

BANG STICK
Justifiable Murder

A Jake Smith Mystery: Book One

by
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Chapter 1

The disgusting man lies face down on his one-bedroom studio apartment floor in front of an old, barely working black & white cabinet television set. A twenty-year-old *Gunsmoke* rerun is blaring, though scarcely loud enough to pierce the man's hearing aids. Blood oozes from the back of his head—the old dirty green shag carpet sops up the dark sangria-red liquid.

Slowly the killer walks around the worn-out green and yellow striped fabric recliner whence his victim fell. He lays the unidentifiable firearm down on a dry patch of floor and stands inches outside the ever-expanding thick pool, inspecting his work. Two minutes steadily tick past. The man, dressed in newly purchased midnight-black attire, forms a smile beneath the wool balaclava pulled tightly over his head. His eyes enlarged from his hard, deep-lined face.

The assailant bends low, stretching his gloved left hand toward the middle-aged leaking corpse. He lightly wiggles and gently tugs the end of a high-polished stainless-steel rod protruding through the sticky, matted hair on the back of the dead man's head. When the rod breaks free, a tiny released suction of stale air sighs softly out of the hole.

The dark figure stands. He pulls a new handkerchief from his rear pants pocket and methodically wraps the four-inch projectile before shoving the package back into his pocket. Then he picks up the unidentifiable weapon and conceals it in his right arm coat sleeve.

The dead man's apartment was one block east of the Pacific Ocean, and until tonight, he worked the late shift at a dingy aging liquor store around the corner, a block and a half, in the opposite direction. Longhair beach bums clutter the area, most too young to drink legally. The dead man sold cheap fifths of Thunderbird wine to anyone with a buck. Because of his disrespect for California liquor laws, most young skaters and surfers only put up with the heavily pock-faced old man.

The state subsidizes a share of most tenants' rent in the small eight-unit weather-beaten apartment block. The murdered man was no different; his portion was only a couple of hundred dollars a month. The remainder of his meager pay went for cheap Russian Popov vodka, the British distillery's liquor being Russian only in name. When out of money, he helped himself to his employer's stock. The man's miserable life as a constant drunk scarcely afforded him an existence above a homeless level.

The intruder walks to the exit door, turns, and stands to bask in satisfaction before taking a last look over the room. After content, there was no evidence he had ever been in the apartment. He reaches to the wall and flicks off the low-watt dim light.

After closing the door from the outside, the assassin reverse-follows his previous route along the heavily cracked cement exterior walkway and down the single-level staircase to the parking lot below. He keeps a steady gait, not in a hurry, continuing to the sidewalk beyond. The shadow melts into the night.

Chapter 2

It is late December, six days after Christmas, nineteen-sixty-nine, and somewhere close to three-thirty early Wednesday, New Year's Eve morning.

The solid-black-dressed man strides up the dark, deserted Reed Street sidewalk. He pulls, stretching off his long wool mask, and rolls the bottom edges up before replacing it on his head; now, it looks like a regular wool toque anyone would wear on a chilly morning. The near-freezing ocean wind whips around him, and he suddenly jumps back into reality and grasps how cold it is. He wraps his light nylon windbreaker around his lanky body as tight as he can. The man needs to concentrate and finish his night's work.

The strange shadow scans the street in both directions before turning left on Mission Boulevard. He still has fifteen blocks north back to his vehicle, parked discreetly in the Law Street neighborhood. It is a long irksome walk, but he has chores to do along the way. So he hurries up the boulevard in the cold early morning air. The assassin is acutely aware of appropriate spots to dispose of his lethal, one-use weapon.

He stops and stands at an alley entrance two blocks up the wide street. He squints at a familiar group of dented steel trashcans down the nearly indiscernible alleyway. But, again, the murderer glances up and down the boulevard, ensuring nobody's wandering around. The current northern cold wave must have everyone warm and cozy snuggling in beds.

Plan A is still in effect. He starts down the alley, pulling the straight plastic tube gun from his sleeve, and dismantles the alien-looking object as he walks. By the time he arrives at the cans, both his gloved hands juggle the seven parts. His right hand fumbles its contents and drops them. The steel barrel-powder-chamber combination tinkles to the concrete and rolls to the middle of the alley.

“Shit,” he quietly mumbles as he glances around. The man becomes a part-of-the-darkness statue and waits to see if any faces appear in one of the numerous overlooking windows. After minutes of nothing, he picks up the plastic guide handle and the slide trigger, jamming them into a jacket pocket, and walks over to retrieve the offending steel part.

Quickly he throws the split metal retainer ring and large spring into different cans and rushes back to the Boulevard.

Stepping around the corner, a pimply faced teenage boy runs him over while speeding down the sidewalk. His rear bike rack holds a heavy canvas newspaper bag stuffed with the morning edition.

The shocked man jumps to his feet, yelling, “What the hell are you doing?”

“I... I... I’m sorry. I have seen no one walking this early.” The boy, still on his knees, grabs his old red Schwinn bicycle and pulls it close. The dark figure scares the young teenager and stuffs the scattered papers back into his bag as fast as possible.

“You should be more damn careful,” lowering his voice to just above a whisper.

Realizing it is too late to hide his face, the black figure hurriedly turns and continues his walk. He stops a half-block away, thinking; *I need to go back and fix the problem.* Finally, he concludes that the stupid kid is probably too afraid to notice me. Before deciding, he frantically checks pockets to ensure nothing has dropped out. The figure looks

back at the kid already speeding away down the sidewalk. Unsure what to do, he continues north.

Another four blocks, the murderer comes upon the old Safeway Grocery Store, his next and most important dumping ground. He is hopeful no homeless are sleeping amongst the bailed cardboard bundles or in the trash-littered lane behind the store. He previously scouted this alley frequently, at varying times at night. On a few, the spot besieged with bums, while other times, not a soul found. So far, it has been, more or less, a lucky night—fortunately, the latter holds and the area void of the unkempt vagrants. The cold snap must force them into homeless shelters. It is a relieving break.

He walks to one of the countless charred warming metal drums and throws his three plastic parts into one of the half-full containers. The man retrieves discarded packing paper from the store's large commercial dumpster and throws it on top of his parts. He struggles to rip off larger cardboard chunks sticking out from one of the many bailed cubes and throws them into the can. He continues to the wooden pallet storage area, rips a few boards from a destroyed pallet, and adds them. Finally, the man pulls a can of lighter fluid and a disposable lighter from a front pants pocket. He squirts a steady stream of clear liquid all over and around the mound of flammable debris he constructed and tosses in the empty fluid container before igniting the jumble.

The soaked pile sparks to life, and the dark figure throws in his Bic. Flames shoot high from the can. The killer walks down the alley toward the beach, away from the boulevard. He plans to miss any fire trucks or cops coming down Mission and take the safer path up the beachside boardwalk. The disposal took him less than five minutes. He knows the full-rage fire will melt his parts into a lump of unrecognizable plastic before anyone puts out the inferno. The heat scarcely has to reach hundred-five degrees. He

confidently thinks *nobody would know what the tubes are, anyway.*

The man peeks under a dim yellow exposed lightbulb around the final alley building; he looks up and down the boardwalk and back at his burning can. The walk's clear, but he believes he sees a black mass down the alley behind the fire. Narrow-eyed, he cannot detect any movement and concludes he's only imagining. He steps onto the planked walkway and continues his duties.

Close to the end of his oceanfront trek, he again takes a hard look around. Still, no one; he enters the sand. The man kneels just past the entryway through the concrete barrier and hand-scoops a small hole at the low-wall base. He pulls a pocketknife from his pants and pries the primer from the firing end of the barrel. After inserting the used primer and small steel firing pin, he fills the hole in and smooths the top sand. Finally, it is time to move to Law Street and the final beach-area dumping site.

Back on Mission Boulevard, he looks south. Two sets of flashing red lights approach his alley. "Only another four blocks to freedom," he softly mutters as he turns and continues the last leg of his journey.

The killer reaches Law Street and turns towards the Pacific. Rapidly, he moves past his outdated Ford Galaxie to the white-boarded barrier at the ocean end of the street. The man proceeds down the thick wooden-planked stairs to the hidden cliff beach. Excitement permeates his body, and he has long forgotten the icy wind. Under the stairs, he digs the second hole. The man pulls the handkerchief and stainless steel slug from his pocket. After wiping the blood and chunks of brain matter off, he pushes the five-inch rod straight down through the bottom of his hole as deep as he can into the sand. He covers the part and returns the bloody handkerchief to his pocket.

At the night's last beach task, he pulls a hacksaw blade from his shirt pocket and saws the steel barrel in half. The

man walks through the soft sand to the ocean's edge and throws the first half of the narrow tube towards the south, as far as he can, into the waves. Then, turning north, he throws the powder chamber end just as far into the pounding surf. If either or both parts are ever found, the raw saltwater will have cleansed them of any gunpowder residue and, hopefully, partially rusted, if not into oblivion.

At his car, he removes a glove and reaches into a pocket for his key. Fumbling around his pocketknife, he feels a foreign object at the bottom. His hand pulls out two keys. He had overlooked discarding his victim's apartment key into the burning can.

Across Law Street, he spots a sewer vent below the edge of the cement sidewalk. The man walks over and chucks in the extra key. He cannot help but whistle a soft tune while returning to his vehicle and removing his other glove.

The slayer has one more stop on his way home. Before driving away, he pulls a large-sized paper grocery sack from under the seat. Then, he adds the gloves, light jacket, and wool hat into the bag and drives away.

After hiding through a maze of side streets to the Morena business district, the man turns down Sherman Street and pulls into an industrial complex, stopping in front of an outside large green commercial dumpster in front of the unit where he works.

Exiting his car, he entombs the brown sack of clothes deep within the trash-filled container. Satisfied, it will go unnoticed until Friday's early morning pickup, with all the small industrial workshops closed for New Year's Day and most of them through the four-day weekend.

He bends the hacksaw blade in half and tosses it in. Lastly, he just throws the bloody handkerchief on top. It will go overlooked no matter what; the container always holds an assortment of bloody accident rags. Even the local dumpster divers avoid this grotesque can.

He jumps back in the car and drives home.

Once in his driveway, he sneaks along the fence, dividing his property from the neighbors before he tramples through overgrown weeds to the side door of the paint-faded garage and enters.

Inside, he removes his shoes, setting them on top of the dryer before undressing and placing his jeans, shirt, socks, and underwear into the large plastic laundry sink attached to the wall beside his washing machine. He pushes in the rubber sink stopper and fills it with water just above the clothes. Then, grabbing two gallons of bleach he had ready, he poured them over the clothes.

The man walks naked through the empty house to his bathroom and showers, after which he sits at the kitchen table and drinks a beer.

Eventually, he pulls the Galaxie into its garage home.

Chapter 3

Assistant District Attorney Jillian Ross hangs up the phone, again upset with her boyfriend. It is a petty argument, but that is all they do anymore, endless fighting over stupid things. She needs to end it once and for all. There is no way it will ever work out with Detective Jake Smith.

Ross, senior ADA, has worked in this office since passing the bar nine years prior.

Jellybean and Jake share a tenuous on-and-off relationship. They met before the Smiths split up. Though never discussed, Ross knows she is the reason for his divorce. She never believed she was Jake's first extramarital affair. Jellybean was wrong, and even with his shortcomings, Jake had always been faithful to his wife until meeting the slim, gorgeous lawyer.

An early homicide case, after he made detective grade, had him working closely with Jill. They started with occasional all-business lunch meetings. From there, it escalated faster than a dry-grass fire in a Santa Ana windstorm. Smith was working around the clock on unwarranted overtime. The vast majority were in Jill's upscale downtown apartment, which was not on paperwork.

It took Jake's homemaker wife a couple of months to figure out the situation. The final straw came after Jellybean and her detective had finished their first major fight. Her lover refused to get divorced, and Jill phoned the wife, planning to end their marriage under the guise of apologizing, saying she had not known he was married. She

guaranteed the woman the affair was over, assuring the woman Jake loved her very much and always would. Jill ended the conversation with, “Jake knows nobody can replace you.”

Ross hung up, confident her scheme worked.

As she expected, this did not relieve the wife’s mind; it only confirmed her suspicions. Jake’s wife of twelve years kicked him to the curb, had a locksmith change the locks, and threw all his belonging on the front lawn before he got home from work. His soon-to-be-ex then drove four hours to Santa Barbara for an extended visit with her supportive parents.

Jillian Ross’s plan put the final nail in Jake’s divorce. The ADA is as smart as her UCSD, Magna Cum Laude degree said she was; Jake was hers.

Seven tenuous years later, during lunch hour on New Year’s Eve. Jill has two tickets to the Hilton Hotel’s Olive Lounge bash. After their daily phone battle that morning, she decided not to go with Jake. Jillian Ross phones Smith’s partner. His line goes straight to the recorder. *Perfect! The pair must be at lunch or out celebrating early.* She redials Jake’s number and leaves a voice message. “I can’t do this anymore. I won’t see you tonight. Don’t call me!” After a few minutes of guilt over breaking up on a phone message, she adds, “Maybe we can talk in a few weeks,” and hangs up.

Later that afternoon, preceding the long holiday break, the offices are empty, and Jill believes she must be the only one still working. So she heads to the employee lounge vending machine to buy a soft drink, only to find the room filled with city attorneys chatting away without a care in mind.

After she selects a Diet Fresca, Jill joins a group of males. She stands quietly, listening while sipping her cold lime and grapefruit drink. Outgoing Jonathan Jerrod, the self-appointed master of ceremony, leads the discussion.

Jon is eight years younger than Jill. They had only one proper conversation over a case, but from then on, Jon constantly hit on her whenever they passed in the halls, break room, or wherever. Of course, she rebuked every attempt, even though she secretly loved the flattery.

Standing quietly within the circle of men, Jill takes a long, hard look at Jon's chiseled face and broad shoulders. He has not taken his eyes off her since she entered the room. Jill needs to get back to her office and starts for the door.

"Hey, Jellybean, where are you going?"

How could he call me that? Jake's secret pet name.

Jill stops and turns. "Jon, I need to talk to you. Can you come by my office when you're finished?"

Exuberant Jon runs through the halls the long way around and beats her to her office. As Jill turns the hallway corner, she sees him holding open her door and grinning like a pubescent schoolboy.

"M'Lady," Jon bows and holds his arm across his body towards the open office door.

"Cut the crap, and don't *ever* call me Jellybean!" But, unbeknownst to her, coworkers frequently used the nickname outside her presence.

"I'm sorry," he genuinely apologizes. "Can I call you Jill-O?" Jon smiles.

"Call me Jill... ONLY!"

"Your wish is my command, M'Lady."

"And knock off the English crap!"

"We bien."

"And the Spanish crap! Talk like an American!"

"How's an American talk?" raising his eyebrows in a pseudo look of confusion.

"English... forget it." She rationalizes *this isn't going to work*.

"Where are we going for New Year?" immaculate-dressed Jon gleefully inquires.

“Well... that’s why you’re here. THIS IS NOT A DATE! But I happened to have an extra ticket to the Olive Lounge.”

“What time should I pick you up?” Jon’s eagerness explodes in his grin.

“I’ll meet you there. At eight.”

“It’s easier if we go together. I promise I’ll sit on my hands.”

“The Bayside Hilton. If you’ll excuse me, I have work to do.”

“Me too.” At the door, he turns back and winks, “I’ll see you there.” Jon ignores Jill-O’s ungrateful look and rushes out. He has to get last week’s suit to the cleaners. Jon prays *One Hour Martinizing* isn’t a bait-and-switch advertising scheme. It’ll be tight, but Jon is determined to get there early.

Chapter 4

Just after noon, the man wakes and heads directly to the garage. The hitman drains the beach-soaked water from the laundry sink and hand rings out the garments before throwing them into his dryer.

He heads to the kitchen, grabs a beer from his never-cleaned refrigerator, and plops down at the eating table to wait.

A half-hour later, he returns to the garage, grabs a shovel, and drags a small tree in a steel five-gallon container to his backyard. In the center of the yard, he digs a large hole and pulls out the tree, laying it next to his small crater before inserting the empty container well below surface level. Next, he solidifies by packing dirt between the sidewalls and the sheer edges of the hole.

Retrieving his dry clothes, he throws them into the can on top of the charcoal briquettes already placed. Just for good measure, he adds dead limbs and weeds from the unkempt yard. Last, he pours on charcoal lighter fluid and tosses in a huge raw steak before igniting. The gas burns off quickly, leaving the heap smoldering. He thinks the cooking meat will mask any foreign smells, and if the nosey old neighbor peeks over the fence, he can only conclude I'm lousy at barbecuing, with no idea what I'm doing.

The man walks back into the house and sees a shoe that comes untied. As he reties his sneaker, he notices a hard-to-distinguish small smear of dried blood. They're the one item he had not planned to dispose.

The man quickly decides and removes the new black sneakers. He checks on the smoldering clothing and adds more gas. The flames shoot high but quickly burn down. Smoke and burning meat smells permeate the air. He worries about the heavy smoke hanging like a thick fog. Not knowing how to stop it, the man picks up the shovel and scoops out the burned steak, tossing it onto the piled dirt. He sticks the shovel back into the pit and stirs the lump of clothes and charcoal. A small flame jumps to life momentarily, the rising smoke almost tolerable.

The man picks up the sneakers, heads to his garage, and slips on old work boots. He doesn't bother tying the laces before jumping into his dented old pickup truck.

He drives to a Salvation Army donation drop-off site a few blocks from his home, in the corner of a strip mall. Then, without exiting his truck, he throws his shoes at the collection bin and returns home.

The killer checks his barbecue. His clothes are glowing and smoldering nicely; the smoke has all but disappeared. After throwing the steak back in, he walks to his living room. Exhaustion consumes his body. The man lies on the couch and snores for hours.

It's dark outside when he wakes. He fills the hole from the pile of previously dug dirt under the dim back porch light and grabs the small tree, planting it over the fire pit.

He returns to the couch and watches TV before falling back asleep.

Daylight eventually fills the room, waking him. The groggy man takes a leak and stumbles to the bed to finish sleeping the day away.

Chapter 5

Jake Smith spends a quiet New Year's Eve alone on a tall uncomfortable barstool in the Cactus Club off University Avenue, five blocks from his apartment. He walked over, knowing he would need to walk home later.

Hours pass with him drinking neat double Scotch. Smith is a handsome man with dark, almost black hair, sporting a tinge of graying temples. He's slim and fit, of average height. Jake spends the evening rebuffing women, wandering in and out of the bar, and looking for a date. He uses the payphone several times, trying Jellybean's place with no answers.

A little after eleven o'clock, he drank his sorrows away and walked home.

At midnight, he sits on his couch, chain-smoking Marlboros alone in the dark apartment, listening to the thunderous sounds of exploding fireworks in the distance and honking horns throughout his neighborhood, coupled with a few gunshot blasts. The year just rolled over to nineteen-seventy.

Late New Year's morning, Jake wakes, still slumped on his sofa. He stumbles to his kitchen alcove and makes a strong pot of coffee to accompany a handful of aspirin.

Just before noon, he tries Jellybean's number again. Still no answer. Justifying in his mind, he resolves to drive over and ensure she is okay.

After pulling into her apartment's underground parking garage, Jake maneuvers his dark-green Chevrolet Beretta to

Jill's assigned spot. The ADA doesn't own a car; living downtown, it is unnecessary. Most places she goes, work, the courthouse, and the police station, are easy strolls. Besides, it's the only exercise keeping her sleek. And there is always an abundance of cabs close at hand if needed. Moreover, Jill simply rents a car if she wants to get away for a weekend.

There is an unknown automobile already parked there. Jake pays it no mind. Frequently, there are strange vehicles parked in her unused space. Smith drives to the front of the garage and takes one of the empty visitor's spots.

He takes the elevator to her seventh-floor unit and rings the bell. No answer. Now he is sure she needs him and lets himself in with his key.

Not calling out, he wanders down the hallway and stands to view the living room and kitchen areas. Jellybean stands with her back to him, wearing only a white t-shirt covering her half-exposed derriere while drinking coffee and cooking bacon.

After a few seconds of watching, Jake says good morning. Shocked, Jill spins. "Jake, WHAT ARE YOU DOING HERE!"

"I'm sorry. I rang the bell."

"I heard it. No law says I have to answer it!"

"I'm sorry, but when I wasn't able to get a hold of you, I thought I better check."

"I'm fine. You need to leave!"

A tall, athletic-built man, wearing only a wrinkled pair of unbuttoned slacks, appears at the bedroom door. "Is everything all right, Jill?"

Smith recognizes him from the District Attorney's office, though never introduced.

"No, it's NOT!" she blurts out. "Jake, I told you to leave!"

Smith fidgets. "I... I thought you might like to spend the day watching some college football at my place?"

“I’m busy, as you can see. Goodbye, Jake!”

“I think you’d better hit it, buddy,” the calendar pin-up interrupts.

“I’m not your BUDDY!”

Without choice, Jake turns and leaves. He aimlessly strolls around downtown, ending at Horton Plaza Park across the street from the historic U.S. Grant Hotel, and plops on a bench beside the fountain. Being New Year’s Day, all the stores and shops are closed, and the city is a ghost town.

Standing and conversing feet away from him are two transvestites, part of a group that frequents the park trying to pick up wayward sailors.

The detective flashes his badge. They understand and ignore the lone man, eventually moving on, leaving Smith alone with his thoughts.

Jake tries to formulate a plan to regain Jellybean’s affection. Nothing magically appears in his throbbing head. Concluding he has blown it, Smith solemnly returns to his car and drives away.

Chapter 6

Friday afternoon, Victor Yakovich approaches his workmate, Mathew Angus. “Hey, Mat. Do you want to grab a beer at Abbott’s tonight?”

“Hey Ruskie, sounds good.” They became friends six years prior when Yakovich trained the San Diego Machine new-hire Angus.

“Don’t call me that. It’s VICTOR!”

“Yeh, Victor.” Mathew continues, “A beer tonight at the pub? What happened to your other bar?” Then, without waiting for an answer, “I could make an exception, just this once, and go there.”

Victor smiles to himself, “I don’t go there anymore.”

“The pub it is, then. We’ll celebrate a late New Year’s.”

“I’ll be there... seven, alright?”

“See you there, buddy.”

Three hours later, Victor and Mathew meet up at the familiar Abbot’s English Pub. By eight o’clock, after small talk and catching up on the few months of Victor’s hiatus, two women walk into the pub and sit at one of the two last remaining open tables.

Mathew had been talking non-stop with Victor, occasionally nodding between beer guzzles when Angus spotted them. “Vic, see’m girls?”

“Victor!”

Slightly turning on his barstool, the Russian takes a sly glance. “I see them. So what?”

“Cute and alone. Let’s buy’m a drink?”

“I don’t think so. I’m not ready.”

“The hell you’re not. It has been long enough. Time to get back on the horse, buddy.” Annoyed at no reaction, “I’m going over. You do what you want.”

Mathew loudly unimpressed the two women with crude sexual pickup lines while Victor soundlessly sidles up beside him. The short, brown-haired woman gives him a teeth-showing enormous smile. “Would you like to join us?”

“What are you doing? We don’t need these creeps.” The other woman quickly interjects.

Still smiling at Victor, “Oh, I don’t think one beer would hurt.”

Victor’s friend quickly sits next to the scowling woman. “Hi, my name is Mat.”

“Door Mat.” The Ruskie quietly chimes in.

“You’re funny.” The smiling woman flatters Victor’s comment.

Victor takes the seat next to Angus, leaving two empties between him and the smiler. She pats the seat beside her. “I don’t bite!”

Victor slowly moves around the table next to her. “My name is Jennifer. You can call me Jen or Jen-Jen. That’s what my friends call me.”

“My name is Victor.”

“It’s nice to meet you, Vic.”

Victor glares at his grinning friend, silently stating *it was not an open invitation for everyone to call him Vic*. Jen-Jen is special. The three of them talk throughout the evening while Vic sits silently drinking. Late into the evening, Jen-Jen forces Victor to do one slow dance. When he refused, she grabbed his hand and pulled him to the small dance square in front of the jukebox. They slowly sway to the Moody Blues rhythms of *Nights in White Satin*. She squeezes him tight and lies her head on his shoulder. It is only the second woman, not including his mother, he ever held. Her garden-fresh hair hypnotizes his senses.

At the song's end, Vic's new girlfriend steals a brief kiss on his lips. He reels in surprise before a wide grin blankets his face. He starts back to their seats as she grabs his hand for the few steps across the barroom floor.

Door Mat and the other woman get along better than expected and dance to too many fast songs, Mathew's date refusing to snuggle up to him on any slow beat.

Victor can't wipe the smile off his face for the rest of the evening. Finally, around eleven, Jen-Jen suggests they sneak off to Vic's place and finish the evening. He eagerly agrees. They say goodbye and leave. Victor's life just got better than he ever expected.

The other pair also leave, only in separate cars and in different directions.