the sea and its wildly teeming life. She was as dedicated to that aquarium as if it were in her living room. You didn’t just walk away from a job like hers. But how could

you work with a boss who had committed grand larceny in your bed?

“Sadie Stoop-Low,” said Marty, draining her glass (and listing a little, I thought).

“I beg your pardon?”

“Swedlow. Sadie Swedlow in the phone book. Bitch!”

Her sibilants were getting slushy. Some people feed their denial with alcohol. Starting to worry, I said, “You aren’t driving back tonight, are you?”

“Sure, why not?”

I devoted the next half hour to talking her out of it, five minutes to phoning her sitter, and the hour after that to nursemaid services involving more drinking and more listening. It was almost midnight before I got her bedded down in my living room, an eminently soothing place for a fish-fancier.

She awoke fresh and grateful, but a little sheepish. “Gosh, Rebecca, I don’t usually drink that much.”

“Marty, listen, something awful’s happened to you. You have a right to drown your sorrows.”

“It wasn’t that. I’m coping fine. I should have had more than a salad for dinner, that’s all. I’ve gained two pounds in the last month, and I’ve got to take it off.”

“You’re such a perfectionist. Did it ever occur to you that you’re as human as anyone else? You just lost your husband of fifteen years. You’re allowed to feel terrible about it.”

She looked at her watch and screwed up her lip, irritated, letting me see what she was thinking: How dare I talk to her this way? We weren’t really that close. Even the night before, even in the face of disaster, she hadn’t really unbuttoned, just vented steam about Sadie.

“Well, listen,” she said. “Whatever. The point is, you saved my life and put me up, and I’d love to return the hospitality. You’re the one who’s going through a bad time. Look

at you. Your face is so tense, it looks like a mask. You need to get out of here for a while. So get your things. We're going to Monterey."

I almost smiled, she was so transparent—trying to reassure herself by taking control. But she'd hit on something. It was all I could do not to dash for my toothbrush.

I really did have to be in court or I would have taken her up on the offer right then. The moment she brought up the idea, I knew Monterey was the place I needed to be. If I found my own aquarium healing, what about the biggest one in the world? *I must go down to the sea again*, said some silly imp who lives in my brain, and I actually smiled.

She saw the smile and zeroed in for the kill. "You know what we have in Monterey now? This thing called The American Tin Cannery—outlet heaven."

Everyone who knows me knows I love to shop and I love a bargain.

Marty said, as if dangling cookies before a kid, "There's a Joan and David outlet."

But I wasn't even slightly moved. It was the aquarium that attracted me, and the bay.

If I couldn't actually be a hermit crab, at least I could imitate one, and I could look at quite a few. I could watch the kelp forest sway all day if I wanted to, and I could sit in the restaurant at the aquarium and eat delicious seafood and drink the amusingly named house Chardonnay (Great White) and watch the bay. I would see seals and otters, perhaps, and if I didn't, I could take a cruise on the bay. I could reread *Cannery Row*.

The only things wrong with this picture were Marty and her two kids. Hermit crabs have to have solitude.

But eventually we worked it out. Chris was already prepared to take over my cases if only I'd get out of the office for a while. I'd drive down that night, which was Friday,

spend the weekend at Marty's, and find a nice condo or B&B to move into on Monday—something on the beach, maybe, or at least within walking distance of the aquarium. And I'd stay there a week, two weeks, maybe three. I'd stay there till I felt better.

# CHAPTER

## 2

Cannery Row is a colorful old street, once called Ocean View. To its biographer, John Steinbeck, it was "a poem, a stink, a grating noise, a quality of light, a tone, a habit, a nostalgia, a dream."

Steinbeck's book was published in 1945, the best year ever for the sardine catch, and for practical purposes, the last good year. The last cannery, the Hovden (which produced the Portola brand sardine), closed in 1952.

And so nowadays the stink is largely metaphorical, the latter-day fishiness having to do with authenticity or the lack of it, for Cannery Row is now tourist-land, a street of restaurants, hotels, bars, T-shirt shops, and one cultural attraction.

Oddly, the rest of Steinbeck's description more or less holds true. The row is right on the bay, you can't change that—and it's still got its own unique, half-industrial character. The aquarium, tucked in at the end of the row, the old "Portola" sign meticulously preserved on its adjoining warehouse wall, is the one cultural attraction.

As we'd arranged, I phoned Marty when I got into town. She was working late, which seemed odd for a Friday, but she said she was catching up after her two days in San Francisco. She said she'd meet me in the parking lot, where we could leave my car while we had dinner at some splendid

fish place. (People who love aquatic animals love them in every way.)

She had me park in the dirt lot on what is still Ocean View Boulevard, but becomes Cannery Row at the Monterey line—weirdly, the aquarium is on the border of Pacific Grove and Monterey. When I got out of the car, she gave me a big hug as if we were best friends instead of fairly distant acquaintances, and I started getting into the holiday aspect of the thing. She led me through the gate to the closer, paved parking lot, both of us chattering as if we hadn't seen each other in months instead of hours.

She seemed much cheerier than she'd been in the city. That was the way these things went, I remembered from my last breakup. You were morbidly depressed for a while, and then you started having some good days, and eventually most days were pretty good. Don had been gone three months.

"Are the kids coming to dinner with us?" I asked.

"Oh, heavens no. They're in front of the tube and can't be pried away. Keil's twelve, you know, and very responsible. Damn good businessman, too—takes after his mom. He has his own errand-running business, called Trap Door, Ltd. It's not really a limited partnership, of course." She sounded like the Stanford M.B.A. she was. "The 'limited' part refers to the way he feels, not having a driver's license—has to work on a bike, poor baby."

"What does the Trap Door part mean?"

"You don't get it?"

"Not offhand."

"He's got a wild imagination, I guess." She sighed, as if this were not a good thing. "If you get in a bind, and can't get your chores done, you can escape via Trap Door."

"Ah. Pretty clever."

"He also baby-sits, which is what he's doing tonight. Of course, he charges more for it than any kid in the neighborhood, but he's worth it—the first time he sits, he reels off the

phone numbers of the police and fire departments, demonstrates the Heimlich maneuver, and assures you he knows CPR in case your kid—in this case, your other kid—has a heart attack. The boy loves his money. Anyway, not everyone wants to baby-sit Libby. Especially since Don left.”

“Why not?”

“She’s—ah—difficult.”

Terrific. I’d just signed up to spend the weekend with the Bad Seed.

“Rebecca, I’ve got a surprise for you before we eat. Have you ever seen a kelp forest at night?”

“We’re going to look at the aquarium? I thought we were getting your car.”

Marty smiled enigmatically. She wasn’t the sort you usually think of as having a flair for drama. She was short, with dirty-blond hair, brown eyes, and light skin with a dusting of freckles. Her hair was naturally wavy, and though she obviously had it cut professionally, she’d opted for neatness rather than style—if asked how she wore it, I would have had to say “on her head.” Nothing else really came to mind.

Her features were neat and ordinary as well, and so was her businesswoman’s gym-trained figure. The only remarkable thing about Marty seemed to be her love of the ocean. Unless she had her own hidden depths.

“Is this legal? To go in at night?” I said, hoping it wasn’t.

“Oh, perfectly. It’s a great place for night parties. In fact, arranging them is one of the things we do in marketing. There isn’t one tonight, though.” She dropped her voice to a whisper. “It’ll be quiet as the grave.”

“That should suit our mood.”

“Oh, cheer up—that’s the point of all this.” She snapped her fingers. “I know what you’ll like. Let’s go see the mola first. It’s in quarantine.”

She turned left, toward an outside shedlike affair. “This is aquarist territory.”



“And aquarists are?”

“The husbandry people. They’re all marine biologists, they’re all divers, and I think all of them at least have their master’s. Very, very well qualified. And they live the sea. When they’re not diving, they’re sailing, and when they’re not sailing, they’re eating sushi. Look, there are the ‘thermal recovery units.’ ”

“The what?”

She laughed. “Hot tubs. But they really do need them. It’s sixty degrees in the bay. You can get hypothermia so fast it’s scary.”

The mola, lying on the surface of its tank, had lost its bewildered look, but it was as Frisbee-like as ever. Also known as the ocean sunfish, it must be named for its shape, but the nickname seems far too bright and cheerful for so grotesque a creature. As a matter of fact, I bow to no one in my fanship of molas; they’re utterly fascinating beasts. But the phrase “monster of the deep” does rather come to mind at first sight of one. The mola has the misfortune to look like half a fish. It’s not completely flat, but close enough. It looks something like a frying pan with arms.

“Marty, that thing’s weird.”

“I knew you’d love it. They’re warm-water fish—that’s why we can’t keep them in the tanks. Relatives of the puffer; you probably know that.”

“You mean the dread fugu?”

“Uh-huh. We have a couple of those, too—upstairs in our Sea of Cortez exhibit. Want to see?”

“No, thanks. They give me the creeps.”

When I had admired the evolutionary accident to her satisfaction, Marty took me into the building itself, through a back entrance that seemingly opened into a labyrinth—and we still weren’t even in the aquarium.

“This is the old Hovden warehouse; you know that, right? Its office space connects with the aquarium proper—I’m on