

In Cold Fact

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AS EVERY LITERATE AMERICAN MUST KNOW BY NOW, *In Cold Blood* is the "true account of a multiple murder and its consequences." Late in 1959, four members of the Herbert W. Clutter family were bound and shot to death in Holcomb, Kansas, by Richard Eugene Hickock and Perry Edward Smith. Nearly five and a half years later, the killers were hanged; this execution allowed Truman Capote to complete the last chapter of what came to be called the literary sensation of the year. *In Cold Blood* is organized into four main parts and eighty-six unnumbered chapters which generally alternate between events in Kansas and the travels of the killers. Actually the chapters are more like short stories; many of them could stand by themselves with little or no additional context. All together they constitute the substance of Capote's claim that he has established a new literary form: the "non-fiction novel."

How does one evaluate a new literary form? Does it require a new method of criticism? Obviously one must begin by asking after the author's purpose. If the novel is defined as a "fictional prose narrative of substantial length," Capote's new form must be a self-contradiction: nonfiction fiction. He cannot have it both ways; and he seems not to want it both ways. For example, Capote told the *Saturday Review*, "And then I got this idea of doing a really serious big work—it would be precisely like a novel, with a single difference: every word of it would be true from beginning to end." Each installment in *The New Yorker* began with this claim from the Editor: "All quotations in this article are taken either from official records or from conversations, transcribed verbatim, between the author and the principals." Capote's strongest statement on the authenticity of his book was made in *The New York Times Book Review*: "One doesn't spend almost six years on a book, the point of which is factual accuracy, and then give way to minor distortions." Mr. Capote asks us to believe his book is true, is without even "minor distortions."

It seems apparent that the criteria of conventional novelistic criti-

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cism cannot be brought to bear fully on this work. How can one be critical of the plot probabilities of true events? The only relevant criteria would seem to be those normally applied to journalism and history. In other words, is the work good reportage? If facts are basis for the plot, and if the artistic success of such a work must rest upon their accuracy, is the author's account of the events, by objective standards, true?

Kansas is my home state. I grew up in Wichita and passed through Garden City and Holcomb many times on my way to and from college in Colorado. I taught for two years at the University of Kansas where a minor character in Capote's book, Lowell Lee Andrews, was enrolled in one of my courses.

On February 4, 1966, a cold and snowy morning in Detroit, I left on a nine-day trip to Kansas to look for external evidence. My methods were those of conventional journalism: interviews with principals and a search for documentary confirmation. I had been anticipated in my search by another reporter with the same interests. In a lengthy *Kansas City Times* article of January 27, with numerous photographs, Robert Pearman suggested the possibility of several minor inaccuracies in the book by interviewing some of the principals in Garden City and Holcomb.

Bobby Rupp, the last person (other than the killers) to see the Clutters alive, told Pearman: "He [Capote] put things in there that to other people make good reading but the people who were actually involved know that he exaggerated [125/127] a little bit. . . . He makes me out to be some kind of great athletic star and really I was just an average small-town basketball player." (This is not false modesty on Rupp's part; I talked to several people who had seen him play.) "And he has me always running back and forth to the Clutter place. I didn't do that."

And the conclusion of Pearman's article:

There is one character in the book that Capote was dead wrong about—Nancy Clutter's riding horse Babe. Capote has the horse sold to a Mennonite farmer for a plow horse for \$75.

(Capote wrote: "I hear fifty . . . sixty-five . . . seventy . . ." the bidding was laggardly, nobody seemed really to want Babe, and the man who got her, a Mennonite farmer who said he might use her for plowing, paid seventy-five dollars. As he led her out of the corral, Sue Kidwell ran forward; she raised her hand as though to wave good-bye, but instead clasped it over her mouth.")

"Hell, I couldn't even get a bid in until the mare got to \$100," says Seth Earnest, father of the postmaster, the man who actually bought Babe. Mr. Earnest is neither Mennonite by religion nor farmer by occupation.

"I gave \$182.50 for Babe," he said. "I wanted her for a couple of reasons. One was sentimental and the other was that she was in foal to a registered quarter horse, Aggie Twist, and I wanted the colt."

Earnest's prudent judgment would pay later rewards. He sold the colt as a two-year-old for \$250 and she has raised two more.

In the summertime Babe is used by the Y.M.C.A. to train children to ride.

To Earnest it is a much happier end for Nancy Clutter's horse than the fate to which Capote resigned her, and it is one to which Nancy, who loved the horse dearly, would have surely subscribed.

The significant point about this rather minor interpolation is that it provides the flourish Capote needed to complete short story number seventy.

If the discrepancies in Capote's account were all as minor as these, one might easily dismiss them as quibbles. They lead, however, into questions of greater import—questions of how much license a purportedly objective reporter can be permitted in selecting and interpreting one set of facts as opposed to another equally or even more convincing set of facts. In life, truth is complicated and often ambiguous. The same is true of art. But the artist, to make his point, can eliminate certain awkward complications the better to suggest a larger truth. Because Capote has not chosen to make his stand in *In Cold Blood* on artistry alone, but claims literal truth, an awareness of Capote's method in rendering the climax of *In Cold Blood* is enlightening and disturbing. The climax is literally and ironically the moment of truth in the book; until that point the reader is unsure of just how, and by whom, the Clutter murders were committed. In the sixty-first chapter we learn that, although Hickock has made a statement in the Las Vegas City Jail blaming Smith for all four killings, Smith has admitted only the falsity of his alibi—nothing more. Capote wrote: "And though even [K.B.I. agent] Duntz had forfeited his composure—had shed, along with his tie and coat, his enigmatic drowsy dignity—the suspect seemed content and serene; he refused to budge. He'd never heard of the Clutters or Holcomb, or even Garden City."

In the sixty-third chapter (the intervening one is a flashback to Hartman's Café in Holcomb), K.B.I. agents Dewey and Duntz, along with Smith, are in the first of a two-car caravan headed for Garden City. Smith has still not budged. The agents try to goad Smith into confessing by repeating parts of Hickock's confession—with no success. Agent Dewey, without anticipating any unusual response from the accused, mentions an incident in which Smith had supposedly beaten a Negro to death some years earlier.

To Dewey's surprise, the prisoner gasps. He twists around in his seat until he can see, through the rear window, the motorcade's second car, see inside it: "The tough boy!" Turning back, he stares at the dark streak of desert highway. "I thought it was a stunt. I didn't believe you. That Dick let fly. The tough boy! Oh, a real brass boy. Wouldn't harm the fleas on a dog. Just run over the dog." He spits. "I never killed any nigger. But he thought so. I always knew if we ever got caught, if Dick ever really let fly, dropped

his guts all over the goddam floor—I knew he'd tell about the nigger." He spits again. "So Dick was afraid of me? That's amusing. I'm very amused. What he don't know is, I almost did shoot him."

Dewey lights two cigarettes, one for himself, one for the prisoner. "Tell us about it, Perry."

And Perry Smith tells.

An alternative version exists in the office of the Clerk of the Supreme Court of Kansas, where there is on file the official transcript of case number 2322, District Court of Finney County, Kansas: "THE STATE OF KANSAS, Plaintiff, vs. RICHARD EUGENE HICKOCK and PERRY EDWARD SMITH, Defendants." It is a document of 515 pages, the last one of which is signed by Lillian C. Valenzuela, Certified Shorthand Reporter, Garden City, Kansas. The following exchange, between Logan Green (assistant to the County Attorney) and K.B.I. agent Dewey, is taken verbatim from pages 231–233. Dewey is testifying as to the first time that Smith made a remark implicating himself in the crime.

Q: Where was that?

A: That was at the Police Department at Las Vegas.

Q: Did he give you any information concerning the crimes?

A: He did. I told Perry Smith that Hickock had given the other agents a statement and that Hickock had said that they had sold the radio, the portable radio, that they had taken from Kenyon Clutter's room, that they had sold it in Mexico City. I told Smith that we were going to send an agent down there to get the radio and that before we sent this agent I wanted to know for sure that where Hickock said that radio was, that it was there. Present when I was talking to Perry Smith on this occasion was Mr. Duntz and Mr. Nye of the Kansas Bureau of Investigation. Mr. Nye told Perry Smith where Hickock had said that he sold the portable radio, and Smith said that was right.

Q: Did he give you any further information in connection with the crimes at that time?

A: No, sir.

Q: Subsequent to that did you have any other conversation with him?

A: Yes. I talked to Perry Smith later that same day, which was on the 4th of January, 1960. At that time I talked to him when we were in the car en route back to Garden City.

Q: Who was with you on that trip back to Garden City?

A: Smith and Mr. Duntz and myself were in one car. Sheriff Robinson and Mr. Church, of the Kansas Bureau of Investigation, and Hickock were in the other car.

Q: On the way back you say he gave you some additional information?

A: He did.

Q: I will ask you to tell the Court and jury what he said to you.

A: As we were leaving Las Vegas, before we were out of the city limits—Sheriff Robinson, Hickock and Mr. Church were in the lead car. Myself, Perry and Mr. Duntz were following, and Perry could see in the car ahead and Hickock was talking, and Perry said to us, he says, "Isn't he a

tough guy?" meaning Hickock. He says, "Look at him talk." He said, "Hickock had told me that if we were ever caught that we weren't going to say a word but there he is, just talking his head off." He then asked me what Hickock said in regard to the killing of the Clutter family, who killed them. I told Perry that Hickock says that he killed all of the family. Perry told me that wasn't correct, but he said, "I killed two of them and Hickock killed two of them."

Several inferences can be drawn from this testimony. First, contrary to Capote's account, Perry had begun to crack in the Las Vegas City Jail. His remarks about Kenyon Clutter's radio implicated him in the crime. Second, contrary to Capote's account, Dewey, Duntz and Smith were not in the lead car; Smith would have seen nothing but a dark streak of desert highway had he turned around to see out the rear window at that moment. Third, contrary to Capote's account, Sheriff Robinson was in the lead car (Capote neither has Robinson on the trip to Las Vegas nor the return to Garden City). Indeed, it was Robinson's car in the lead; the Garden City *Telegram's* account of the trip chronicled a small crisis when Robinson's car suffered a burned-out wheel bearing in Lamar, Colorado, and Hickock had to be transferred twice to get him to Garden City. Fourth, contrary to Capote's account, it was not the "nigger" incident that precipitated the sudden confession from Smith. Rather, it was simply Smith's observation of Hickock's loquaciousness in the lead car.

At this point I began to wonder about the "nigger" incident. Had Dewey simply forgotten that by relating this story he had forced Smith to gasp and confess? The answer came later, in Duntz's testimony of the same events (pages 276 to 282 of the transcript). After establishing that he, Duntz, had first become acquainted with Smith in the "forepart of March, 1956" (a coincidence unmentioned in the book), Duntz went on to mention the first time Smith had implicated himself [127 /166] in the Clutter case. The direct examination is by County Attorney Duane West:

A: That was also at Police Headquarters and we were just making arrangements to leave and Agent Nye was making preparation to go to look for the radio that we had information had been taken. Perry was asked by Mr. Dewey if he cared to tell us where that was.

Q: Did he do so?

A: Yes, he did.

Q: What did he tell you at that time?

A: As I recall, he stated that it was sold in Mexico City to the same person who had bought Richard Hickock's car.

Q: Mr. Duntz, what further conversation did you have with the defendant, if any?

A: Very little. I can't recall any there at Police Headquarters after that.

Q: Did you have conversation with the defendant after you left Las Vegas?

A: Yes.

Q: Would you relate to the jury where this conversation was and when it was?

A: It was soon after we had left Las Vegas en route back to Kansas.

Q: Would you tell the jury just exactly what happened, as you recall it?

A: Perry Smith asked—do you mind if I clarify myself how we were riding?

Q: Go ahead.

A: I was riding in the car with Mr. Dewey and Perry Smith. They were riding in the front seat. I was in the back seat. The conversation was had between Perry Smith and Mr. Dewey. Perry asked Mr. Dewey if he could tell him what Dick had said about the murder and Mr. Dewey answered, "Yes, Dick said that you tied and killed all of them," and Perry said, "That isn't right." He said, "He killed two and I killed two."

Q: Was there any further conversation at that time, Mr. Duntz?

A: Well, at that time I told Perry of a conversation that I had had with Richard Hickock at Las Vegas, and that was Richard had told me soon after he had signed the statement that if I would tell Perry about a killing that Perry had told him about, and that pertained to an incident that was supposed to have happened previous to the time that Perry got in trouble—pardon me, in 1955—and Richard Hickock told me if I would tell Perry Smith that Perry had told him that previous to that time he had killed a nigger by clubbing him to death, then Perry would know that he, Richard Hickock, had been talking to us and giving us a statement.

Several inferences can also be drawn from this testimony. First, it corroborates Dewey's testimony—establishing that Smith had begun to crack in the Las Vegas City Jail, establishing also that it was Dewey's answer to a question from Smith that preceded the confession. Second, contrary to Capote's account, the "nigger" incident was related by the agents to Smith *after* he admitted two of the slayings. Third, contrary to Capote's account, it was Duntz, not Dewey, who repeated the fictitious story to Smith.

We now have the word, given under oath, of two of the three principals to the climax of the story. We can presume that this pair of professionals did not perjure themselves; can we be so sure of what Smith may have told Capote? And if Capote favors Smith's version over the one given by Dewey and Duntz, is he not discrediting Dewey as a source? How then should we evaluate the remaining portions of the book in which we see events through Dewey's eyes?

So much for the manner of the confession. What of its contents? During the trial, Dewey was forced to testify as to the substance of Smith's confession because the statement was never signed by the defendant. Newspaper reports of Dewey's testimony at the trial (in the Garden City *Telegram* and the *Hutchinson News*—the latter gave the case the most extensive coverage in the state) do not conform with Capote's version of the contents of the confession. Nevertheless, one

might raise the possibility that Capote—by means of his intimacy with the principals—had been able to do a better job of reporting than these Kansas newspapermen who had to get their stories in the courtroom and hurriedly write copy for deadlines.

Here is Capote's account of Smith's confession to the murder of Mr. Clutter, the first victim:

"Wait. I'm not telling it the way it was." Perry scowls. He rubs his legs; the handcuffs rattle. "After, see after we'd taped them, Dick and I went off in a corner. To talk it over. Remember, now, there were hard feelings between us. Just then it made my stomach turn to think I'd ever admired him, lapped up all that brag. I said, 'Well, Dick. Any qualms?' He didn't answer me. I said, 'Leave them alive, and this won't be any small rap. Ten years the very least.' He still didn't say anything. He was holding the knife. I asked him for it, and he gave it to me, and I said, 'All right, Dick. Here goes.' But I didn't mean it. I meant to call his bluff, make him argue me out of it, make him admit he was a phony and a coward. See, it was something between me and Dick. I knelt down beside Mr. Clutter, and the pain of kneeling—I thought of that goddam dollar. Silver dollar. The shame. Disgust. And *they'd* told me never to come back to Kansas. But I didn't realize what I'd done till I heard the sound. Like somebody drowning. Screaming under water. I handed the knife to Dick. I said, 'Finish him. You'll feel better.' Dick tried—or pretended to. But the man had the strength of ten men—he was half out of his ropes, his hands were free. Dick panicked. Dick wanted to get the hell out of there. But I wouldn't let him go. The man would have died anyway, I know that, but I couldn't leave him like he was. I told Dick to hold the flashlight, focus it. Then I aimed the gun. The room just exploded. Went blue. Just blazed up. Jesus, I'll never understand why they didn't hear the noise twenty miles around."

In contrast to this account, Dewey's testimony was as follows:

... So they debated who was going to do what and who was going to start it, and finally Smith said, "Well," he says, "I'll do it," so he said Hickock had the shotgun and the flashlight at this time and that he, Smith, had the knife and he said he put this knife in his hand with the blade up along his arm so that Mr. Clutter couldn't see it and he walked over to where Mr. Clutter was laying on this mattress cover and he told him that he was going to tighten the cords on his hand, and he said he made a pretense to do that and then he cut Mr. Clutter's throat. Smith said that after doing that he got up and Hickock said to him, "Give me the knife," and [166/167] he said about that time they heard a gurgling sound coming from Mr. Clutter and Smith said that Hickock walked over to where Mr. Clutter was just as Smith was walking off of this cardboard box, and he said he turned for just a second and then Dick plunged this—Hickock plunged this knife into Mr. Clutter's throat, either once or twice. He said he couldn't tell which, but he heard the slap of the knife go in, and he said that he thought it went in full length because he heard a sound that went something—as he described to me, something like this (indicating). He said that after Hickock stepped away from Mr. Clutter that Mr. Clutter jerked one arm loose, his left arm, I believe, and he put it to his throat to try to stop the

bleeding, and he said after that Hickock ran over to where he was and he said, "Let's get the hell out of here," and Smith said that he could see that Mr. Clutter was suffering and told Hickock that that was a hell of a way to leave a guy, because he felt he was going to die anyway, so Smith said he said to Hickock, "Shall I shoot him?" and Hickock said, "Yes, go ahead," so Smith said that he shot Mr. Clutter in the head while Hickock held the flashlight. . . .

The two versions differ in many small details, but the most serious discrepancy concerns the mental state of Smith at the moment of the murder. Capote has Smith say, "But I didn't mean it." And, "But I didn't realize what I'd done till I heard the sound." (In The New York Times interview, Capote referred to Smith's mental state at that moment as a "brain explosion.") Dewey, on the other hand, has Smith committing the murder with *full consciousness and intent*. On Dewey's word, the act was premeditated to the degree that Smith announced his intention, took pains to conceal the knife from the victim and deceived Mr. Clutter into thinking he was going to tighten his bonds. He made that pretense—and then cut Mr. Clutter's throat. The two versions suggest different mental states.

I see three possible explanations that Capote might offer for these discrepancies: first, that the oral confession given during the automobile trip from Las Vegas was different from the statement Smith made upon arriving in Garden City (it was about the latter that Dewey was testifying); second, that Smith later told Capote of details that he did not reveal while confessing to Dewey; and third, that Smith's later recollections of the confession (as told to Capote) were more accurate than Dewey's recollections (as told to the Court).

We can dismiss the first explanation, that the confession in the car was different from the one dictated in the Sheriff's private office in Garden City. Capote describes, on page 255, the second confession by saying it "recounted admissions already made to Alvin Dewey and Clarence Duntz." Furthermore, there is no indication in either the book or the transcript that the two confessions differed in any way.

The second possible explanation, that Smith told Capote details he had not revealed to Dewey, is undoubtedly true; Capote claims to have had more than two hundred interviews with the killers. But to include these remarks is not to report the confession as it took place. And I doubt, for reasons to be discussed later, that Smith could have truthfully given such radically different versions of the confession. (Wendle Meier, former Undersheriff of Finney County, told me that he had visited Smith at Lansing; that Smith told him that there would be inaccuracies in the book; that when he Meier, asked what these would be, Smith would only say: Read it and see for yourself.)

The third possible explanation, that Smith's later recollections of the confession (as told to Capote) were more accurate than Dewey's testimony, is not difficult to refute. Duntz's testimony in the transcript

corroborates Dewey's testimony in every way. [167/168] More conclusive is the fact that Dewey gave an extremely accurate account of the contents of the confession. I know because I have examined it. It is now in the possession of former County Attorney West; like the transcript of the trial, it was taken down in shorthand and transcribed by Mrs. Valenzuela. This sample is relevant to the point at issue.

. . . I think we was debating who was going to do what and who was going to start it, so I told him, "Well," I says, "I'll do it," so I walked over to Mr. Clutter and he couldn't hear us talk from where we was over at the door. We was kind of talking in a whisper. I walked over to Mr. Clutter and Dick come over close. He had the flashlight and had the shotgun in his hand and I would say he was standing, oh, about at Mr. Clutter's feet, and Mr. Clutter didn't see the knife. I had it with the handle in my hand and the blade up like this (indicating) and down about my side. I went up toward Mr. Clutter's head and I told him I was going to tie his hands a little tighter and he was laying on his right side and he was taped then. He didn't say anything or he didn't mumble and, well, as I made a pretense to tie his hands again I cut Mr. Clutter's throat. That's when I cut Mr. Clutter's throat, and he started to struggle and I got up right away and Dick says, "Give me that knife." I could see he was nervous and that's when the gurgling sound of Mr. Clutter was noticed. . . .

Here we have Smith's own words, taken verbatim from official records. There is hardly an implication of either "brain explosion," or "mental eclipse," or "schizophrenic darkness" at this critical moment.

After Hickock and Smith were returned to Garden City, they were housed in the County Jail. To separate them, Smith was kept in an isolated unit inside the Sheriff's residence; occupying the residence at that time were Undersheriff Meier and his wife. Smith's cell adjoined Mrs. Meier's kitchen; it is from her point of view that we learn of Smith's stay there. For example, the final paragraph of the sixty-fifth chapter is narrated by her; she is describing a discussion she and her husband had in bed shortly after Smith had been jailed. She remarks that Smith was not the worst young man she had met. Mr. Meier reprimands her for such thoughts.

While in Garden City, I talked to Mr. Meier about the incident; he was adamant that it had not taken place. On February 26, 1966, I placed a long-distance telephone call to Mrs. Meier (she had been out of town while I was in Garden City). She also insisted that this incident had never taken place—and that she had not told Capote any such thing. She explained that her husband—as did all the officers involved—worked day and night on the case. She rarely saw him during that period. When he did get a chance to get some sleep, the last thing he wanted to talk about was the case. In short, the only two principals to this event insist that it did not take place—and that they did not tell Capote any such story.

The finishing touch of the seventy-seventh chapter evokes con-

siderable sympathy for Perry Smith. Mrs. Meier is quoted as saying: "I heard him crying. I turned on the radio. Not to hear him. But I could. Crying like a child. He'd never broke down before, shown any sign of it. Well, I went to him. The door of his cell. He reached out his hand. He wanted me to hold his hand, and I did, I held his hand, and all he said was, 'I'm embraced by shame.'"

During our telephone conversation, Mrs. Meier repeatedly told me that she *never* heard Perry cry; that on the day in question she was in her bedroom, not the kitchen; that she did not turn on the radio to drown out the sound of crying; that she did not hold Perry's hand; that she did not hear Perry say, "I'm embraced by shame." And finally—that she had never told such things to Capote. Mrs. Meier told me repeatedly and firmly, in her gentle way, that these things were not true.

Mrs. Meier said that she actually saw very little of Perry Smith. She had only occasional conversations with him while working in the kitchen. She said that she saw him the day after he received the death penalty and that he was rather bitter. But again, she never heard him cry. Perhaps Smith told Capote of these things, but it is inaccurate to put these words in Mrs. Meier's mouth—and even more inaccurate to have her participate in events that did not take place.

Now let us turn to another significant part of the book—the conclusion. In the final chapter of *In Cold Blood* we see the execution of the killers. Hickock was hanged first. Smith was brought into the warehouse and asked whether or not he wished to make a statement. Those last words as quoted by Capote, are: "I think," he said, "it's a helluva thing to take a life in this manner. I don't believe in capital punishment, morally or legally. Maybe I had something to contribute, something—" His assurance faltered; shyness blurred his voice, lowered it to a just audible level. "It would be meaningless to apologize for what I did. Even inappropriate. But I do. I apologize."

Bill Brown, editor of the Garden City *Telegram*, represented the Kansas newspapers as a witness of the execution. He stood four feet from Smith when these words were spoken (Capote was unable to watch; he walked away, out of earshot). Brown took notes. He immediately compared his notes with those of the wire-service representatives standing on either side of him—they were identical. Here are Smith's last words as recorded and reported by Brown in the *Telegram* of April 14, 1965:

Asked if he had anything to say before mounting the gallows, Smith stated, "Yes, I would like to say a word or two.

"I think it is a hell of a thing that a life has to be taken in this manner.

"Any apology for what I have done would be meaningless at this time. I say this especially because there's a great deal I could have offered society. I certainly think capital punishment is legally and morally wrong.

I don't have any animosities toward anyone involved in this matter. I think that is all."

Brown is today convinced that Smith did not apologize.

Tony Jewell of Garden City's radio station KIUL was the first radio newscaster to be invited to witness an execution in Kansas. Immediately after the execution, Jewell and Brown telephoned their reports from the prison to the radio station in Garden City; the remarks were recorded for later broadcasts. I have a tape recording of that broadcast; again, there was no apology from Smith. Furthermore, there is no indication of an apology in the Associated Press story filed that day.

Finally, in a telephone conversation [168/170] with Alvin A. Dewey on February 5, I asked him how Capote had obtained Smith's last words (in the book it is through Dewey's eyes and ears that we see and hear these events). Mr. Dewey did not know. "Perhaps he overheard me talking about it later," he suggested. Had Perry apologized? Mr. Dewey could not recall Perry's exact words, but thought they were "something along that line." What is certain is that Capote did not hear Perry's words at firsthand. Dewey, the narrator of the event in the book, is now unsure of the words spoken by Smith and also unsure of how Capote gathered the information. Capote's reconstruction, then, conflicts with the report by two newsmen who made their notes on the spot—not sometime later, which is the method of recording Capote tells us he used. The best evidence supports the conclusion that Perry Smith did not apologize.

In addition to searching for documentation while in Kansas, I was curious about the legal question raised by Rebecca West in her *Harper's* review of *In Cold Blood*: "Hickock was hanged for murder which he had not committed, when he should have been sentenced to a term of imprisonment as an accessory, but this was his own fault. The truth could only be established if both he and Perry chose to give evidence, but this, for a reason Mr. Capote does not explain, they did not do."

Who would know the answer?

The newspaper files show that former County Attorney Duane West played a significant, if not the most significant, role in the case. He was on the scene of the crime the day the bodies were discovered; he was involved in the investigation from beginning to end; he held daily press conferences; he prepared the brief and the trial outline for the case; he asked the County Commissioners for permission to hire an assistant—Logan Green; he gave the opening remarks for the prosecution; he handled much of the examination of witnesses; he gave a forty-five-minute closing argument for the prosecution; he represented the County and State in the appeal before the Supreme Court of Kansas. (In the book, however, West is made to appear somewhat lower in rank than a law clerk.)

Legally, as Attorney West told the jury (and me), it made no difference whether Hickock killed any or all of the Clutters. Under the Felony Murder Rule, which applies in Kansas and many other states, any party to a felony in which a life is taken can be prosecuted for murder. "If you and I conspired to rob a store," West explained, "and I killed someone while robbing it—you could be tried for murder."

West had decided to try Smith and Hickock together; when it became known that they might request separate trials, West moved to have their names added to the list of witnesses (which he could not do if they were to be tried together). "Our feeling was that Perry would testify against Dick. He was willing to take the blame for all four killings to make it easier for Hickock's mother, but he was not willing to take the blame for the idea and the plan."

West told me on two occasions that he believed Smith's confession to be true—that Hickock killed the two Clutter women. Another man intimate with the case from beginning to end, Bill Brown, agrees that Hickock did two of the killings. And so, apparently, did Alvin A. Dewey. When asked, during the trial, why he would not allow Smith to change his confession (to take the blame for all four murders), Dewey explained that Smith and Hickock had been able to shout back and forth from their respective cells and negotiate the changes. They knew that, regardless of the details of the confessions, they would both "swing." Smith was willing to make the changes to spare Hickock's family that much pain. The clear implication of the testimony is that Dewey did not believe Smith. The most we can say for Capote on this point is that it was poor reporting to lead such a careful reader as Rebecca West to the confident conclusion that Smith had committed all the Clutter murders while the principals were less than unanimous.

Before offering my hypothesis for these discrepancies, let me state that Capote's awareness of the errors is not an issue. It is conceivable that they are completely unintentional. As Capote told Jane Howard of *Life* within three hours of each interview he retreated to his motel, wrote up his notes and filed them. "Funnily enough," he said, "I seldom had to look at my notes after that: I had it all in my head." The transformation of facts may well have resulted from his failure to consult his notes more closely.

Capote himself has given us a broad, general hypothesis to explain the discrepancies. A nonfiction novel is more difficult than a conventional novel, he said to *Life*, because "you have to get away from your own particular vision of the world." But possibly Capote did not succeed in doing so; he presumably still needed that very conventional element of the novel as he knows it—a dramatic climax, a moment of truth. Thus, there followed a subtle but significant alteration of the facts to fit a preconception of the novelistic, transforming an unexciting confession into a theatrical catharsis.

But the occasion for transformation demands a more extended

explanation, a closer inspection of the characterization of Perry Smith. Capote was drawn to him more than to Hickock. It is Perry Smith—not the victims, the investigators, the lawyers, not even the pair of killers—who dominates this book. When Smith stood up, wrote Capote, "he was no taller than a twelve-year-old child." The Avedon photographs of the two standing together reveal that Capote, if anything, is a "slippery spray" of hair shorter than Smith. Furthermore, Smith had a miserable childhood. Harper Lee, who has known Capote long and well, told *Newsweek*, "I think every time Truman looked at Perry he saw his own childhood."

But there the similarities—which may have attracted Capote to Smith—would appear to end. Smith, after all, lived in a world very different from Capote's, a world of violence. A measure of the emotional and cultural gap between them is that Perry invented a tale in which he had beaten a Negro to death. It was a boast, calculated to increase the esteem in which his friend Dick held him. Capote, on the other hand, told the *Saturday Review*: "I am not interested in crime per se; I hate violence."

In his vision of the world, Capote found it difficult, if not impossible, to understand how a man could kill, and do so without feeling. He could understand, however, that an outcast and accursed poet might kill while under a "mental eclipse," while [170/171] deep inside a "schizophrenic darkness"—a "brain explosion" if you will—and thus avenge the wrongs "they" had done him.

And so were the facts transformed. Perry Smith, who could hardly utter a grammatical sentence while dictating his confession, becomes *le poète maudit*, corrects the grammar in newspaper articles about him. To judge from his confession, Perry Smith was an obscene, semilliterate and cold-blooded killer. But, as Yuric correctly guessed in the *Nation*, we cannot rest with the Perry Smiths as they are: "Before we kill them we make sure they negate themselves by turning into literate, psychopathic heroes."

By having Smith say, "I didn't realize what I'd done," Capote projected his own vision of the world onto Smith at that moment. In so doing he created a hybrid of Capote-Smith predispositions and the real Smith becomes even less understandable. Should we believe he suffered a "brain explosion" when he poised the rock to open the head of the Omaha salesman? And again when he wished out loud that he could have killed his sister along with the Clutters? And when he planned with Hickock two other murders which Capote told the *Times* he chose to omit from the book? Capote appears to have fallen into the trap of believing that operational definition of insanity one frequently hears: "Anyone who can kill *has* to be insane."

Perry's values toward human life derived from a world in which men expect to kill and be killed. He explained these values quite

succinctly (and demonstrated just how much shame he felt) to his friend, Donald Cullivan, on page 291 of the book. Perry insisted that he was not sorry for what he had done; he was only sorry that he could not walk out of the cell with his visitor. Cullivan, like Capote, could scarcely believe that Perry was so devoid of conscience and compassion.

Perry said, "Why? Soldiers don't lose much sleep. They murder, and get medals for doing it. The good people of Kansas want to murder me—and some hangman will be glad to get the work. It's easy to kill—a lot easier than passing a bad check."

For premeditated murder performed in cold blood, Capote substituted unpremeditated murder performed in a fit of insanity. Art triumphs over reality, fiction over nonfiction. By imparting conscience and compassion to Perry, Capote was able to convey qualities of inner sensitivity, poetry and a final posture of contrition in his hero. The killer cries. He asks to have his hand held. He says, "I'm embraced by shame." He apologizes. It is a moving portrait but not, I submit, of the man who actually was Perry Smith—the man who, in real life, told his friend Cullivan he was *not* sorry, the same man who would not play the hypocrite with Cullivan or his old friend Willie-Jay.

In describing Perry, Capote wrote: "His own face enthralled him. Each angle of it induced a different impression. It was a changeling's face." In *Newsweek* Capote described himself: "If you looked at my face from both sides you'd see they were completely different. It's sort of a changeling face." And when Jane Howard of *Life* asked him whether or not he liked Perry and Dick, he said, "That's like saying, 'Do you like yourself?'" Capote's characterization of Smith clearly tells us more about the former than the latter.

As for Capote's unwillingness to deal completely with the question of Hickock's involvement in the actual killings, one plausible explanation is that it makes for a more simplified narrative in an already complex book to let readers assume that there was unanimity among the principals on the point. But, in addition, Capote's conception of the novel places high value on irony. His choice of title, for example, can only be read as irony; he wants us to believe the murders were emotional, spontaneous acts. (After examining the evidence, the title becomes a double irony.) And how much more ironic to present the true, the only, killer in the case as the more appealing figure of the two.

By applying his great artistry to the facts of the Clutter case, Capote has found the inspiration for a multitude of short, internal dramas with effective final curtains. He has achieved a theatrical climax in his confession scene. He has created a heroic, poetic villain—a villain capable of evoking considerable sympathy (as Hollywood was quick to realize). Perhaps we should not have expected anything different from Capote. His good friend, Harper Lee, told *Newsweek*:

"He knows what he wants and he keeps himself straight. And if it's not the way he likes it, he'll arrange it so it is."

Capote has, in short, achieved a work of art. He has told exceedingly well a tale of high terror in his own way. But, despite the brilliance of his self-publicizing efforts, he has made both a tactical and a moral error that will hurt him in the short run. By insisting that "every word" of his book is true he has made himself vulnerable to those readers who are prepared to examine seriously such a sweeping claim. In the long run, however, Capote's presumption will be forgotten. The living people who were involved in the case will no longer testify to another version of the story. The documents will have been pushed to the back of the files by other, more urgent, matters and crimes. Future literary historians and scholars will undoubtedly place Capote's discrepancies of fact as well as his pretensions and rationalizations in perspective, and they will join with the present and future public in enjoying the work for its own sake. "Time . . ." as Auden wrote, "worships language and forgives Everyone by whom it lives. . . ." [171]

