

# Fiction:

## Valerio's Last Matter

By James Harwood

*James Harwood is a law student at the University of New Mexico Law School who participated in last summer's program of legal assistance for rural elders.*

I get out of the car and walk down the narrow path between two fences leading to Valerio's home. The morning sky is bright and sunny, with the mountains to the east and the surrounding orchards and fields freshly washed from the night's rain. Valerio's dogs run out to greet me by the front door of his whitewashed adobe.

I call out a greeting and step into the house, stepping lightly on the floor which has partly caved in due to the seepage from a nearby *acequia*. The house is warm and smoky; Valerio keeps his woodstove burning even in the summer, and constantly smokes cigarettes rolled from a tin kept by his bedside.

The walls of the house are old and cracked, painted many years ago with a dull yellow paint. This room holds two beds, a chair, the woodstove and a woodbin.

Valerio is propped up on his bed holding his rosary. He rises to greet me and shakes my hand. We talk for about five minutes, holding hands. When I first met Valerio, this custom of his made me very uncomfortable. Now it is an honor which he bestows on me. Like the walls, Valerio's face, too, is old and cracked. These cracks tell the story of Valerio's life far better than words.

Valerio was born in 1889. He fought in France, suffered through the Depression; read letters of sons, grandsons, and great-grandsons killed in Italy, Korea and Vietnam.

Valerio knows he is going to die soon. He wants me to clear up one last matter for him so that he can die in peace.

Valerio is the last surviving member of a *Cofradia* (a *Penitente* group) formed in 1856 which bought an acre of land for ten dollars. This land is the site of an old adobe church surrounded by the graves of its members. Several heavy wooden crosses lean against fences and trees.

Flowers and herbs grow on the graves; an *acequia* murmurs nearby, carrying water to the farmers in the valley below.

Valerio's last matter is as follows: he wants to pass this land on to his daughter before he dies, and wants me to do this for him.

I ask him for his deed. There is none. Valerio assures me, however, that the *Cofradia* members all agreed that the last survivor should pass on the land. There is nothing in writing, except on Valerio's face.

I tell Valerio that since he has no deed, he cannot prove that he owns the land, and without such proof, he cannot give his daughter good title to the land.

***I realize with what harsh finality Valerio's last matter has ultimately been resolved.***

Valerio looks bewildered. He knows of his right to this land. Has he not owned it for 47 years now? I agree with Valerio, but I tell him that a court would not. I tell him that he should deed the land to his daughter, but that she will have to wait ten years before she will own the land in the eyes of the law.

Valerio understands, but he asks me why the law does this. I have a choice; do I tell him about the public policies embodied in the Statute of Frauds? Or do I tell him the real reason, the root of the problem?

I opt for the real reason. I tell him that he follows an old law which has no validity today. He follows the law of respect, of honesty, of a handshake. The new law ignores this old law. It demands everything in writing. Yet it goes further; it attempts to conquer the old law, penalizing those who cling to it. I tell him that

the Anglo law is replacing the old law, and that those who do not wish to lose must change to the new law; that if he were to die without writing a deed to his daughter, she could never own the land under the new law, even though those who follow the old law know it is hers.

Valerio asks me to write a deed for him. I agree to; we shake hands. Valerio gives me God's blessing as I leave.

As I walk back down the path, I feel good because I know I can help Valerio. But I know that Valerio is lying propped up on the bed, fingering his rosary and asking "How can there be such a law?"

Valerio, his daughter and I are sitting in Valerio's house. Valerio is as usual, propped up on his bed, fingering his rosary. Today is the day he signs the deed to his daughter.

My attention is distracted. A black chicken in the grass outside has spied the ripe cherries on a tree by the *acequia*. I watch as the chicken keeps jumping into the air, trying to pluck a cherry off one of the lower branches. It finally gets one, and settles down in the grass.

I hand Valerio the pen. He signs the deed. His handwriting, like his face, is cracked and old. The document goes into my briefcase, to be recorded at the courthouse, the home of the new law.

I say goodbye to Valerio. He tells me farewell and gives me his blessing with an embrace. We both know that I will never see him alive again. Valerio's last matter has been taken care of and he is ready to die.

How the valley has changed! I stop and get out of my car, trying to get my bearings. The old adobes are gone, replaced mainly by A-frames used a few weeks a year by rich outsiders. The fields, once so green, are brown; no water runs in the ditches anymore. Even the roads have been paved and

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## Overview

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that the underserved elderly take advantage of available services lies with with professionals in the private and public sectors. They are most likely to generate the first line of information for the informal service network and service users.

The most important element in the delivery of services in the 1980's will be the astuteness of the older person. The elderly will take a more active role in determining, not only how, but what types of services are made available to them. They will be the most active when it comes to day-to-day diligence in assur-

ing quality in services, as well as resources for developing services. Older individuals will also be seen in greater numbers as service providers, planners, and politicians. □

Many of the ideas presented here stem from the years of work by San Diego State University Center on Aging faculty and staff. The Center's pioneering work on the aged from a cross-cultural perspective was instrumental in providing some insights into the problems of the underserved elderly. Other work at the Center which has substantially contributed to understanding the plight of the underserved has been in the areas of: 1) Retirement issues and patterns of minority older persons, 2) Use of minority and poor older people as community

resources, 3) Codification of research and training materials on the culturally diverse elderly, 4) Training persons to work with the underserved and minority elderly and 5) a model project with the Area Agency on Aging to examine appropriate means for involving and serving underserved elders.

## REFERENCES

- DHEW, 1976, *Older Americans Act of 1965* as amended, U.S. Department of Health, Education and Welfare, Office of Human Development, Administration on Aging, March.
- Stanford, E.P., ed., 1977. *Comprehensive Service Delivery Systems for the Minority Aged*. San Diego: Campanile Press, San Diego State University.

## Valerio

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straightened.

But the mountains and hills are the same. I follow them to the old church and graveyard that I helped Valerio give to his daughter when I was a young man. As I near the spot, I scarcely dare look for fear it will be gone.

Ah! It is still there. The roof of the church has collapsed and its walls are returning to the earth from whence they came. The old crosses are missing, stolen by tourists for their living rooms. I wonder if they would leave these crosses in their living rooms if they realized the significance of the nail holes punched into them.

I open the gate. The cemetery is still a pleasant spot with the flowers growing on the graves and bees humming through them, even though the murmur of the *acequia* is gone.

I brush aside the weeds and flowers, looking at the dates on the gravestones. Valerio's is the newest. "Hello, old friend. I'm glad I managed to protect this resting place for you from the new law."

Valerio's old house is also returning to the earth from whence it came. A very old woman comes out of the house wanting to know who I am. I tell her. A smile of recognition breaks out on her face. We embrace.

She serves me coffee with a dignity which to an outsider would appear ludicrous in light of the surroundings.

She asks me why I have returned. I tell her that I came back to remember, and that, having remembered, I wish to ask a favor of her.

I tell her that I have spent my life

acting as a mouthpiece for others, that I have helped defend thieves and whores, without a doubt many liars, and that I have likely caused some injustice by following the new law. But, I tell her, everything that I have done has been done to help those who I am bound to help; and that I hope I have done some good, too. I tell her that when I looked at her father's grave with the land untouched despite the drastic change in the rest of the valley, that I feel I have done some good.

I ask her if she remembers that day when I told her father about the old law and the new law. She says yes. I tell her

that the favor I have come to ask of her concerns this. I am old and tired of this life, and tired of this new law. I came to ask you if I could be buried in your cemetery, where we buried the old law on that summer morning so long ago.

Valerio's daughter says yes, of course. Then she asks me if the agreement should be put into writing.

I realize with what harsh finality Valerio's last matter has ultimately been resolved, as I look out at the dust and tumbleweeds obliterating the spot where a black chicken once jumped for ripe cherries on a morning long ago. □

## Letters to the Editor

The issue of sexuality to older persons and family/paid staff caregivers' responses to this is an important one at this time in our community. I am eager to share these resources with my colleagues in the community agencies, institutions, and health units which provide service to some 40,000 health impaired adults receiving support services through our Program.

S.A. Nebocat  
Education Coordinator, Home  
Care/Long Term Care Program  
Ministry of Health  
Province of British Columbia  
Vancouver, BC

Congratulations on your winter issue! I have a feeling that *Generations* is getting down to the important issues, now . . . how are the older Americans going to make it happen for themselves and not to them?

I was particularly impressed with the articles by Mike Miller and Tish Sommers. They both seem to be saying that older Americans need to get together to decide what is best for them rather than to let the government. No doubt it will take time, but with the need there it will happen with the right leadership as a catalyst. Let's have some more issues on how to develop that leadership.

—Jane Parker  
Saratoga, CA

Congrats on the Fall '81 issue of *Generations*. Along with my students, I find it a very useful bit of information.

—W. Roy Van Orman  
Ogden, UT