(Dr. R.D. Barber stands at the bottom of his grave, dressed in 1892 period clothing, no expression...caressing his chin...he begins to speak slow)

DR. R.D. BARBER

(Remove, to solace) August 11th, 1892, at 6 o'clock Thursday. Elmer Walter shot and killed Ira Wall while irrigating his trees, and guarding his family's water rights. (Slants eyes) Can you believe...shot dead over water rights, in these here modern times. (Pause) Why I was at an inquest that Friday; secured by Coroner Thompson. On account he wanted my testimony over Ira's death. And what my findings were after I investigated Ira's body. (Puzzles) Did Elmer have the right? (Shrugs) I don't know; but I was called to take the stand about my involvement as the presiding physician. (Deep in thought) Let's see...it was the next day...right after I checked the body.

(Dr. R.D. Barber in front of a jury, stands in the witness box)

CORONER THOMPSON

(Quite stern) As you know, I've secured this jury to further explore Mr. Ira Wall's death. (Looks to Dr. R.D. Barber) When did you get involved.

DR. R.D. BARBER

(Takes off his coat) I was summoned: someone had been shot. And in need of help...and very quickly.

CORONER THOMPSON

(Eye's him) How long did it take you to get there.

DR. R.D. BARBER

(Pauses) One hour, but I lost no time riding my horse up. You know it's in Temescal Valley. Fourteen miles away.

CORONER THOMPSON

You couldn't get up there any faster.

DR. R.D. BARBER

(Wipes his forehead) Coroner Thompson, I have a fast horse, rode it hard...but for the winter rains tearing up the dirt roads; I arrived as soon as I could.

DEPUTY DISTRICT ATTORNEY HIGHT

(Nods excited, then restrains) Yes, we know how bad the roads were...when Sheriff Robinson gave Coroner Thompson and me a ride up in his horse and buggy. Rocking harshly as we rode toward the scene of death, down in the valley. With the reporter from South Riverside Bee. (Proudly to the jury) The city's first newspaper.

CORONER THOMPSON

(Raises a brow to Deputy District Attorney Hight, annoyed -- it quiets him down. Then looks to Dr. R.D Barber) What did you witness.

DR. R.D. BARBER

(Rather put out by Deputy District Attorney Hight, eyes wide, kindly responds) A gun shot had been discharged; it entered Ira Wall's left side. (Grimaces) He died instantly. At the same time, I also saw the bed out of blankets Elmer made under the tree he slept in for several nights; to guard the Wall's from stealing water. (All business) Mrs. Wall...her son Ira -- they lived above -- and the young boy Peck came down. Ira started to work to turn the water from the Walter's ditch into their own. Words passed...Elmer told Ira to let the water alone. Ira did not. (Confident) The bullet's entry reasons with what young Peck said: Elmer shot Ira who was in a stooping position removing sacks to turn the water down into the Wall's ditch.

CORONER THOMPSON

What of his mother. Was she hurt?

DR. R.D. BARBER

(Sympathizing) Yes. She was heartbroken. Viewed her son's death.

CORONER THOMPSON

(Put out) What of her accounts? (Gives him a sharp look) Of her wounds?

DR. R.D. BARBER

(Bemused at Coroner Thompson's impatience, looks at the jury, clears his throat) Mrs. Peter Wall was also shot...but at first I wasn't sure if it happened...when Ira was shot, or if Elmer took a second shot at her.

(The jury gasps)

CORONER THOMPSON

Order! (Hits his gavel, waits for the jury to settle down) Please continue Dr. Barber.

DR. R.D. BARBER

She survives, and recovers well. (Touching his ear) Ahh...Elmer left the scene and came to South Riverside and gave himself up to Sheriff Robinson that same day. (Offhand) I was sent by you Coroner Thompson -- to Elsinore -- to further examine the body. Taken there after his death. It became quite clear; Ira died: from the full charge of the first shot. It all adds up. (Louder) Therefore, it was an intentional second shot to Mrs. Wall.

(Sadly...Dr. R.D. Barber walks away from the witness box, and now stands at the foot of his grave, pensive. All other actors lower their heads; become still; eyes close like in sleep)

DR. R.D. BARBER

(Petulant) That's how it happened. Been dead since May 25th, 1910. But the death of poor Ira Wall still bothers me. (Pivots back and forth on his feet) On account when Coroner Thompson sent me to examine the body. Was he shot dead over water rights by Elmer Walter? (Straight) Or, I wonder if the accidental death to Emmette Walter on May 30th by Miss Clara Wall a few months before Ira was shot by Elmer had anything to do with it. (Airily) Did it? (Dubious) Because both families have been at odds since. (Moving to stand behind his tombstone, faces out) A continual problem between these two families -- Walter and Wall -- over who really had water rights near the entrance in Horsethief Canyon. (Sad tone creeps in) Sheriff Robinson said he read in the South Riverside Bee newspaper..."how the matter will end...no one knows." (Gravely) Last I know.the State of California found Elmer Walter guilty of second degree murder.. The death of Ira Wall was not justified, because Elmer had **no** legal right to the water....An outcry. (Suspiciously) Of the cold blooded killing of Ira Wall.