

RON OLSON

FORTY ROD COURT

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THIS BOOK WAS WRITTEN FOR MARIAN

FORTY ROD COURT

The town of Bolus, in Montana Territory, was a law abidin' community. No,... that don't reach it. Bolus was a law lovin' town, a judge lovin' town and one that put more stock in its courthouse and courtroom than was healthy or tolerable, at least fer me.

Fer a while, while it was gettin' its law established, that town was doin' a hangin' a week. They swung 'em high there, too. No thirteen steps to the platform fer Bolus. They had a special hangin' rig built like a steeple alongside the jail. It was high, higher than any buildin' in town, even the church. After a time, most of the hard cases got tired of seein' that hangin' steeple and took a likin' to far away places.

All that hangin' and watchin' hanging's took hold of the people in Bolus. Most of 'em gave up wearin' guns, and they swore by their law.

More proof of the way those folks thought was the courthouse. Yes, sir, Bolus had a proper courthouse, white-painted, stone front steps, and fer some reason, up over the door there was a statue of a blindfolded lady holdin' a set of grocery scales. Inside the buildin' was the courtroom, full fledged. And Bolus hadn't skimped on makin' it a real place fer legal doin's.

Any fool could see that courtroom was all business. At one end there was a platform where the judge could perch up high so's he could look down on the folks. So's he had somethin' to lean on and to put his papers and books on, the town had supplied his Honor with a handsome wooden desk. The judge called it a bench, but no one wanted to tell him it were a desk. No, sir. No one wanted to climb into that doghouse with the Bolus judge. He could call his desk most anything he wanted to and not even the lawyers would object.

There were other proofs of the high tone of that courtroom. There was a leather-covered chair for his Honor's bottom side, shiny leather all polished and smooth, not like yuhr rawhide or yuhr harness leather. More like the leather on a favorite old saddle, jest easy like. But the rest of the chairs was jest chairs. I guess paddin' them would have made bein' in court too comfortable, and the lord and lawyers know that ain't supposed to be.

Fer a sort of decoration there was a handsome gold picture frame hangin' on the plaster wall, high up behind his Honor. In it was a paintin', "portrait" some string tied lawyer called it, of some high and wide judge from back East somewhere. From the way he was down in his whiskers, he looked to most everyone like he needed a softer chair, maybe like our Honor had. But with that sour puss hangin' up there like that lookin' down on ever'one, Bolus folks kinda felt like they had two

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judges, one to run things in the court and one as a backup, a "higher authority," was what some called the "hangin' judge."

Things was also kept regular and in proper order by the little wooden fence between the spectator's section and the part of the courtroom for his Honor and the lawyers. They say his Honor had ordered old Farley to build the railing because all respectable courtrooms have a railing. Old Farley didn't have a strong feeling for the job at first, but he built the thing anyhow. The little swingin' doors in the center gave him the most trouble until his Honor said they should be just like the doors openin' into the Forty Rod. Well, after that old Farley warmed up and did the job up to a tick. He also built a little corral kind of fence around the jury seats. His Honor called it a "jury box," but then as always, no one complained about his funny names fer things, after all he was his Honor.

Yep, a courtroom with a "portrait." I guess that meant Bolus was the center of the law world, at least in the territory. And that courtroom was not one of yuhr lonesome hollow places like some I've seen. No, by damn!

Bolus loved its law, and loved it so much, it kept its courthouse fairly hummin'. And it did hum. On a hot summer day, when the lawyers were wound up tight and going at the witnesses and the jury was maybe napping a bit, and the blue bottle flies were easin', around jest looking things over, that courtroom would hum. Even his Honor might hum, especially after he had taken a lunch and warm beer at the Forty Rod across the street.

And there were times the regular hum turned into a big hum. Yuh'd expect that when yuh have a town that takes to the law. But the day they brought Akus Weaver in fer his trial, Bolus got more hum than it bargained fer, lots more.

Course they didn't really bring Akus in. He came in. That's right. Akus came ridin' in, tall and straight as a new post. As usual he was ridin' that big walkin' horse of his, the one with the wild eye that rolled up and down and around, sort of unconnected like. This time Akus wasn't alone. He was leadin' another horse, a little no account stubby horse, like those the horse traders bring up from Wyoming and try to sell fer kid ridin'.

Tied across the saddle of that little pony, belly down and deader'n old water with his rump in the air was a somebody, red shirt and head hangin' down one side and old worn out boots hangin' on the other. On the head side of that stubby hoss, there was a dark red patch, blood.

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Mostly it was dried out to the color of Texas beans, cause that crosswise rider was too dead to be doin' any more fresh bleedin'.

As Akus came paradin' down the center street, Bolus folks along the way tried to get a square look at his load, but with his head a bobbin' and bein' face down like he was, no one could be sure who he was, or to say it right, had been. The red shirt he wore didn't mean nuthin' and neither did the boots, bein' patched and scruffy like old roundup boots. And there weren't no hat. Now that would have been a sign, sure enough. Most men can be told by their hats, who they are, or leastwise what range they claim is home. But this customer's hat wasn't in sight.

Right down the street. Akus rode direct to the Sheriff's office and hauled up. Stiff and careful like he was afeared of bustin' somethin', Akus stepped off that nag of his. He snapped the reins over the hitchin' rail, took a look at them that was standin' around gawkin' and, like the stick he was, stick-walked up to the door.

Before Akus could get inside, the door popped open and out comes Sheriff Toss hisself. He took one look at Akus, then he took a look at the package Akus had brung him. Sheriff Toss wasn't slow. He know'd right off this was a situation.

Squarin' himself up and rubbin' his hand across the fresh shave which was spread all around his mustache, Toss, speakin' slow and easy, says, "Mornin' Akus. Looks to me like yuh got me some business."

"I guess yuh could call it that, Sheriff," says Akus in that tinny tin tin voice of his.

"I don't 'spose I need to ask if he's dead."

"He's dead."

"Dead by gunshot?"

"Dead by gunshot."

Well, Toss who has to bring in gunnies and others to help keep the Bolus courtroom hummin' is interested. But he ain't about to run straight up the hill. Not Sheriff Toss. He'll go sideways and then turn and go sideways again. He'll want to study the lay of the land more careful than usual since Akus Weaver is the pallbearer of this load.

Akus Weaver, yuh see, was know'd to be one of the moneybugs of the whole Territory, and had one of the biggest spreads south of the Big Muddy. Most everyone walked easy around Akus, knowed by the boys in the Forty Rod as "old tin thin."

Goin' sideways, Sheriff Toss don't ask who plugged who or even why. That's a mite steep. Instead, Toss rubs that new shave some more,

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takes a long look at the stubby hoss and its passenger and says. "Let's have a look."

By this time there's quite a crowd hangin' around wonderin' if this ain't some hum fer the courtroom. I was there too but hafta say I don't love the law the way them Bolus folks did. Oh, I ain't against it, the law that is. I jest like to keep it on the other side of the coulee.

So with all of us watchin', Sheriff Toss ambles over to that pony who's givin' Toss that "maybe I'll kick" look those stubby little hosses always give to anyone that looks official, like a bronc stomper or a hoss shoer, and, in this case, a Sheriff. Bein' careful, Toss eases up looks at the boots of that former citizen. He takes a boot in his hand and then drops it. Then stayin' close to the tail of the little knotheaded hoss, Toss moves around to the part the boys and I have been waitin' fer.

The Sheriff looks first. With his hands on his hips he leans and looks at one side of the head and then the other. I can't say that I blamed Toss fer not wantin' to touch it. Hair hangin' down, covered with trail dust and mixed up with blood, it was like the leftover from a massacre. From what I could see, the face and neck was dark red from the blood settlin' there durin' the bottom side up ride into town. It was probably startin' to get stiff and clotty the way it does right after a man's life's been shot outa him.

One of the boys who couldn't stand the waitin' called out, "Who is it, Sheriff?"

"Can't say, jest yet," Toss said.

Finally, the Sheriff took the matter, that bein' the dead jasper's head, in hand. Liftin' it by the stringy black hair, he held it up, face full toward the boys. "Anybody know him?"

Wasn't no need to ask. When that face came up, swollen, red and bashed from floppin' against stirrup leather, ever'one there knowed who it was.

Why, it was young Tommy Keeton. That's who it was. No doubt about it. Two or three in the crowd said it almost at the same time. "Tommy Keeton."

Poor Tommy had a third eye, about the size of the end of yer little finger, right above his nose. There wasn't no need to talk about what had turned Tommy out to pasture. The question one of the boys asked was, "Who opened the gate, fer Tommy?" Then the cowpoke standin' next to me asked another good one, "Why?"

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Sheriff Toss didn't need any teachin' from us, mostly punchers jest hangin' around town spendin' roundup bonus money. No, Toss knew how to do the askin'.

"Akus, I guess, I wouldn't be against knowin' where yuh got this load."

"And I wouldn't mind sayin', in a trial."

"A trial?" puzzled Toss. "Ain't nobody here talkin' about a trial. Trials is fer them that has been charged with somethin' by the Territorial lawyer. We're a long walk from a trial."

"Maybe," says Akus in his thin pipe voice, "But I thought about it a long time, all the way in. Ain't it true, Sheriff that after there's been a trial, that the end of it? I mean, there can't be any questions after it's over, can there?"

"Well, after a trial, it is over, but like I say, Akus, there first has to be a charge."

"To my mind, a man with a body, is charged," says Akus as though the whole thing was settled. "Ain't that the way of it?"

Toss was findin' this pretty steep. He wanted get some directions on how to take an easier slant on this situation. "We could ask the Territorial lawyer about it Akus, but unless yuh're confessin', we may be sittin' down at the table before the cookin's been done.

"Sounds to me like he potted Tommy, " called out Earl Hame. "He jest don't want to let on that it was his doin'. Ask him straight out Sheriff. It looks to me like yuhr cuttin' him a lot of slack."

Now I hadn't been around Bolus long and didn't know the size of Sheriff Toss' temper, but only a fool or someone on loco weed would have sassed a Sheriff that way. But it seemed that Toss had a good handle on his damper.

Turnin' and facing the whole herd of us square on he says, "Boys, now most of yuh know that Bolus is a law abidin' town, and I'm paid to keep it that way. When there's been a shootin' and there's a body at the end of it, that's my range. I'll ride it my way. Any more lip from you, Earl, or any of you and I'll start rememberin' more about all the hell that was bein' raised in the Forty Rod last night."

"Well, I was jest..." began Earl, talkin' sort of weak without knowin' where he was goin'.

"One more word, Earl," says Toss, "and you may talk yurhself into a stand up in front of his Honor. And Jim Tamp, I don't think yuh want to jump into this either."

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Sheriff Toss misread my mind by a mile. I wasn't even thinkin' of gettin' into Earl's game. He had dealt it. He could play it. Besides, I had a throbbin' head and a fuzzy recollection of a party in the Forty Rod with a lot of shoutin' and too much drinkin'. There might even have been a pistol shot, and my colt might have gone off, accidental like, yuh know, pointed in the air, I hope.

No, I didn't want to look into Toss' eyes and I didn't need to inspect that new shave of his. Instead, I looked down to make sure my boots was planted jest right in the dust of that street. Then I guess I adjusted my hat, and, by stickin' my hands in my pockets, signaled to Toss that it was Earl's dally. He could hold it or cut loose.

I didn't have to think about what he would do. A shrug pretty much said it. He slipped his knot and it wasn't jest because he couldn't remember the Forty Rod party either. He didn't want none of a riled Toss.

The sheriff knowed there wouldn't be an argument. He jest needed to lay it out fer us. Smilin' under that mustache, he said, "You, Jim Tamp, catch a hold of Tommy's lower end. Hame, I wonder if yuhr arms are as strong as yuhr mouth. Take the heavy end, help Tamp carry Tommy over to the barber shop."

I was glad to get the dusty end. Earl wasn't none too pleased about gettin' the bloody end, but he didn't argue. Carryin' Tommy head and foot across the street, me lookin' at the top half of the body, I could see that whoever had shot Tommy hadn't taken any chances. Yep, they'd done a good job on the late Tommy Keeton all right.

It wasn't much more than an hour later before Earl and I were headed fer the Bolus courthouse. We had dropped Tommy Keeton off with the barber who would measure Tommy, make him a neat pine box, and call up some kind of gatherin' fer last words. Before we left, the barber checked Tommy's pockets but didn't find nuthin' except a tobacco pouch that felt like it was about empty. I promised to give it to the Sheriff, then got outa there. I didn't like standin' around with a body layin' there, dead like that. Everybody knows that standin' around dead folks can make yuh bloat up like a cow on green grass. A man can lose a forty-cent breakfast in a situation like that.

Later, while we was drinkin' coffee at Sadie's Cafe, Carl Towser came a steamin' in an said we was wanted in court. Pronto.

"Court," howled Earl. "I bet that damn Sheriff is gonna stand us up in front of his Honor fer hurrahin' in the Forty Rod last night. Maybe you kilt someone, Jim. You and yuhr shootin' out knots in the ceilin'."

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That had me in a sweat, fer sure. How had I kilt somebody by jest fun shootin' at the ceilin'? Lordy, I didn't know. But if I was a gonna be balled and chained, why didn't Toss himself come and put the arm of the law on me. That's the way it's supposed to be. As we hot footed it down the street, I asked Earl, "Why didn't the Sheriff hisself come after us? Hell, we could skedaddle right outa town."

"Not me. I wasn't shootin' like a trooper at the battle of Tampico. Besides, if we lit out, Toss would be after us faster'n light. And when he caught us, he might not be smilin', if yuh know what I mean."

I didn't answer because by then we was passin' under them grocery scales and were as good as inside that courthouse. Inside, we slowed down. Them floors was gleamin' hardwood and walkin' fast made us sound like an invasion of hard shoe miners. Besides, that courthouse was an awful lot like a church and walkin' easy seemed like it was a rule.

Toss spied us right away when we stepped inside the courtroom. "Come up here, you two," says he.

I don't mind sayin' I was gettin' itchy and sweaty about this. If I'd kilt someone, while singin' and drinkin', I guessed I'd jest go to hell where I belonged, after a hundred years hammerin' rocks. I was mighty close to turnin' tail and takin' my chances outside, in the sunshine and on the prairie instead offin this tomb.

Sheriff Toss was standin' alongside Old Farley's rail and jawing with some bird in a long black coat. I rightly guessed he was a lawyer. His long face, his inside-the-buildin' white skin, his long, nervous fingers which seemed to be jest waitin' to be snatchin' at me, gave him away. And I was right too.

"Boys," says Toss, "this here is the Territorial prosecutor. He's the one that puts a charge on a person when that person has done a crime."

I knew right then and there that Toss had me cold. I'd been pushin' cows up enough trails and had seen enough towns and lawmen to know when a string runs out. But somehow this didn't seem square. I'd been in my share of scrapes with the law, but I never thought I was a gunhand or that I was dark night bad. I'd raised some hell, sure. But who hasn't. I guess it was jest pure poor luck catchin' up with me.

"Okay," I says, "what's the charge?"

Toss gave me a quick look like he was wonderin' why I was rushin' into this. It made me wonder if I doin' somethin' wrong, this bein' my first big time charge.

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"And what's your name?" ask the lawyer, sort of measurin' me with his eyes like the barber had been measurin' Tommy Keeton with a tape.

Before I could open my mouth, Toss said our names fer us. "This jasper," pointin' his thumb at Earl, "is Earl Hame. He's pretty much okay, but is too full of sass fer his own good. The other one," noddin' at me, "is a real sidewinder with a pistol."

Toss seemed to be smilin', but I didn't see anything at all worth funnin' about in this. "His name's Jim Tamp."

I was on the edge of confessin' and was openin' my mouth to explain how funnin' ain't the same as mean, cold killin' when the lawyer says to us, "My name's Stanes, Simon Stanes. As the Sheriff has already explained, I'm the Territorial Prosecutor. It's my job to file charges and then to prosecute to the full extent of the law. In other words, I'm sworn to see that those who have committed a crime go to jail."

"Jim," I says to myself, "yuh in deep now. Here's the man that's sworn to send yuh to the jailhouse and maybe even to put a noose around yuh neck."

"Boys," says the lawyer, "we got us a problem with Akus Weaver and the killing of Tommy Keeton."

Why, that damn Earl and his yap! He shore had me runnin' scared up the wrong ravine. The Sheriff and the lawyer had their sights on the Akus Weaver business, not our hootin' and tootin' at the Forty Rod.

"When yuh carried Tommy Keeton over to the barber, yuh musta seen what did him in?" asks Toss.

"Why ever'one in the street could see that, Sheriff," puts in Earl.

I was ready to agree and to add some, but that chance didn't hang around long enough to grow up. Anyhow, more from me didn't seem to be needed.

"I know that, Hane," said Toss, "but Simon here says the jury might need some ..." The Sheriff was stuck on some word. He tried it, "cobberatin'."

"Yes, corroboration," said Stanes, comin' in quick to save Toss from havin' to try to say it again. "You see, Mr. Weaver is insisting on having a trial. But that seems out of the question, since no charges have been filed against him. I'm going to recommend that the court conduct an inquest into the cause of Mr. Keeton's death. The two of you had the best look at Mr. Keeton, so I may call you to testify on the cause of death."

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Hearin' Tommy called "Mister," sure nailed it down that he was dead. And havin' this formal thing, the inquest, seemed almost as good as havin' a graveside readin' fer him. That made his dyin' a mite easier to think about.

I felt so good about not bein' charged myself, I thought to about Akus. "Mr. Stanes," I says, "is this the way that yuh charge a man? I mean, will Akus Weaver be charged here and then will there be a regular trial before sendin' him to jail? If he's guilty," I tacked that guilty on quick like to make sure Lawyer Stanes knowed I'd been around some.

Stanes smiled at me the way I might smile at some pilgrim settler from the East. "No, Mr. Tamp, this will not mean anyone will be charged. But if the court finds that Mr. Keeton came to his death by illegal means, and then if Sheriff Toss can figure out who did the killing, someone will finally be charged with the killing."

"Mr. Tamp," he called me. I didn't know whether to feel dignified and like some kind of swell or to worry that by bein' called "Mister," I might be headed fer the same pasture that Tommy had got sent to. I stopped worryin' about that though when I got to thinkin' that, considerin' the way the lawyer talked, nuthin' he said really counted fer much. Sayin' the court would decide this or that he was goin' to ask the court to do such and so. Everybody except lawyers knows that a court is a court and it can't decide anything. The decidin' is done by a jury or by a judge. A court's a place, not a decider or a man to be asked somethin', but lawyers never talk like other people.

"We'll be gettin' started pretty soon," says Toss, "so you two take a couple of them front seats. When Mr. Stane calls yuhr name, come up and take the stand."

By this time, there was a pretty decent crowd in the place even though it was a business day. There was a few of the punchers, like me and Earl, that had been laid off after roundup. Like us, they was wastin' their pay and tryin' to decide whether to head south or try to find a spread to winter on. They lined up in the back seats, bein' careful to jest watch and not bring any attention to themselves.

There was some men wearin' clean shoes and dress up coats sittin' in front of the boys. I'd seen them in the Cafe and knowed they wasn't nuthin' but drummers, probably waitin' fer the next stage to Miles City or places east. They were laughin' at each other's jokes, just drummer talk, but it made me figity 'cause I got to thinkin' they might be laughin' at me standin' and talkin' to a lawyer like I was.

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A couple of women sat together as far from the men as they could get. I couldn't get much of a line on them as they sat talking to one another lookin' mostly at the floor. Some town folks were there, too, but they was jest town folks and not really worth more than a passin' look.

The lawyer went inside the rail and started readin' out of a thick book. Sheriff Toss disappeared fer a while, then came back with Akus. At the sight of them two, the place got as quiet as a church.

All of a sudden, the back door of the courtroom opens up and in marches the judge. The second that door opened, a runty little man with a red face that had been sittin' near the judge's platform popped up and sang out, "Hear ye. Hear ye. All rise. The Honorable Judge Horace Dunstan."

I don't know why he had to yell and I didn't understand the "Hear ye," line. And I didn't have to be told this was his Honor. The name told me that. The black gown told me that. And jest the look of the man didn't allow any doubt that he was the judge. He had a good year's crop of chin and side face whiskers. I think he grew hair on his face because he sure couldn't grow it on the top of his head. Naturally, his Honor was wearin' little round eyeglasses, because all judges and lawyers ruin their seein' by livin' in them damn books day and night.

Everyone popped up. So Earl and I popped up, too. I knew this wasn't like any court I'd ever been in before. Most of my court time had all been in places like the back counter of a general store where a justice of the peace lays on a fine callin' it disturbance or loiterin', something like that. My judges had mostly been Sheriffs or storekeeps. Course, I'd been in real courtrooms before. Like the time Lefty Kleary plugged the trail boss and was tried in Clearwater, Kansas. They stretched Lefty's neck fer that and I saw the whole thing, the trial and the hangin' the next day. That had been all right I guess, but it didn't have the smack of this.

Now this was real law. Black gown and a lawyer with a book. But I can't say I was lookin' forward to bein' part of the show.

"Crack," says the Judge's little wooden hammer.

"Court's in session. Take your seats, gents," says the Judge, who must not have gotten a line on the women who were there. "Mr. Stanes, I think this might be the time for you to explain why you requested this hearing."

"Yes, your Honor," says Stanes comin' to his feet, holdin' onto his fat book. "This morning, Mr. Akus Weaver, the man sitting there with the Sheriff, rode into town leading a horse with a dead man tied to the saddle. When the Sheriff asked Mr. Weaver how he came by the

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body, he refused to answer and demanded a trial. The Sheriff explained, and, since then, I have explained to Mr. Weaver that he has not been accused of any wrongdoing and has not been charged with a crime. Yet, he refuses to speak. The Sheriff has nothing to go on to conduct an investigation and Mr. Weaver insists on a trial."

"I'm sure that's very interesting, Mr. Stanes," rumbles the judge in a deep funeral preachin' voice. "But I'm not in the business of conducting a criminal investigation. If Mr. Weaver won't speak, there's precious little I can do about it. Just what are you proposing?"

The way his Honor, Horace Dunstan, frowned at lawyer Stanes, added some sting to my jitters. I didn't want to come into this judge's sights. And neither did Earl, who was squirming in his chair and tryin' not to bang the floor with his boots.

"Your Honor, I believe the court should conduct an inquest. That way we could establish that the deceased came by his death in some illegal way. And by putting the parties under oath, they might answer some questions that need answering."

"Meaning, Mr. Weaver," said his Honor. "Do you have evidence to present that would prove that the decedent died by other than natural causes?"

I took it that Tommy Keeton was the "decedent" and whispered as much to Earl who usually needed to have new things explained to him. I left off hangin' words on Earl's right ear though when Judge Dunstan looked over that polished desk straight at me. I guess I was whisperin' a mite too loud.

"I do," Stanes was sayin', "we have the testimony of the Sheriff and of the men who carried the body over to Odell's place. They can also identify the decedent."

"Very unusual business, Mr. Stanes. Inquests are supposed to be held by the coroner, a regular doctor or a horse doctor. In our case, I guess what passes for a coroner is our barber, Art Odell. What's wrong with havin' him do it?"

"He doesn't have any power to require..."

Akus piped up. "He can't hold a regular trial. That's what I told the Sheriff and lawyer Stanes here. I won't talk except at a trial."

The minute he opened his mouth, everyone's head spun around and every eye in the room took a sight on Akus. When he finished his say, Akus clamped his mouth shut, crossed his arms on his chest, and sat back. It was plain that he was set on havin' a trial and that he wouldn't settle for anything less.

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After he'd had a chance to chew on that fer a minute, his Honor, scowlin' something fierce, looked down at Akus. "And may I ask, Mr. Weaver, what do you propose to do if this court says you can't have a trial, that the whole idea is plumb foolish?"

"I'd get on my hoss and ride out."

"If your not confined to the jail for contempt of court, you might ride out." The judge's bile was risin'.

Earl was slidin' up and down in his chair so I started whisperin' that contempt meant sassin' the judge and not doin' what his Honor wanted done. This time the judge gave me a long, sour look. "Sir," he said, lookin' down on me, "if you must talk, do it outside."

I popped up like Stanes had done when he talked. "Yes, yer Honor. I didn't mean nuthin' I was jest explain' things to Earl here."

"What things?" asks his Honor, startin' to scowl me right back into my chair.

"Jest the words that yer Honor is usin'." I began to fade. "Stuff like that."

Givin' me a final, sit down look, his Honor Dunstan turns back to Akus. "Mr. Weaver, maybe you'll change your mind about talking if I do as Mr. Stanes has asked. Therefore, exercising the discretion vested in this court by the laws of the Territory..."

Before he got it all out, he caught me whisperin' to Earl again on "discretion" and "vested." He stopped talkin'. He waited until that courtroom got dead quiet. "Sir," his eyes nailin' me, "what is your name?"

Back on my feet, I says "Jim Tamp, yer Honor. I guess I plumb forgot again."

"Are you a lawyer, Mr. Tamp?"

"Oh, no sir. Nobody ever called me that." Before I could call that one back, most everyone sniggered, except Stanes. Even his Honor sighed and leaned back a bit in that leather chair.

"I won't be long, Mr. Tamp. Do you think you could hold off any further explanations for a few minutes?"

"Yes, yer Honor."

"Thank you. Now, Mr. Stanes, I'm going to grant your request. This court will convene an inquest into the death of the decedent, alleged to be one Tommy Keeton."

"I want a lawyer, judge," calls out Akus.

"You are not on trial, Mr. Weaver," answers his Honor.

"But yuh jest said..." began Akus.

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"An inquest, Mr. Weaver, is not a trial."

"Will yuh order me to talk?"

"I will."

"I won't talk without a lawyer," announces Akus, still sittin' with his arms crossed.

"Very well," shrugs his Honor. "I'll give you an hour to go out and hire a lawyer."

"Can't be done," argues Akus.

The judge is about full of this. Akus maybe don't know it, but he has jest about finished his grazin' season with this judge. "What do you mean, it can't be done, Mr. Weaver?"

"I tried and there ain't none to be had. Not a lawyer in town. 'Ceptin' Stanes here and he don't count since he on the other side of this hoot."

"That's correct, your Honor," nods Stanes. Mr. Cobb's kin in Sheridan took sick. He left to go down there yesterday. Mr. Bodley is...unavailable."

Later I was found out that "unavailable" was jest a slick way of sayin' that ol' Bodley was on another tear, dead drunk and likely to stay that way fer a week or more. But fer the time bein', it looked like Akus and the judge were at a standoff.

Then all of a sudden, as I was whisperin' to Earl agin, that judge puts them little glasses on me. Like a hawk swoopin' down on a chicken, his Honor gives me a look. "Mr. Tamp, would you please approach the bench?"

Approach the bench? Did that mean he was after me fer whisperin' again? I hadn't been, except to let Earl know that his Honor was in a tight. Damn that Earl! If he had more wit, I wouldn't be in this pickle.

Bein' careful not to stomp up more noise than I had to, I eeked through those swingin' doors and approached the desk, the bench like we say. "Mr. Tamp," his Honor says to me confidential and quiet, almost like a pard that wants a somethin' done he can't do fer himself, "I have the feeling that you've been in court before. Have you?"

Not wantin' to look scared, I put it back to him as strong as I dared, "Why, yes. I been in a few, yer Honor, but it wasn't never anything to count. Jest little stuff. Fines mostly."

"Have you ever seen a trial or an inquest?"

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Tryin' not to brag, I allowed that I had. I told him about the time I watched while Lefty had a trial and then took a drop fer shootin' up the foreman of a Texas herd.

"I see," he says. "Well, Mr. Tamp, I'm appointing you special counsel for Mr. Weaver. He insists on having someone speak for him. You seem to me to be just the one to do that." Louder, so's ever'one could hear, he says, "Mr. Weaver, I'm hereby appointing this gentleman, Mr. Tamp, to act as your counsel. He can speak for you, say anything you want him to say, and he can ask questions you might want to have asked. Since he insists in constantly whispering in court, we might as well all hear what he has to say."

"Hellfire," cried out Akus, "he don't look like no lawyer to me. He looks like a busted cowpoke. If I recollect, he was out on roundup, workin' fer the Stem Ranch."

Judge Dunstan had set his mind on it and wasn't about to listen to Akus. He was full of Akus' arm crossin' and refusin' to talk. "I believe he's had some experience with the law, and he's all you're going to get, Mr. Weaver. Take him or go without. What's it going to be?"

Akus was sputterin' in that thin voice of his, "But judge..."

"If that's an objection, Mr. Weaver, it's overruled. Are you taking Mr. Tamp or not? If you want him, I'll give you time to consult. Otherwise, we can start the hearing now."

Akus would've taken a stump at that point. Any horse that can walk, is what a rancher on foot will say. On top of that, Akus needed time to think about this turn of the dime. "I'll take him."

"Court's in recess for one hour." says his Honor.

"Crack," says the hammer.

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I had it in my head to go across the street to the Forty Rod for our consultin', but we almost didn't get there because, Akus was coal-fired hot. The minute the judge left the courtroom, Akus ripped into him, callin' him lots of things that ain't worth repeatin'. Then he got on to lawyer Stanes. He finally turned on me and said he knowed that I was nuthin' but a "consarned cow pusher who was buttin' into his trial." Finally though, the idea of the Forty Rod took hold, and he allowed that he was dry. He said that's where he was goin' and I could tag along if I wanted to.

We had the place almost to ourselves. Of course, Earl had followed along, and there were a couple of cattle buyers leanin' on the bar talkin' to a rancher about drivin' some beeves up to the railhead at Grassy Range. He was agreein' to the drive, but the buyers was only offerin' to pay a dime a head fer the trouble. Earl went to listen to the dickerin' thinkin' we might get on with the drive if they struck a deal.

Akus and I took seats at a table and began lookin' at each other. Over a warm mug of beer, he asked, "What law have yuh ever had to do with?"

Not wantin' to get the judge down on me fer not consultin', I tried to cool Akus down some by soundin' like I knew somethin'. Casual like, I says, "I've seen a trial or two in my time all right. Fact is, I watched a trial fer pre..." my law talk jammed up fer a minute, then came back. "Premediated murder, down in Kansas. Fact is, it wasn't premediated at all. Lefty jest had too damn much to drink and didn't want to do night watch."

Over the edge of his mug, Akus asked suspiciously, "Was he guilty or wasn't he?"

"That bird in Kansas?"

"Who else?"

"Oh, he was guilty as a geezer with a pickle up his sleeve. They hanged him the day after the trial." Fer a minute I thought I would lose Akus. It probably wasn't the best thing I could have said. But the beer held him, and after another sip or two he sat back in his chair and looked me over.

"Yuh don't look like no damn lawyer to me."

"I ain't a regular lawyer. The judge said I was a special counsel. I think that means ...well it means I'm all yuh got."

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Akus had to think about that fer a while. So I took a draw of my beer and looked around. The place didn't look like any place I'd been before, and it shore didn't look like the place I'd been the night before. Lookin' up at the boards in the ceilin', I tried to see the knots Earl said I'd tried to plunk out with my six shooter. The boards I thought I'd seen were really logs, big ones, stretchin' from one side of the room to the other.

That was some stretchin' too, because the Forty Rod was a sizable barroom. And it had a counter like none yuh'd expect to see in a law lovin' town like Bolus. Curved like a horseshoe, it was longer on each side than a strong lasso throw with a good hair rope. The round part swung out into the room like a big bow. Them as was drinkin' on one side could sit and look directly at those sittin' and drinking on the other side. Only the barkeeps and the bottle racks were in between.

Bottles? I swear the Forty Rod had more bottles than a smart schoolboy could count. Mostly they were whiskey, some cheap and some not cheap enough fer a six-bit cowboy. Tall bottles, short bottles, fancy labels, plain labels, no labels, everything a person could name.

And there were bottles of wine. I'd tried some of the Forty Rod wine, the first day I came to town, but didn't get the first glass of it down. It was too sweet fer my taste. But then some around town drank it. I think they drank it fer show and so's they could talk about its body, whatever that is.

The Forty Rod was known as a place where any growed up person could get a drink and find someone to talk to, day or night. If it was empty of payin' customers, the barkeep would talk to yuh, about anything. And best of all, the word about the Forty Rod was that yuh could come in and drink and see yuhr worst enemy there, but, by the rules of the place, the hatin' was left outside. And everyone followed the rules.

The open end of the bar was aimed at the back counter where more whiskey and stuff fer runnin' the saloon was kept. Then, up above that back counter, higher'n a man's head, was a platform. There fer the world to see was a sight like none I ever saw before or since.

It was a pile of tubes and iron that had a purpose. The biggest part of the contraption was a boiler, higher and wider around than a pickle barrel, painted bright red with yellow trimmin'. Under it was a bricked up firebox where they kept a little fire goin' day and night. Then there was the snakiest tangle of tubes and pipes you could imagine. One such pipe, copper made I think, spiraled around and around a couple of

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dozen times. It ended in a little, polished brass spigot. That spigot was kept open and under it was a shiny five gallon jug.

Drip, drip, drip, day and night, that rig was makin' whiskey - "Forty Rod." It was so well known and so well liked that other saloons fer more'n a hundred miles in all directions bought the stuff. One of the barkeeps told me they had a bigger boiler and more pipes out back where the big brewin' was done. The red boiler was mostly fer show, and it were a sight to behold.

While I sat lookin' at that whiskey machine and Akus sat lookin' into his beer, Earl came wanderin' over to the table and sat down. "Well, Mr. Special Lawyer," says he, "whatcha gonna say to the judge?"

Earl was teasin' of course, but I wasn't much fer takin' it. This whole law business had come on me too fast, and I was even thinkin' it was Earl's fault. If he'd knowed them law words, I wouldn't have been explain' them to him right in front of the judge.

I decided it was time to consult or to cut outa town. "Akus, I'm supposed to be speakin' fer yuh. What is it yuh want me to say? Did yuh plug Tommy Keeton?"

Akus gave me one of those his pinched looks, outa his eyes which he had narrowed down to slits. "How do I know I can trust yuh? I ain't talkin' to yuh till I know that."

"If I heard the judge right, we got to back in the courtroom pretty damn soon," I says. "That don't leave much time fer yuh to decide."

"An hour ain't enough time," complained Akus. "I might trust yuh, but I need time."

"How much time?"

"More than an measly hour."

"Two hours, then?" I was learnin' that is wasn't no easy chore to roundup old Akus.

"I'd say I need a day."

That Akus! He talked like he hadn't even heard the judge. "I reckon we got about ten minutes," I told him, gettin' a mite loud. "Jest tell me what yuh want me to say."

"Tell him yuh need more time to consult."

"I don't know if that would be a regular way of goin' at this thing."

"Why not ask Bodley over there?" says Earl noddin' at a rummy lookin' gent at a table back in the corner. "The bartender says he's a regular lawyer, the one Stanes said was unavailable."

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Sure enough, there in the corner sittin' by hisself, was a gent sittin' and starin' at the Forty Rod still. Right off Akus thought of waltzin' over and hirin' him. It looked like the corral gate was open to me. So the three of us went on a visit to the barroom office of Mr. Ned Bodley.

He was a mess. I'd seen some sad lookin' cases in my time, but Bodley took the cake. He was wearin' his lawyer's black coat, but it had been slept in fer a long time and had been got sick in a few times, too. His shirt wasn't worth mentionin' and his tie was jest a dirty string.

Bodley was wearin' a dented black bowler, pulled down tight like he was expectin' a high wind. He hadn't shaved fer at least a week, but even through the stubble yuh could see whiskey blotches on his cheeks and neck. Worst of all his eyes weren't seein' very clear, through the water that was brimmin' over onto his nose and through the little red veins all over the part of his bulbs that shoulda been white.

Even a rummy should be asked if wants company, so I ask, "Mind if we join yuh?"

He took a long time answerin'. I got to thinkin' he hadn't heard or understood. Finally, weavin' around in his chair, he leaned back, kinda stiff like. "Are you addressing me, sir?"

"I am, if yuhr handle is Bodley."

He struggled some with "handle." "Han...handsil...Whatsa hand...dle?"

Akus, gettin' impatient, put in and tried. "Yuhrname. That's what we're askin'. Are you Lawyer Bodley?"

Fer a minute Bodley recovered some sense. He even got a little feisty. "Bodley? So what if I am? Who the hell is askin'? And what are you standing there looking at?"

"If yuhr a lawyer, I wanna hire yuh, that's why I'm standin' here," says Akus whose own water was gettin' up again.

"I'm not hiring out to any man. I'm un...unavailable." Then gettin' a sudden new idea, Bodley adds, "I'm retired from the bar." Then gigglin' like a schoolgirl, he adds, "to the bar."

"Mr. Bodley," I says, "Mr. Akus Weaver here is in a trial and needs some lawyerin'."

"Trial?" asks Bodley, soundin' like he hadn't heard the word before.

I tried to carve it down a bit. "Well, not a regular trial. It's what Stanes called an inquest."

"Stanes is an ass," announced Bodley.

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That seemed like progress. I tried again. "Whatever he is, he holdin' an inquest into the death of Tommy Keeton. Mr. Weaver wants to hold this inquest off fer a while. Can that be done?"

Bodley slapped his hand against the table. "I told you, I'm not taking on any work today."

I sent Earl to the bar to get three fingers of Forty Rod. Mr. Bodley seemed like a man that might be persuaded. I was partly right. Bodley was glad to get the drink, but he wouldn't budge on doin' any law work fer Akus. But he might give some advice.

"Mr. Bodley," I says, "can an inquest be held off some way?"

"Where's the body?" asks Bodley sippin' at his Forty Rod.

"In the barber shop."

"If you can manage to haul it outa there, there can't be an inquest."

"Yuh mean steal Tommy from the barber?"

Holdin' tight to his glass like it was filled with gold instead of jest good whiskey and speakin like he was tellin' a dark secret, Bodley in a graveyard whisper, says, "There can't be an inquest without a body." That seemed to be a joke, because he took up hootin' and laughin'. Then lookin' at Akus, he asks, "Can yuh read and write?"

"Some."

"If yuh got something to write with, put down, corpus delecti," directs Bodley.

Shiftin from one foot to the other, Akus looked like he'd been caught by a schoolmarm not knowin' his sums fer the day. I guessed the truth was that Akus couldn't even write his own name. Lookin' at me, he saw his way out. "Jim Tamp here's been named by the judge to do my speakin' in court. I guess that'd include my writin'."

Bodley slobbers up some more Forty Rod before findin' me with them bloody eyes. "You don't need to write it if you can remember it. Just tell the judge you object to the inquest because there isn't a corpus delecti." To himself, he giggled, "Stanes without a body. Hee.. hee..."

"Corpus..." I tried to say it.

"Corpus delecti," repeated Bodley. "And don't let Stanes or Dunstan talk you out of it. Stick to those words. But first make sure there really isn't a body."

After that, Bodley clammed up and jest ignored us. Anybody could see he wasn't givin' out with any more law on this day. He splashed down some more Forty Rod, put his head in his hands and began hummin' an old barroom song about Sally the stableman's daughter.

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If hidin' Tommy was the only way to get this lashup delayed, I guessed that'd hafta be it. Rememberin' that Earl and me had laid Tommy out in the back room, the three of us slipped out the back door of the Forty Rod and feelin' like night thieves, worked our way to the back door of the barber shop.

Earl went around to the front to have a look see. After a minute he came scootin' back and said the barber was shavin' someone up front. Not wantin' to hold up this body roundup any longer, we opened the back door and went in.

There was Tommy jest where Earl and me had laid him. "Damn," I say's I don't like this body stealin'. I hope it's not somethin' that could get us slapped in jail."

"Hell," whispered Earl, "a body ain't worth nuthin'. They can't be a law against takin' one."

"Besides, we're jest borrowin' it until tomorrow," says Akus.

There weren't no reason to chew on the right of it any more. Earl and me, as quiet and careful as could be, went over and took Tommy off his table. With Earl on the heavy end again and me with the boots, we hauled Tommy outa there. In the alley, we held up, stumped. We'd never thought about where we could take him.

Lookin' back down the alley where we'd come from, Akus spotted a big wooden shed. "How about there?"

It was close and I was gettin' skittery about standin' there holdin' Tommy's legs. Smoke and fire! Anyplace would'a looked good. Like winter cowpokes headin' fer the bunkhouse after a sixty mile ride, we rushed that cold body into the shed.

And it smelled. Oh, how it smelled. We'd gone into the Forty Rod's whiskey storehouse. It was dark in there, but after stumblin' around we found a space behind a stack of barrels and stashed Tommy. He was gettin' stiff and I don't mind sayin' I had a hankerin' to get out of this business. I even had the feelin' Tommy had been starin' at me durin' the carryin' and while we was hidin' him. There in the dark, I jest knowed he was. Lookin' back one last time, I couldn't help thinkin' how Tommy wouldn't have minded bein' a "corpus delecti," amongst more good whiskey than he could've drunk in his life if he hadn't of died.

So we left him there. In the half light that slid in through some cracks in the shed walls, I could see him slumped against the barrels like he was waitin' fer someone to come and tell him why he had died. Course that's a question no lonesome puncher ever really expects to find an answer for.

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"Crack," says Judge Dunstan's wooden hammer.

"Court's in session," says his Honor. "Mr. Stanes, this is your idea, proceed."

"Thank you, your Honor. I'll begin by calling Sheriff Toss to the stand."

I gulped and feelin' Akus' elbow in my ribs, I stood up. "Yer Honor. Maybe it ain't my turn to talk, but I'd like to ask fer a hold up to these doin's."

"You what?"

"I'd like to ask fer more time to consult Akus," I stammered, beginnin' to feel warm all over.

"Mr. Tamp, I find it hard to think of a reason why you need to consult him for any reason. This is not a trial. I appointed you to speak for him only to get this hearing going. Now you're beginning to sound like a regular lawyer. They always ask for delays, even if they don't need them."

Of course, Stanes couldn't keep out of it. "Your Honor, I'd object to any delay. The longer we delay, the longer it will be before Sheriff Toss can get started with his investigation. Besides, it was Mr. Weaver's insistence on a trial that caused me to ask for this hearing. I was only trying to accommodate him."

"I know all that, Mr. Stanes," growled his Honor. "There isn't reason to go over it again." Lookin' down at me from his platform, the judge shakes his head. "Mr. Tamp, I don't see any reason to delay, therefore..."

I took a breath and plunged in. "But yer Honor, we can't go on with this inquest. There ain't a..." Damn, I knew I'd miss on this throw, and I did. I couldn't remember the words. Then Earl leans forward and hisses at me. Of course he scrambled the words, and I couldn't understand him, but I heard the name Bodley in all his whisperin'. Then recallin' that drunk lawyer and his whiskey look, helped my thinkin'. "We ain't got a corpus delecti, yuhr Honor."

His Honor leaned over his desk. "What did you say, Mr. Tamp?"

"There ain't even a corpus delecti, is what I said yuhr Honor."

"Yes. That's what I thought you said." Lookin' like a herd bull about to charge, Judge Dunstan turns his eyes on the Territorial prosecutor. "Mr. Stanes, am I being made the butt of some cheap prank? You told me you had a body. Now Mr. Tamp, says, although I don't believe for a second he really knows what he's saying, that there isn't a body. What in the name of Beezle is going on here?"

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That Stanes was caught like a chicken thief with a hen in each hand. Tryin' to get the judge's fire aimed at someone besides himself, he turned to Toss. "Sheriff, didn't you say..."

Toss was on his feet. Stutterin' and gettin' as red as a new barn, he says, "No body? Hell, that jest ain't possible." Pointin' at Earl and then bouncin' the heat back at me, he says, "Them two jaybirds carried it over to Art's barber shop."

This was like shootin' a rifle into hard rocks. There's no tellin' who'll get hit, but I could see this one comin'. There wasn't but one way that judge could turn. Starin' down at me, he says in a scary quiet voice, "Mr. Tamp, everything keeps coming back to you. Did you carry the deceased over to Art's barber shop."

I knowed he'd ask that. "Yer Honor, Earl and me carried Tommy Keeton across the street. Jest like Sheriff Toss says. But yer Honor, I'm set on this. There ain't no corpus delecti in that barber shop."

"You're saying that the body isn't there now?"

"I'm sayin' there ain't no corpus delecti, yer Honor." I couldn't say much more than that. I was gettin' close to lyin', but I ain't never took up with that habit and didn't know how long I could hold out. I was jest prayin' Judge Dunstan didn't come at me with a straight question.

His Honor puts a hard look on me. "Mr. Tamp, I think I made a mistake in appointing you counsel for Mr. Weaver. However, you have raised a valid legal objection to having an inquest. If there isn't a body, there cannot be a hearing."

With that, his Honor gave a look at Sheriff Toss and Prosecutor Stanes. "Sheriff, I'll give you one minute to hightail it across the street and see if you have a body or not, corpus delecti, as Mr. Tamp has called it."

Sheriff Toss clomps out, not givin' one damn about the hardwood floors and his noise. The rest of us waited. I was standin' and, not knowin' what else to do, kept at it. Earl squirmed in his seat and hooked his boots in the rungs of his chair, then unhooked and tried to find a place to put 'em without makin' noise. Akus sat squintin' in that thin way of his, first at me then at the judge. Stanes sat lookin' fried and pure out of sorts. Judge Dunstan? Why he sat up there on his platform with his elbows propped on his desk and his head in his hands, lookin' mostly at me and some at Akus.

Lookin' up at the higher judge and avoidin' the live Judge, I wondered what kind of tight Bodley had put us into. Me, a cowpoke,

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good only fer workin' trail drives usually and on spreads sometimes, was standin' in as a lawyer and without knowin' what in Tossit I was doin'.

I was wishin' as hard as I could that I'd minded more of my school books and learned about slick ways of talkin' to the folks of the world who have their hands on the reins, judges and other town people. On the other hand, if I hadn't known the words I did, I wouldn't have been explainin' everything to Earl.

Yuh see, I had learned readin' pretty good, thanks to my Aunt Min. Fact is, she was always sayin' "Jim, you're cut out fer better things than sniffin' the south wind of a herd headed north." But I'd took up ranch work anyhow, jest like any kid would. And now, as sure as cat skin, I was wishin' I'd either read more and stayed in school longer or had kept myself out of town forever.

I decided then and there that if I got out of this without goin' to jail, I was goin' to give up explainin' things to Earl. And I was goin' to use the south trail and put a lot of hills between me and Bolus, lots of them.

It wasn't much more than a minute, even if it seemed like a year with a long winter. Clomp, clomp, clomp. Sheriff Toss came back in a huff. "Judge," he says, the minute he's back in the courtroom, "that body is gone. Art swears he ain't got a notion of what could have happened to it."

Judge Dunstan, still lookin' down at me, does a "Harrump." Scratchin' his head, he goes on, "I had the feeling your body might have walked out on you." Then, he has another go at me. "Mr. Tamp, do you have any idea how a body could rise up in broad daylight and walk off without a 'fare-thee-well' to anybody?"

I had the feelin' that his Honor was close to smilin', but only close, not really there. Besides, my nerves was probably playin' tricks on me. They usually do when things get closer'n I like 'em to be. But the question was one I could answer without havin' to cross my fingers. "No, yer Honor. I've seen a body or two, and I ain't never seen one get up and walk anywhere."

"Mr. Stanes," says his Honor shrugging his shoulders, "I have no choice. You have no body. I'm going to adjourn this hearing. I'll call it up again tomorrow. You've got until then to produce the deceased or produce an explanation."

"Yes, your Honor," nods Stanes, lookin' like cold lard.

"Court's adjourned until tomorrow."

"Crack," goes that hammer.

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Faster'n a sekus bird can snatch up a field mouse, Sheriff Toss was on us. "Okay, boys. The fun and game playin' is over. What in blazes did you do with Tommy Keeton?"

I was glad that Akus took that one. "I don't know no Tommy Keeton, Sheriff."

That might have been true enough and since Toss couldn't argue with that, he tried another trail. Lookin' directly at me and Earl, he says, "Fergit the name then. What happened to the body that yuh carried over to Art's barbershop this mornin'?"

Earl was on top of that one. As cool as could be and as innocent lookin' as a new whiteface calf, he asks, "Yuh really tellin' us, Sheriff, that he ain't where we put him?"

"That's jest what I told the judge, and that's what I'm tellin' yuh now. And seein' that he didn't rise up and walk outa there, there's only one way he coulda left. Now where is he?"

This was gettin' awful thin, but we had to play it out. I picked it up, and walkin' on the thin line of the truth, said to Toss, "If that body ain't where we put it, then, I can tell yuh straight out, sheriff, we don't know where it is."

Akus piped in with more, even soundin' like he was insulted. "Since that body I brung yuh is lost, yuh best be findin' it instead of accusin' us of stealin' it." Then in his tinny voice he even sounded like he was truly hot, "By damn. If this don't take a ribbon. I wonder if yuh ain't doin' this jest to do me outa my trial." Lookin' past the Sheriff, Akus fired off some more at Stanes who was standin' alongside. "Yuh damn skamp of a lawyer. Yuh never did want to give me a trial, and now I bet a hard boiled egg that this is a law games to cheat me outa my rights."

By now the Bolus crowd that had wandered in to see the inquest had pretty much scattered and we had the courtroom to ourselves. But not fer long. Before Stanes could say somethin' back to Akus, our little meetin' was interrupted. Why hoot! It was more than interrupted, it was busted wide open.

The door of that courtroom slammed back like it had been kicked by a southern mule. One of the hinges was busted clean off and the other ripped outa the frame takin' splinters and chunks of wood with it.

Standin' there was Beezlebub hissself. Or so he looked. Almost a wide as the door was this wild lookin' lobo, eyes big and round as a cafe

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pie, and a dirty, scratchy lookin' beard stickin' out all over his face. And hello! He was cradlin' what musta been a ten gauge greener in his arms, double barrel.

This old sock meant business. I thought fer a minute he was kill crazy, maybe someone gone wild on bad whiskey, and that he was ready to start blastin' away. My brain says to me, that no sidewinder is gunnin' me down without tastin' some lead hisself.

Toss must have thought the same thing. We drew down on that fat plug at the same second. Only by droppin' the snout of that shotgun did he save his hide.

"Hold off," he said, raisin' his trigger hand up, showin' he wouldn't shoot. "There needs to be some talkin' before there's shootin'." "Yuh ain't shootin' anyone here unless yuhr ready to be dropped yuhrself," warned Toss. "Now drop that shotgun."

"I ain't puttin' it down, Mr. Law," argues the stranger, "If yuh plan on shootin' a man fer holdin' a shotgun, go ahead, but I'd do some studyin' of it first, if I was you."

It began to look like a standoff, and I was wonderin' what Toss would do with this hand. Then another card turned up. From behind us, in the direction of the judge's platform, came a voice like a snappin' whip. "No need to shoot, gents." The words popped out quick, like they was chasin' one another. "Take a look before yuh pull them triggers."

Tryin' to keep my bead on the one with the greener, I looked at Toss. He was still holdin' his line, same as me. Earl who was slow with a handgun and hadn't pulled iron, did the lookin' fer us. Of course, Akus, too, was able to look from the front to the back.

"There's a gent back there with a six-gun," Earl tells us. "He's aimin' it direct at the left side of his Honor's head."

"That's correct," snaps the voice. "Now, law dog, you first. Put that six-gun on the chair next to you."

"I'd do it, sheriff," advises Earl. "He's got a dead drop on his Honor."

Toss, bein' a professional, knows when to throw in his hand. There ain't no way he could do anything in this situation except get the judge and others shot. Doin' like he was told, he laid his gun on the chair.

"Now, you, cowboy. Do the same."

Damn, I hate bein' throw'd down on from the back more than anythin'. But more than that, I hate gettin' innocent people shot. I held off, weighin' the odds. I mighta made a play, but Toss was already out of it and, then, too, his Honor held me off.

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"Mr. Tamp, I would suggest you do as the man says."

Comin' from his Honor and from a man that has a gun at his head was enough. I put my six-gun next to Toss's.

"Step back," says the whip voice.

Toss and me edged back, but I stayed close enough to get a hand on my six-gun if the chance came. But this one was no pilgrim. "I read you, cow chaser. That kind of thinkin' will get you shot, dead center. Once more, step back."

I did, but that took me a step closer to Earl. The butt of his revolver was only a long reach away, but I decided to see how this played out before makin' any kind of move.

Everyone knew the whip snap voice would be sayin' everything that needed to be heard, so we all turned around. Jest as Earl had said, there was his Honor standin' on the edge of his platform with a gun at his ear. The foreman fer the minute that had the drop on him was standin' to the judge's side and almost behind him. That jasper wasn't much to look at. City-type gray coat, covered with dust; checkered pants, like a storekeep might wear to a weddin'; and under his hat was a face to match the voice. Sharp nose, sharp mouth and chin, and eyes like sharp points of a knife.

"I've got one question. Answer straight out, and no one will get killed."

"Let's have it," called out Toss, who was so mad, he was about to pop.

"There was a dead man brought into town this mornin'. Where is he?"

"If I knew, we wouldn't be standin' here jawin', We'd be havin' court," says Toss. "The fact of the matter is we don't know where he is."

"That don't seem likely," whips back the sharp gent. "Yuh see, I asked around before comin' in here to pay this little visit. Folks saw the body brung in. From what I heard, I'd say the one that did that was yuhr skinny friend there. Then two no account punchers carried him across the street to the place what's got the sign that says, 'Art the Barber,' But Art says the body has turned up missin'. I want to know where it's been took."

"What's it to yuh?" demanded Toss.

"I think that dead man can do some talkin'. I aim to do some listenin', me alone." Then with his words gettin' sharp enough to sting yuhr ears, he says, "I'm givin' yuh about half a minute to do some talkin' before I plug this judge where he stands."

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The door at the back of the courtroom led to the judge's office, the place, in his funny way of speakin', his Honor called his chambers. Now that chamber door opens jest a pinch. Since it was behind the gent that was holdin' a gun to the judge's head, he didn't see it. I did, and I think Toss saw it too, but he didn't let on. From where I was standin' I could see through that pinch in the door and could jest make out the red face of the squatty little man that sings out "Hear ye," when the judge strolls into court.

Through that crack comes a rifle barrel. Then comes that "Hear ye," voice. "Drop it, mister."

From then on everything happens fast. I saw them two needle sharp eyes get wide fer a second as they looked back at the door. Toss dove for his gun on the chair. I drew Earl's iron. Seein' Toss roll and take a shot at the big buffalo with the shotgun, I knew I was left with whip face.

His Honor was no spring chicken, but he knew somethin' was happenin' that could be all bad, so he ducked and flattened himself in front of his desk. Glad to have an open shot, I let fire, but missed. My man was foldin' up like a jackknife. Because he expected the rifle behind the door to cut loose on him, he snapped behind the desk and fired off a round in our direction at the same time.

Everyone found the floor. Nuthin' came from the rife, and I guessed it was mostly bluff or someone holdin' it that didn't know how to make it work. The coyote behind the desk figured the same. Blastin' two quick shots over the desk, he rushes the door, hits it with his shoulder and falls through, out of sight.

Toss had done better. Of course, you have to remember, he was a professional at this. He took a couple of buckshot pellets in the shoulder and later thanked Old Farley's fence fer takin' some that might of done him some real hurt. The jigger with the whiskers and the greener, took a slug in his arm, but still managed to get out the door.

Outside there was some shoutin' and then some blastin' from that shotgun and some thuds from a six-gun. Toss went out the front and I followed my man out the back. But those two wasn't beginnin' hard cases. Knowin' what they were doin', they'd kept hosses close and were gone, poundin' down the street, raisin' a mess of dust.

There wasn't much we could do about goin' after 'em. At least right away. They'd left a man dead on the steps of the courthouse, and in shootin' to scare some of the town folks away, had winged a ten year old girl and shot an ear off a farmer's mule.

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The sheriff rounded up a couple of town galoots and began bringin' some order to things. His Honor told how he had been waylaid in his chambers by that whippy soundin' man. I was tempted to tell his Honor that it was embarrassin' how he made his office sound like his bedroom, callin' it his chamber right there in the middle of the Bolus main street, but givin' it some more thought, I decided to stay outa that corral.

There was lots of talk about the two snipes that had caused the hubbub. No one admitted to knowin' who they were or where they were from. As we stood wonderin' about the who, I said it might be jest as interestin' to know the why.

"Exactly right, Mr. Tamp," says his Honor. "Does anybody have a notion of why they were looking for the body that Mr. Weaver brought into town?"

Everyone shrugged "not me," to that one. But the judge didn't take that fer an answer, at least not from Akus. "Mr. Weaver, perhaps you have something to say about that? After all, this seems to be about the body you brought in."

Akus looks at me and then at Earl. It looked to me like he was about to come clean, at least about hidin' the body. He "himmed" a little, then as nice as yuh please says, "I can guess how it must look, judge. But I'll wait and tell my story in yuhr court, if yuh please. Yet, I don't want to be contrary, and I don't want yuh to get suspicious of me. So I'll say it as strong as I know how, that I don't know nuthin' about them two that jest rode outa town. I never saw 'em before and don't know why they was lookin' fer the one the boys here call Tommy somethin' or other."

"This ain't gettin' us anywhere," says Sheriff Toss, impatient now that the things were gettin' back in order. "If I can catch up with them two, I'll have me some answers. The big one's got a hole in his onery hide. That might slow 'em up, but the sooner we ride, the better chance we have of pickin' up some trail." Then he turns directly to me and gives me the eye. "Yuh handle that six-gun pretty good, Tamp. I owe yuh a thanks fer puttin' in with me. Are yuh sure yuhr jest a cow hazer?"

"Me," I says, as innocent as could be. "What else could I be?"

"I don't know, and right now don't care much. Are yuh interested in ridin' with me?"

I looked at Akus.

"Hell, yes, I'm game," he says. "The sooner we put them two in the bag, the sooner I get my trial."

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Before I could ask, Earl puts himself in too. "I'll get the hosses." With that, he and Akus are off to the livery.

"Looks like yuh got three to start with, Sheriff," I tell him.

"Can that sidekick of yuhr's shoot?" he asks.

"Earl? Oh, don't worry about him. If things get tight, yuh can count on him. He's slow as puddin', but once he clears leather, and gets a line on something, he hits it. As fer Akus, I don't know if he even has a gun." Then noticin' that his Honor is still standin' there with us, I adds, "If he ain't even got a gun, it doesn't seem likely that he potted Tommy Keeton, does it?"

Judge Dunstan smiles at that. Shakin' his head, he walks away, but then turns around. "Mr. Tamp, I hope you catch those men soon. I look forward to your defense of Mr. Weaver when we get around to giving him that trial he's so set on having."

"We'll leave in ten minutes," says Toss. "Right now, I'm goin' to put a collar on a couple more deputies."

Bein' kinda left by myself, there in the street, I decided to do my waitin' fer Earl and Akus in the Forty Rod. Things had picked up quite a bit there. The shootin' had brought out the usual run of lip flappers from around town and they were rehashin' it with everybody givin' his own notion of what had happened. I looked around, but Bodley had vacated his table, and I didn't see anybody else I knew, so I walked up to the horseshoe bar.

I looked up at the Forty Rod's red still which was perkin' and drippin' as regular as yuh please. Then, I took a gander to my right and turned on around gazin' at the whole place. Before I got turned all the way back to the bar, I felt a hand on my shoulder. It was an easy friendly touch, not somethin' that'd make yuh reach fer a gun or anything. like that.

Standin' there was a funny lookin' cuss with a wide smile. "I caught yuh jest in time," he says.

"Caught me?"

Instead of speakin', he jest kept on smilin', but at the same time, he gently pushed against my shoulder. The wasn't no harm in him, and there wasn't no reason not to let him move me. At first, I thought he wanted to move me outa the way so's he could get to the bar himself. But that wasn't his aim. He wanted me to turn, back the way I had started. So I turned.

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Once I was facin' him again, he seemed pleased and jest stood there lookin' at me. "Hello there," I says, wonderin' if he had somethin' particular in mind.

"Yuh ought not do that," he said, still smilin'. As I said, he had the most innocent look I ever did see on a man's face. And in the middle of it were blue eyes, but pale, like the sky in the mornin' after a night rain. Fer a lid he was wearin' a checkered wool cap with a narrow bill, like one of them English huntin' men I had seen on a train in Kansas. Yuh know, them, "Actually" and "Rather" types.

"Not do what?" I asked.

"Turn thataway."

This was a strange one. "Turn what way?"

"All the way around. Yuh got to turn back so's yuh don't cross yuhr own back trail."

"Yuh mean, there's somethin' wrong with a man turnin' all the way around?"

"Why not at all. He oughta turn back though. Yuh see, there ain't nuthin' wrong with a man turnin', one, two, three, four or as many times as he pleases as long as he turns back the same number. That keeps his brain from gettin' crissy crossy."

He looked at me with that wide punkin smile as though he'd jest said the most simple thing in the world. To him it was somethin' that everyone knew, as plain as not spittin' up wind or never grabbin' a scoury calf by the tail. But it was new to me. I decided I needed to know more.

"My name's Jim Tamp. What's yuhr's?"

"Pivot."

"Pivot. Is that first or last?"

"Both, I guess. I ain't never heard nuthin' except Pivot."

"Well, Pivot, I'm pleased to meet yuh."

He touched that cap of his and jest smiled some more. I noticed he was wearin' a green coat that was clean enough, but patched so much it looked like it had been worn out two or three times. I'd guess Pivot wouldn't see sixty again, but like lots of people who are a mite short on the thinkin' side of life, he looked to be as strong and healthy as an ox.

"About this turnin' business, Pivot. How is it that so many folks get by without turnin' back the way yuh say they should?"

"Oh, I don't think they do. There's lots of tangled thinkin' goin' on all the time."

I could see that he was cold water serious about this idea of his. "Well, yuh may have somethin' there. Could it be that some of the tangle

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gets straightened by jest natural turnin' first one way and then the other? It don't seem likely that anybody always turns the same way every time."

"I've heard that," he said, suddenly lookin' like he was havin' a spell of deep thoughts. "But there ain't no question but what it's best to keep track and not get them twisty wrinkles in yuhr head to begin with. Like you jest now, Mr. Tamp. You were spinnin' up a bad twist by turnin' like you was. I caught yuh before yuh finished the turn, so it didn't count."

"And I'm obliged, Pivot," says I, "But now I've got to be goin'. Could I buy you a couple of fingers of Forty Rod before I go?"

"I wouldn't be against it," he says. "Mr. Tamp, I heard yuh was ridin' out with Sheriff Toss, but when yuh get back, could I explain another turnin' angle to yuh?"

"It'd be my pleasure, Pivot." I put a four-bit piece on the bar and ordered him a drink. Not rememberin' exactly the path I'd taken gettin' to the bar, I took a chance and turned nice and slow to my left. Pivot, leanin' on the bar, smiled his approval and raised his glass as I walked away. And I was relieved to know my thinkin' hadn't gotten crissy crossy from visitin' the Forty Rod.

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It was noon time before we cleared town and got far enough away from the streets and paths to begin lookin' fer sign. Sheriff Toss had brought along his tracker, Santo Bok, an old bird that refused to speak to anyone. But yuh could tell he knew his business. In fact, yuh had the feelin' that old crust could smell a track.

Bein' careful not to get out in front of him and ruin some sign, we fanned out like a flock of geese headed south with Santo Bok in the lead. It was slow, and it was the worst kind of work to be part of because someone else had the main doin' of it.

After an hour or so, Santo pulled up. He climbed off his cayuse and stood lookin' at the ground like he was readin' a book. And maybe he was, in his own way. He walked some and squatted and read some more.

Finally, he gave us all a wave to join up with him. This was somethin' he cared about so he spoke to us, soundin' like he had seventy years of dust in his throat. "I've got a notion," he says. "Rememberin' the sign I looked at out behind the courthouse, we know we're lookin' fer a nag that scuffs his left front. Like this." Santo points to a mark between some clumps of grass.

It didn't look like much of a sign to me, but Earl and the others gave it lots of "Um hum" and "Oh, yeah." Stuff like that. In fact, Earl musta overdone his "Um hum," cause Santo took to him and says, "Yuh may have a nose fer trail, bub. Stick close and yuh may learn somethin'."

Santo decided the trail was good enough to follow from horseback, so we mounted up and followed him. Once the general direction of the track could be seen, we picked up speed. Santo jest needed to hold up every once in a while to make sure we were on track.

After another couple of hours, Santo pulled up on the edge of a long high bluff. Stretchin' out below was a curlin' line of trees that marked the bottoms of the North Fork of the Saurus River. "If I was a guessin' man, I'd say them two we been tailin' are neighbors of yuhrs, Toss."

Rubbin' that shave which was turnin' to stubble, Toss stared off in the direction Santo was lookin'. "Tubert?"

"That'd be my guess," says Santo.

"Who's Tubert?" asks Earl.

"Ain't a who," frowns Toss, still lookin' off in the distance, "it's a what."

"A place?" I guessed.

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One of the other men Toss had brung along as deputy, a man named Moss, answered. "Yeh, it's a place sure enough. If yuh wanna call a town of grumps and stink bugs a place."

This wasn't friendly talk. I asked the Sheriff directly, "Maybe yuh could spell it out fer me and Earl, Sheriff, seein' that we ain't been in this territory long enough to know anythin' about this Tubert."

"There ain't much to tell," says Toss. "Tubert, is a little bucket of dirt that calls itself a town. It's laid out about five miles on down the river where the South Fork and North Fork run together to make the Saurus River. There's been an argument goin' on fer years about whether Tubert is in our county or not. Whether it is or not, folks around Bolus have never had any use fer Tubert. They say it's a rough town full of scabby people."

Santo, who was a mite rough around the edges himself, gave the other angle. "And it cuts jest the other way fer them that lives in Tubert. The people there say Bolus is a stiff-necked, starchy place, full of huff and law. They say Bolus is so proud of its courthouse and its law that it has forgot simple right and wrong."

"It's a funny situation all right," agrees Toss. "Tubert has always been kinda ignored. I ain't had much call to ride up here since most of what I've heard is jest talk of rowdies and loudsters. Not bein' sure of whether it's my county or not, I've pretty much left it be. There ain't no law to speak of in the next county and what law there is there don't claim Tubert either. So it's been jest sittin' there by itself and has become a stoppin' off place fer sour cases with nowhere else to go."

"And yuh think them cusses came from Tubert?" ask Earl.

"Looks that way," says Toss, "And now the question is what do we do about it?"

"I heard the judge had said it's outa the county," puts in Moss, who sounds like he ain't too keen on takin' on Tubert.

Toss is only half listenin' to Moss. But he cuts off that kind of thinkin', "In or out, across a line or not, it don't make any difference. County lines don't mean a whit when yuhr on the tail of the likes of those two. They're killers." That was enough fer this Sheriff. It was plain and clear, he was holdin' up only to get some notions about how to skin his Tubert problem, not whether to do it.

Akus lifts his hat and scratches his head. "It would take some time and we'd have to leave the trail, but we could cut over through my spread, Sheriff."

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Toss picked up on Akus' idea right off. "Yuh mean go at the town through the breaks?"

"They wouldn't expect it. It's almost all the way around to their backside," reasons Akus. "It ain't likely they'll be lookin' fer anyone from that direction."

"Leavin' the trail won't mean much now," adds Santo. "They're on a hot line fer Tubert sure enough. They never made any try at throwin' us off with cutbacks or sidetracks. I'd guess the fact one is shot has made 'em think more about runnin' than hidin'."

"But they won't fergit about their backtrail," says Akus. "Yeah," agrees Toss. "They'll watch it. Or get someone else to watch it fer 'em."

Not knowin' the way the land and places was laid out, I didn't offer Toss my two bits worth on how he should do his lawdogin'. But it was gettin' on in the afternoon, and my innards kept remindin' me they were bein' ignored. "Sheriff," I asked, "jest how wide is this loop yuh're talkin' about?"

Toss hissself musta been wonderin' about that. "Jim Tamp is askin' a good question, Akus. How long do yuh figure it would take us to make that swing through yer place?"

"Ridin' steady would put us in Tubert about sundown," says Akus.

Moss says what everyone is thinkin'. "I'm with yuh, Toss, whatever yuh decide. But ridin' into Tubert after dark with them two rannies hidin' in there somewhere ain't my idea of how a Sunday school should be run."

"If this Tubert is the one tie rack town yuh say it is," I says, "there can't be too many places fer them to hole up."

"True, if it was jest the two of 'em," agrees Toss. "The trouble with Tubert is yuh don't know who is sidin' with who."

"Yuh're sayin' they may have some friends in there waitin' fer us?" asks Earl.

"Well, I think everyone in Tubert is a lonesome tree. They don't stand close together and don't want anyone crowdin' in on 'em. Friends is probably not the right word. But there may be some more that have sat in this game fer reasons of their own. That's a worry since those two we were trackin' didn't seem to give a hoop about bein' followed."

While Sheriff Toss thinks about how he wants to go into Tubert, the rest of us sit and wait. The hosses chew on their bits and stomp the ground some, probably votin', like me, fer the shortest way to the feed bunk.

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Lookin' at Akus, Toss asks, "How far is it from yuhr ranch house to Tubert."

"Two hours by horseback. Three hours by buggy."

"I didn't know there was a road," says Toss.

"There ain't no real road. But I've drove a spring wagon down to Tubert. It can be done, but yuh best know the way or yuh'll be spendin' lots of time cuttin' yuhr own trail." Guessin' which way Toss is beginnin' to lean, Akus throws him an offer. "Sheriff, Tubert ain't my favorite place neither. I ain't been there at night and I don't have a strong call to try it now. Instead of ridin' in there like fat melons jest darin' someone to use us fer target shootin' why don't we hole up at my place? I got a bunkhouse that's almost empty. We could hold up there and ride into Tubert at first light."

The lawman in Toss holds him up fer a while. "I hate to leave a trail, and givin' them two more time ain't no bright candle of an idea. But I guess we can be sure they're headin' fer Tubert, and its a safe bet they'll hole up there. Is that how you read it, Santo?"

"Yep."

"Anybody got any objection to headin' fer the ranch?" asks Toss.

"Yuh got a kitchen at yuhr ranch, Akus?" asks Earl.

"That and a cook," pipes back Akus in that tin voice of his.

Talk turned to ridin'. The hosses sensed that a decision had been made and were glad of it. With Toss and Akus leadin' the way, we cut back down the bluff the way we had come and headed fer a line of hills that seemed to bunch up farther down the river.

We made good time since we didn't have to worry about followin' a two horse trail. After another two hours, Akus and Toss held up along a muddy little creek. The hosses took a blow and had some water. We stretched our legs and stamped around some.

"This on yuhr range, Akus?" I ask.

Without seemin' to think much about it, Akus says, "We been ridin' across my spread fer almost an hour. Course we're cuttin' over a short corner of it. Most of my range runs down toward Bolus. A few years back I bought this place that lays along the river. I figure it gives me river water so I don't have to worry about coulee puddles and water holes dryin' up on me in bad years."

Tin thin voice or not, Akus had a jump on most when it came to pure thinkin'. And he knew his ranchin'. "What's these breaks that yuh mentioned to Toss?" I says.

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"Like I said, this part of my ranch runs all the way to the Saurus River. Where the hills get close to the water they get sharp and rough, and most every hillside is too steep even to walk up. There's lots of blind little gullies goin' every which way. Most of the land is bare ground and rocks, but there's some grass along the bottoms. But where the breaks come down to the river, there's a natural crossin', gentle and easy. It's the best place fer waterin' stock fer miles up and down the river."

"And close to that crossin' is Tubert," says Toss who has walked over and joined us. "The way we'll ride in through the breaks, we'll have cover almost up to the edge of town. The other way, the trail of them two lobos we were followin', would have taken us across open country all the way to the bluff above the town."

Them breaks sounded like patches of badland I'd seen in the Dakotas. Not a place any man likes to be fer long. "How do yuh find yuhr way through without gettin' crossed up?" I ask.

"Yuh don't see it. Yuh feel it," says Akus.

"Feel it?" That wasn't any way of followin' a trail that I'd ever heard.

"Yep. As yuh move along them bottoms, yuh have to let yuhrself feel the ground. It always slopes a tiddle bit toward the river. If yuh don't think about it, yuh'll miss it every time. But if yuh follow that little downslope yuh'll make it through. When yuh think about it, yuh know that's the way it's got to be. Them breaks don't carry much water runoff, but there is some, mostly in the spring, and it's got to find the river."

As we were gettin' ready to mount up and ride on in, Earl asks, "Akus, is yuhr house close to them breaks?"

"Naw. This place we're goin' ain't my main house. That's down nearer to Bolus. The house and buildin's where we're headed are the ones that came with this little river front ranch when I bought it."

To a near broke puncher like I was, Akus sounded like he was some kind of land lord. But then, I guess he was. Anyhow, seein' that he could buy a whole ranch jest to get stock water, it seemed likely that his kitchen would be stocked with plenty of grub. Things looked like they'd go straight and clean if his cook didn't raise a ruckus about all the empty bellies he was draggin' in.

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The sky was settlin' in fer the night and was wrappin' itself in dark blue as we rode along a dry wash takin' what Akus said was the shortest way to the ranch buildin's. It was one of them fall evenin's that stay warm fer a while even after the sun slides down. The hosses were hangin' their heads starin' at the sand bottom that was makin' them wish fer solid ground, and all of us were quiet and slumpin' down, doin' the only thing yuh can do when yuhr gettin' close to the barn, ride it out.

"Crack!"

Like someone slammin' two dry boards together a hat brim away from my ear, that rifle shot brought me awaker that I had been fer a while. I came outa the saddle as I heard that hot slug whine through the sky like it was chasin' the sun.

There was a quick scramble while everyone looked fer cover. As I peeled out of my Texas deck, I took my Winchester with me. While I was rollin' and lookin' fer some kinda ground shade from the fire I was expectin', South, my cayuse who had been through this kind of thing before, stopped in his tracks. He seemed to be sayin' "This a hell of a thing to have happen jest before dinner."

The bank of the wash was natural cover and after a little scootin' and crawlin' everyone got hunkered down behind it. Toss called out names. No one was hit and nuthin' was busted from dumpin' to the ground like that.

At first, I guessed them skunks we had been trailin' had somehow got upwind of us. But if that was the case, they was provin' to be awful shots. Lined up like we had been, ploddin' along like kids on the way to school, we'd been easy targets. Even a cross-eyed back shooter could have potted one of us. Yet he'd missed.

Earl, who musta been thinkin' about the feed bag the same as me, calls out. "Akus, if that's yuhr cook come out to say hello, tell 'em I'll settle fer some hardtack and cold spuds. No need fer him to stoke a fire jest fer me."

Ignorin' him, Toss says to Santo, "That can't be them two we was followin' can it?"

"Naw," says Santo, who sounded like he had jest took a spit at the dark. "We been on a direct line all the way. And I been watchin' front, side and back. There ain't been no one on our track. Yuhr shooter's musta come across us jest in the last little bit since it started gettin' dark."

I listened, but nuthin' that was bein' said was gettin' us out of this

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hole. I guess I've always been one to get growly and sore when somethin' holds up the chuck wagon. So without waitin' fer Toss to figure somethin' out, I slipped along that bank until I found a place where it wasn't as high or steep as it was back where the others were.

I reckoned the shot had come from up ahead and from the lip of a hill that rose up black against that fadin' sky. Since I didn't get shot at, I figured I was away pretty clean. Runnin' low and quiet, I gave the shooter's position a wide loop until I was on his backside.

As I was workin' my way up the slope, I heard a soft stompin', and then I heard a hoss munchin' on his bit. I knew I was close to this trigger squeezer's nest.

I crawled, waited and listened and then crawled some more. Pretty soon, I was close enough to see a hat and the body of some sidewinder stretched out jest below the upper cuff of that hill.

Then, "crack," again.

This time the shot came from down below. It was high, and the slug whined over, almost soundin' lonesome since it hadn't found anything but night air. Then two more shots came from below, both high and wild.

I guessed that Toss and his crowd were jest tryin' to draw some fire to get a line on where the shooter was hidin'. Toss might even be wonderin' if they was still under a gun. Whistlin' in the dark, shootin' in the dark, right now it was one and the same thing.

The outline of the hat ducked a little. Whoever was under it, seemed to know the shots were jest throwaways. He was bidin' his time and stickin' to his spot.

I slid my Winchester up and was fixin' to lever it and call out when, I saw somethin' move off to the side and below. "Damn!" There was two of 'em. By not geein' and hawin' enough with my eyes, I'd almost made a fool mistake, which coulda been my last. Still, jest knowin' there were two of 'em didn't change what I had to do

"We can drop yuh both," I called out loud and hard. The "we" was my way of callin' on help I didn't have. But they didn't know that.

The hat bobbed down and around. There was a gulpin' sound from the second one of the two. I levered the rifle hard. "I won't give a second invite. Throw yuhr rifles away or we'll cut loose. Do it now!"

I tried my best to sound like I was eight by eight, high and wide. Whether it was that or the "we" that did the job, it worked.

A thud told me somethin' had been thrown away. I hoped it was a rifle. Next, a voice comes down the hill at me. "Hold off. I'm clean."

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"That's one," I called back. "I ain't heard nuthin' from yuhr pard."

There was a pause. I could almost feel that second shooter cussin' and arguin' with himself about throwin' down. I tried to give him a reason fer givin' it up. "One of them riders that yuh tried to bushwhack is the Sheriff. He ain't takin' it very well. Now throw yuhr rifle away before, he gets plumb mad about this."

That seemed to clinch this particular nail. A sigh and then a soft thud told me it was my turn to do somethin'. Good and loud I hollared out, "Toss, hold off down there. We're peaceful up here now." I was sure to say "we" since things were still a little tight. The idea that they would have six-guns had stuck in my mind and was naggin' me.

"Tamp," came back a yell from below, "is that you up there?"

"Me and two bushwhackers," I hollared back. "I'm gonna stand 'em up."

To the two figures I could jest barely make out in the dim light, I says, "Yuh heard me. Get up on yuhr hind legs and stand on the top of the hill."

The outlines against the sky showed me there was a big one and a smaller one. They were smart enough to know their shootin' was over fer a while, and they stood quiet like while Toss and the others collected the hosses. After another minute, they found a way up over the bank and came up the hill.

"Jim, where are yuh?" calls out Earl.

"Back here, but before I give up my drop, let's have a light. They may be packin' six-guns."

Santo was ahead of me. He had rolled up some dry grass, and while I was callin' fer light, he fired that prairie candle with a sulfur match. Steppin' up to the big one, he shucked a pistol outa the man's holster. Santo moved over to the smaller one and held up his light.

"New trail here!" he yells out. "This one's jest a boy." Then before anyone could say a word, he yells again, "I read that sign wrong. It's a girl."

Then it was Akus who was makin' noise. "Bess," he calls out, soundin' fer all the world like his tinny horn voice had hit a new high note. "Sinton?" was the next word outa his mouth. They seemed a surprised as he was. "Akus?" they asked almost together.

They all started talkin' at once. "Bess what in tarnation...Akus where are yuh? Why are yuh out here..." and so on. Lots of "whats...whys...hows," but no sense to any of it. Toss stepped in and called a halt to the yammerin'.

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"Whoa. Pull up here, everyone. Let's sort this out a piece at a time. It's pretty clear yuh know each other. As a matter of fact, I recollect that I've seen these two before. Akus, it's yuhr turn. Tell me who these two are."

"The girl is my niece, Bess. The other one is my brother, Sinton. They been livin' on this ranch fer the last couple of years."

Toss took that in and says, "Yeah, I guess I've seen 'em in town a couple of times." Turnin' to them, he says, "Now that I know who yuh are, I wanna know why yuh're out here bushwhackin' folks in the night."

Sinton and Bess suddenly faded from sight as Santos' torch, which had begun cookin' his fingers, got itself stomped into the ground. Sinton gave us his story in the dark. "Fer the last few weeks, we been seein' riders goin' in and outa the breaks. So one day Gellis," he interrupts himself to explain, "Gellis is one of the hired hands."

"The new one?" asks Akus.

"Yeah, that's the one," says Sinton. "Well, Gellis and me stopped three riders comin' outa the breaks. We ask 'em where they'd been and why they was on our range. They said they had got lost on their way to Tubert."

"Yuh noticed any stock missin'?" asks Toss, who right off thought of rustlin'.

"Now that yuh mention it, Sheriff, we have been noticin' some prime steers missin'. Course losin' some is expected. There's some coyotes and maybe even a wolf or two around here that's got to eat. It could be these birds have been rustlin' beeves. But we haven't rounded up yet so we don't know fer sure." Toss and Akus both "Hum," on that. Then Toss tries another angle, "Could it be jest drifters? This is the time of year they start showin' up in these part. Most of 'em is headed fer winter holes south of here."

Old South bobbed his head, either agreein' with the Sheriff or thinkin' someone had called him. But it was more likely he was tryin' to hurry up this palaver so's he could get to a helpin' of oats.

Sinton didn't think it was drifters, but he allowed that it was possible. "Anyhow, I had one more run in with a couple more of 'em a few days ago," he says. "I'd seen one of 'em before, in Tubert, a sour case name of Beely. He said he'd ride through anytime he wanted and if I tried to stop him, he'd plug me. Then today when Bess and me checked one of the line shacks, we found it had been lived in fer a week and every damn airtight open and ate."

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Akus had heard enough to get his dander up. "Why them thievin' low bellies. Stoppin' by a man's line cabin is a hungry man's right, but jest livin' in it is another thing. I reckon yuh thought we was more of them damn bugs. Is that why yuh whizzed one over our heads?"

"That's about the size of it," says Sinton, "we saw yuh comin' up behind us and figured yuh to be more of them damn riders maybe up here to pick off a few cows. We decided to put a scare in yuh. We weren't tryin' to drop anyone."

"Did yuh ever think of callin' the law," demanded Toss, "instead of startin' a shootout?"

Fer the first time, the girl spoke. She didn't try to keep us from seein' she was boilin' either. "The law," she spat out, "has never done us any favors. Pa and me don't hold with a tin star that never sees fit to ride out here. Seems to me that the law doesn't even have us on its map. That goes fer Bolus law as well as fer the law in Wickton whose sheriff is as much a stranger at you are. Yuh're both scarce in these parts. But seein' that yuh're here now, Mr. Sheriff, why don't yuh ride on down to Tubert and put the word on them folks to stay off Weaver land?"

"I may jest do that, Miss Bess," says Toss, keepin' his temper under his hat. "Can yuh put a name to any more of them jaspers besides this Beely?"

She seemed like she was corralled some by Toss bein' so nice to her. Then, too, yuh could tell she was surprised by his bein' so willin' to take names. "Why, yes. There's a whole raft of 'em down there, but there's one that seems to do most of the talkin'."

"She's talkin' about a hairpin name of Huttle"

"Tell me about this Huttle," says Toss. "What's he look like?"

Sinton took that one. "Well, he puts yuh in mind of a city man. Usually dresses in Sunday meetin' kinda coats. And his face looks like it was squeezed between a couple of big rocks."

The Sheriff wants to know more. And so does everyone else. "Does he talk fast and say his words like he was poppin' a whip?"

"That's him," sings out Sinton. "Yuh sound like yuh know him."

"We know of him," says Akus, "and if we have our way, we'll get to know him a sight better tomorrow. Him and a hog wallow friend came into Bolus and shot up the place. Killed a man and near killed a kid."

After that, Sinton and Bess went to collectin' their hosses and their hardware. I got a hold of South's reins and went along to help. Sinton found his rifle right off and stood talkin' to Akus and the others.

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Bess was still lookin' when she stumbled on a rock or somethin'. I ask, "Are yuh all right, Miss?"

She was still stingin' from bein' backside'd by me and it came through when she answered. "I'd be a sight better, if yuh hadn't come sneakin' up here in the dark like some varmit."

I knew there wasn't nuthin' to be gained by pointin' out that she and her pa had started the ruckus without makin' sure who they were shootin' at. She jest wasn't ready fer that. When I found her rifle and handed it to her, she muttered somethin' that sounded like "Thanks," but could have been somethin' else.

Later when we rode into the ranchyard, Sinton points to the barn and says if we'd take care of the hosses, he and Bess would rustle up some food. Earl, Santo and me made short work of off saddlin', oatin' and hayin'. As usual, South had his big nose in the feed bunk first. Then he made a big show at tryin' to keep the others out, but they knew that game and after they all had a kick or two at one another, they settled down to serious munchin' and chompin'.

As we was fixin' to leave and I was reachin' to turn down the wick on the barn lantern, Earl sings out, "Lookee there at that wagon wheel."

The wheel Earl was talkin' about was leanin' against the side of the barn, near the back. It was tall and heavy, and fer sure not like a spring wagon or buckboard wheel. More like the kind yuh see on big freight wagons. "Maybe Sinton's plannin' on goin' into the haulin' business," says Santo.

"If he is, he'd best get that thing fixed, the rim is a loose as an old boot," says Earl, showin' what he meant by pointin' at how the rim lapped off the edge of the wood.

Then we agreed as how lots of ranchers have ideas and do things that are pretty far off the general trail of thinkin' and doin'. "If they thought like other folks, they'd live in towns, I suppose," I says, puttin' out the barn light.

A minute or two later, blinkin' like swamp frogs, we stepped outa the dark into Sinton's kitchen. Akus and Toss were sittin' of a sofa which was covered over with a buffalo robe. They were gabbin' with Sinton who had put himself in a chair made outa cattle horns all wired together.

And by the Great Wide Loop! There was that girl, Bess. She shore did look different. Instead of bein' a big hat and work coat in the dark, she was now all girl, trim and wearin' a checkered shirt, bright and

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clean lookin' in the light. Her hair, light brown, about the same color as fresh cut Brinden grass, was tied back with a blue ribbon.

Her eyes snapped up at me and gave me a look as I tramped in the door. I felt like I was bein' inspected by someone cullin' the herd. All at once I remembered that I hadn't shaved since early mornin', and that I was jest wearin' plain puncher's clothes. I musta looked like a I was unmopped, uncombed, and right off the range. I quick-like pulled off that tall black Stetson that'd cost me a month's pay. Then I couldn't keep my fingers from rakin' at my hair some. Like a shot outa nowhere the word came into my head, "water." I could almost hear my Aunt Min sayin, "Jim, go wash up before yuh scare the meat off the table."

She read my mind. "Over there," she says, noddin' at the corner where there was a high bench, a pitcher, and dented tin wash basin. I was glad it was darker and in the shadows at the bench. Somehow I jest didn't want that girl to be watchin' me wash up. Well, I did the best I could with what I had. The water was warm, there was a fresh bar of lye soap, and there was fresh flour sacks fer moppin' up.

By the time we was washed, the meal was on the table and it was plenty good enough to make me fergit the soap leavin's that was burnin' my eyes. Fried spuds, top steaks, round leaf greens, and, because the season was jest right, field melons. The topper was mince pie and coffee.

But damn, that Bess with them sharp blue eyes, made me feel like I was tied with a dozen wraps in the huie. So mostly, I kept my head down and jest ate. Then Sinton and the others started splinterin' me with talk about capturin' two desperate bushwhackers. They wanted to know if I had been scared. Earl, adds to it by tellin' how I was a regular ringtail. He had lots of fun blabbin' a story about how I had held off trouble on a trail drive by tappin' one squatter rustler on the head with my six-shooter and then wingin' his pard. It was mostly true, but the way Earl told it, I musta sounded like a left-footed dandy from St. Lou.

Sittin' around havin' coffee and talkin' about the trouble in Bolus, I was about to roll a smoke from a package of tobacco and papers that Santo had tossed on the table. Then seein' how that girl looked at Earl who was already puffin' away, I held off, pretendin' that smokin' wasn't fer me at all.

As I listened to the talk, it seemed to me that Sinton and Bess were mighty keen about our plans fer Tubert. When would we ride in? What would we do if we didn't find them jaspers we had come fer? Which way would we ride back to Bolus?

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Toss answered that we were ridin' fer Tubert at first light, that we'd decide what to do if we didn't find them two when that happened. He says he didn't know of any reason to ride back Sinton's way, since it was the long way around.

He was right about that. Bolus, Tubert and the Sinton place made a triangle, and comin' back to Sinton's would mean ridin' two sides of it instead of jest one.

The talk went on about other things, and mostly I jest listened. Once or twice I saw Bess givin' me a sidewise look. It seemed to me she was still sizzlin' over my gettin' the drop on her and her pa.

Mostly the talk was easy enough, but as I listened, I had the feelin' that there was a fence of some kind between Akus and his brother. Each one seemed to be on a short rope, and while they didn't do any rearin' and pawin' at each other, I was pretty sure they had in the past and would be now if company hadn't been present to give 'em some better manners. Maybe it was because Akus had the big ranch and the brother seemed to be a sort of tenant livin' on the small ranch. Maybe it was somethin' else.

Then, after a time, the talk wore out and we finished our coffee. Since Akus owned the place and was related, he was stayin' in the big house. Toss, Santo, Earl and I headed fer the bunkhouse. Bess was holdin' the lantern as we left and as I walked by said, "Good night, Mr. Tamp."

Now it was jest plain, jest polite, nuthin' special, but by jig, I wondered if maybe I was wrong. Could be she wasn't lookin' to ventilate my hide fer takin' her rifle after all. I found myself wishin' that triangle worked the other way so's we could ride back through the Sinton ranch. Maybe, I'd casual like suggest that to Toss, tomorrow.

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When the mornin' sun is floodin' down outa the sky and spreadin' its new light everywhere, things look fresh and a sensible body is glad to be seein' it all. The sky and what's under it look brighter somehow when the dark above and below has been doused by good, strong sunshine. And fall sunshine is brighter and cleaner than any other sunshine.

The river had a glinty blue as it ran straight at the sun, and the trees up and down stream were powerful in their color. Most were that bright yellow that cottonwood leaves get after they've been frosted, but touchin' up the yellow and sprinkled among 'em were some big elm leaves that was more rust. Huggin' the ground, the berry bushes were turnin' red while some of the sweep grass, which was mostly still green, had a touch of orange across its brushy tops.

Tubert might not a been most folks' favorite town, but it surely had a mighty bright place to be unliked in. It's place was in an elbow of the Saurus River. Fer some reason, when that river was cuttin' out a place to go, it jest took a quick turn around a flat. Then, completin' the U, it turned back and went on its way. On that U-haped flat the land was high and dry.

Tubert sat in that U whose open end pointed toward a high bluff and on past that toward Bolus. The river trees made the swing with the river and Tubert, as we rode toward it, looked fer all the world like it had wrapped a yellow kerchief around itself. It's funny how things always seem to look better aways a way. A road, or what passed fer a road, ran along the river under the bluff and, dependin' on whether yuh was comin' or goin, began or ended in Tubert. The road led mostly to Bolus, but that was accordin' to Bolus people. To others, the road also led to the rest of the world out there as well.

Comin' at Tubert from it's left hand side, we missed most of the road and had to settle fer a sorry trail that didn't go anywhere, except back to the break country on Akus' ranch. And after ridin' through them breaks in the light before dawn and seein' miles of shadows and sharp banks pitchin' this way and that way, I'd decided I was glad to see that Bolus road.

And it was even good to see Tubert. No matter that it was a mite rough. The houses were all wooden and needin' paint. Behind them, the outhouses and sheds also needed some straightenin' and paintin'. In the yards buggies and wagons were aimed every which way as they sat lookin' kinda lonely in the middle of wonderful crops of weeds which

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were turnin' brown and dryin' out. Course most houses had fences in the back and they all had one or two nags standin' around doin' nuthin. Most of 'em were waitin' fer someone to show up with a feed bag and hay, so they was glad fer somethin' to look at when we showed up and rode past.

We met the road from Bolus about where it turned and headed down the business street. That was fine with us. Toss had decided the thing to do was to throw some water on the leather and see how tight we could stretch it. There bein' five of us, he was of a mind we could stretch things about any which way we needed until we learned what we wanted to know.

From what I could see the town was empty. We did get ourselves told off by some barkin' hounds that were in fine voice. Then, too, we saw some nasty mean lookin' chickens who acted like they wasn't even a goin' to get outa our way. But then we came to the payin', fixin', and sellin' buildin's.

The livery was jest a corral and a shed fer feed and saddles. There was a gun shop and saddle shop combined. Further on, we came to a pretty fair general store, a buildin' that had a sign sayin' "rooms," a couple of empty stores, and then a prosperous lookin' saloon. It wasn't no Forty Rod but the Bill Gum Bar, as it was called, was an invitin' lookin' place. At least it was painted on the front and had a couple of good squares of glass set next to the doors.

Tubert was also growin', or so it seemed. In a big open lot all by itself someone was doin' some buildin'. It looked to me like a church. Earl said it was a new saloon or maybe a general store. Toss said it didn't look like either one, but admitted he wasn't sure what it was. The work on the outside was pretty well finished, and it looked to be a pretty fair buildin', two levels tall and square with heavy doors in the middle of one side. Not bein' a builder, I wouldn't have taken much mind of the place, except fer the way it was built, and that was solid and heavy. Everything about the place looked thick, and after noticin' that I took up thinkin' it was intended to be a bank.

We reined in at a place with some white curtains in its little square windows. On a post alongside of the door there was a slab of wood that had neat letters sayin' as simple as could be, "River Café J. Tikit.

"Maybe we can get some coffee here and start pullin' in some information," says Toss.

Tikit's was clean and it smelled like bacon and eggs fryin'. We spread ourselves around a couple of the tables and waited, but nobody

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showed up. We waited some more and began wonderin' if maybe Tikit's wasn't open fer business. But the stove in the back was heated and on the job. A small Burtle pot was bubblin' away there and I had a notion to help myself to some coffee.

I found a stack of tin cups and handed them out. There was an old shirt that was used fer carryin' and tippin the Burtle, so I went to work servin' hot coffee.

"Eggs and spuds?"

I looked around and saw an old geezer standin' in the back door. His sleeves were rolled up and he was wearin' a flour sack apron. The top of his head was more skin than hair, and it almost gleamed.

"You J. Tikit?" I asked.

"Yep." Lookin' past me, he called out, "Any of yuh want eggs and spuds?"

Toss spoke fer us, "Naw. We already ate. The coffee's enough."

J. Tikit scowled like only a man in business can scowl, "Well, go ahead and help yuhselfes. But it's early. Are yuh sure yuh already et?"

"Yep," says Toss, "but maybe we'll come back later, if we're still in town."

"Beans and spuds, fer dinner," says J. Tikit. "Damn good, too."

"I bet they are," agreed Toss. Then tryin' to start up some talk, he adds, "Thing's are pretty quiet this mornin'."

"Same as most mornin's," answers J. Tikit, bangin' some pans and fussin' around his fixin' table.

"Does a man name of Huttle ever come in here fer eats?"

J. Tikit didn't answer. He jest kept bangin' his pans.

This was beginnin' to look like a steep hill fer sure. Toss sits fer a minute thinkin' of a way to go at it from a slant. Sippin' his coffee, the Sheriff looks over the edge of his cup at old J. Tikit. He tries again. "This Huttle, do yuh think he might be by here fer eggs and spuds?"

J. Tikit fusses with the stove and, after throwin' some kindlin' in, bangs the lid shut. "Eats," he says, "is what I sells. Not talk about them that buys 'em."

"I suppose I should tell yuh, I'm Sheriff Toss from Bolus."

J. Tikit was a tough old buzzard. "Well, I'm Jed Tikit from Tubert. What's any of that got to do with eats?"

Toss didn't answer. He began to know he wasn't goin' to pry much out of the owner of the River Cafe. All the others was happy to let the Sheriff do his own askin', but I wondered if there might not be another way to pull this cat outa his skin

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After a time, Toss puts his cup down and says, "Well, I suppose we'd better mosey on. This ain't gettin' us anything."

While Toss and the others started leavin', I sat tight. "You comin'?" he asks.

"I'll be along," I promised. "You headin' fer Bill Gum's?"

"It might be worth a try," says Toss, lookin' at me the way a lawman does when he knows yuh're up to something, but he don't know what.

"Well, pay up fer us, then," orders Toss as he goes out the door.

After they was good and gone, I plopped my hat on the table and leaned back in that straight chair. "Now, Mr. Tikit, I'll have a plate of eggs and spuds. A big one, if yuh please."

"I thought so," harrumphed a satisfied Tikit. "When I saw yuh pourin' coffee, I knowed yuh was an eater and a man that knows somethin' about vituals. I'd bet yuh're one to expect some fresh sidemeat too?"

"That, Mr. Tikit, shows yuh know somethin' about yuhr customers. And it's sidemeat, yuh say? Why, I wouldn't be against some."

Tikit takes to fillin' his order like a trail boss takes to givin' an order. As he worked, Tikit laid some words on Toss. "Damn Sheriff. I never knowed a lawman that did anything but drink coffee. And he left it to someone else to pay. That proves he's lawman, up and down, east and west." After givin' me a good look, Tikit asks, "Why would a man like yuhrself be runnin' with the law?"

"Better to take up with a passin' wagon than wait fer a dead hoss to rise again." I didn't know what that meant, but I'd heard it used once by an old crust in Sheridan who had rode with some Indians a long time back.

J. Tikit's eyes narrowed into thin squints while he considered my answer. I knowed damn well he didn't understand what it meant any more than I did, but it sounded good and he didn't want to let on that he hadn't heard it before. Settin' a plate of eggs in front of me and then heapin' on some spuds from a pan, he asked, "What's Toss doin' askin' about Huttle?"

Instead of answerin' right off, I dug into the food. And I knew with the first bite that Tikit was a first rate cook. The sidemeat really was fresh and the whole thing smelled as good as clean hay in the mornin'. "Oh, Toss didn't tell me much about the whys of this ride, and as I see it, questions only stir things up. Me? I'm more fer jest watchin. Course,

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when there's been shootin's and hell raisin's, the law's got to ask questions."

"Shootin's?" Tikit's face was drippin' with curiosity.

I did some more eatin' and let my little spark fire him up some. I even let on that I had forgot the whole thing. "Where was this shootin'?" asks Tikit, pourin' me some more coffee.

"Oh, that? It was over in Bolus. I suppose the Sheriff has a notion that Huttle might know somethin' about it. As fer me, I hope we find this Huttle so's Toss can ask his questions and we can get on down the trail. If we don't talk to him, Toss may keep us here today and probably tomorrow. And from what I hear, he'll be doggin' every man and boy in town until he gets a line on his man."

Dumpin' more of them fried potatoes in the middle of my last egg, Tikit asks, "Yuh think that Toss jest wants to ask Huttle questions, or does he plan on takin' him back to Bolus?"

The trail ahead looked like it had a split with each end runnin' over a hill. Will Mr. J. Tikit, here, protect Huttle and throw me flat loop, or is he not of the Huttle way of thinkin'? I took the fork that says Huttle was not one of Tikit's favorite customers. "My guess is that, Toss'll ask some hard questions first." Tikit's face seemed to get softer and seemed to look more friendly, so I went on down that row. "But, in the end, I'd bet a dime that Huttle goes back to Bolus, or stays here with his boots pointin' at the sky."

With that, I put my hat back on and pushed back. "How much fer all that?"

Tikit's mind wasn't dealin' with the price of the meal. He was doin' some fast thinkin' about other things. "Oh, the food? Fifty cents. That includes the coffee." I put down a couple of two bit pieces and had almost reached the door before Tikit says, "When yuh wear out them eggs and spuds, come on back."

"I might jest do that," I promised.

While he's clearin' the table, Tikit adds, "Oh, yeah. If a man was lookin' fer Huttle, he might try the house out behind the livery shed."

The Sheriff and the others was sittin' on their hosses in front of Gum's saloon and mostly jest lookin' up and down the street. When I stepped up into the saddle, old South dodged off to one side. I imagine it was his way of complainin' about the extra heft I'd jest put on.

Toss had figured out my game, and he sat leanin' on his saddle horn, testin' the fresh shave he'd taken back at the ranch. Hitchin' his

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thumb at the saloon, he says, "Gum's ain't open yet. Did yuh get anything outa yuhr friend Tikit?"

"He thinks we might do some good fer outselves by lookin' at a house back behind the livery shed."

I might have seen a shadow of a smile slide across that new shave, but maybe not. Anyhow, there weren't no doubt that Toss was glad to have a line on Huttle.

Ridin' back to the livery, I checked the loads in my six-gun again. I seen the others was doin' the same. I loosened my Winchester, makin' sure it was free to slide outa the boot. This lawin' was enough to make a man think that even tailin' a herd north with the wind blowin' south wasn't bad work.

From watchin' Earl snug down his hat, I knew he was gettin' tight inside. Akus was so stiff in his saddle, I swear a wind would'a snapped him like a cold branch. Santo was hard to read, but I was pretty sure this was a harder pull on his gizzard than readin' trail sign.

Then there was Sheriff Toss. From what I could see, this looked like it was jest a day's work fer a day's pay. But a sharp eye could see that gun hand of his was restin' comfortable like, close to his revolver. Them level eyes of his was seein' everything on both sides and in the front. I was glad I was on his side.

And I learned somethin'. I already knew that Toss wouldn't go directly at people when he was doin' day by day, regular business. He'd look fer a way to talk and do the gettin' along in life in an easy way. But now I saw that when there was a varmit on the other end of Toss' line, he was different.

Slap leather. Right up the center of the coulee. That was his way. Hoot owls could run, draw or throw in when he came at 'em. There jest wasn't much palaver in Toss when he was doin' pure law.

We rode up to the livery corral fence jest as plain as yuh please and stepped down. Once we stepped around the corner of the shed, we could see the house that J. Tikit had mentioned. It was a sad excuse fer a buildin'. There was only one door and it sagged. There was one window covered from the inside with what looked like an old blue shirt. On top a black pipe was lettin' off wood smoke.

Toss nodded Akus and Earl off to one side and me and Santo off a bit in the other direction. "Huttle," he thundered, "come on outa there. This is the law."

We didn't get Huttle, but we did get the bear that had been carryin' the scattergun. He musta never liked doors. Because like the

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door of the Bolus courthouse, the door of that little shack came slammin' back. He came right behind it. No talk. Jest buckshot.

He let off one blast at Toss who went to the ground, rolled and came up on his knee shootin'. But while Toss was rollin' away, that greener swung in my direction. The ground looked good to me, too. I got a face full of dirt and that double 00 buck plowed a hole where I had been standin'.

Toss' first shot shoved our man back against the wall of the buildin', but he didn't go down. Leanin' there with his eyes flamin', he broke his double barrel and began fumblin' in more shells. He was still movin' fast and the barrel swung back up.

I potted him. Dead center. But then so did Earl and Toss. He was dead before he slid to the ground.

Everything got quiet. We wondered if his pard was still inside. The Sheriff made for the shack. He flattened himself against the wall on one side of the door. He looked up and seein' me comin' on the run to back him up, waited until I was on the other side of the door. Then he rolls around the doorframe and goes in. Damn, that man didn't know the meanin' of letup while there was a man he wanted in the area.

But it wasn't in me to let him go alone either. I spun into the door right behind Toss. One room. Bad light. A table and a heap of blankets. A pretty sad place fer a man to spend the last few hours of his life.

Except fer the Sheriff and me, it was empty. Empty except fer the scent of a wounded man, now dead. We looked around the place hopin' to find somethin' that would give us an idea of where we might find Huttle, but we jest got skunked.

When we went back outside, we took a look at the jasper we had shot. It was a wonder he had been able to come out after us the way he did. Toss had winged him the day before sure enough, and he had lost a lot of blood. But he was pretty much like others I had seen. Full bad and ugly. Somehow snakes like that always have enough squirm left to try for one last bite, and he had been no different.

Then, I began to notice that the shootin' hadn't raised a stir. Them gunshots musta been heard from one end of town to the other. A couple of skinny kids stood in the street back a ways from the livery shed and an old lady who was sweepin' her stoop stood and watched us. But that was the size of the crowd.

There was somethin' funny goin' on here, and I was gettin' keen to know what in tarnation it was. This Tubert was provin' to be an empty town. There shoulda been some women and men folk stirrin' and ridin' in

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and out. It was gettin' on toward the middle of the mornin' and this town was jest too damn quiet.

Ghosty. That's what it was. I've seen more excitement in takin' flowers to boot hill than I was seein' in Tubert. If the townies had seen us comin' and were sittin' waitin somewhere to haul down on us, they'd already missed a couple of chances.

No. I was sure that the able bodied folks were hidin' or gone off. But where?

"We'd best find someone to bury this lobo," says Toss.

Lookin' at them kids and then at the old lady, I ask, "Them? That's all I see."

Toss thinks about that. "Now that yuh mention it, Jim, this place ain't exactly a bee swarm."

"Saloon's closed. One nasty old codger tryin' to sell us breakfast, and we can't even raise a crowd with a shootin'," frowned Akus. "This ain't the Tubert I know."

Santo scratches at his buckskin coat and squints around. "Yuh know, Toss, I'm thinkin' the trail sign I seen on the road at the end of town might mean somethin' after all."

"Trail sign?" asks Toss. "I guess I didn't notice."

"That's my job, to notice," says Santo, "When we rode in and met up with the road, I thought I was seein' lots of sign. It was horses, a slew of 'em, ridin' out. At the time, I wondered about it, but didn't say nuthin' cause jest gettin' into town without gettin' back shot seemed more important right then. But now, I'd say that a big herd of people left this town sometime early this mornin'."

Toss is gettin' suspicious. "Goin' where?"

Santo shrugs at that one. "Who the hell knows? I can only give yuh the direction. They was ridin' in the direction of Bolus."

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And ride we did. The hosses was still fresh and willin' to give us a good go. We took the Bolus road and followed it along the river fer more than an hour. Then it began to pitch up and climb outa the river to the flats above. When we topped out and came to the place where we had turned around the day before, we pulled up and let the hosses catch some air.

"Any idea what them Tuberts is up to sheriff?" I ask.

"Not a good enough one to talk about," frowned Toss.

Akus looked a mite worried the same as the Sheriff. "If I know them bugs from Tubert, and I think I do," he says, "they ain't jest bein' neighborly."

Santo, who had been lookin' at trail sign, doesn't easy things when he says, "Whatever they're up to, they're doin' it fast."

"How much of a lead do yuh figure they've got?" asks Toss.

"At least three, maybe four hours."

"We won't make it up sittin' here," says Toss.

With that we were off again, gettin' as much outa the hosses as we could. South, bein' the long-legged cayuse he was, hiyupped along and coulda gone faster, but he was a friendly fella so he held back fer the others.

Later, Santo held up his hand and called out, "Hello. What's this?" Pointin' down at the trail, he points at what we could all see. Wagon tracks. "Looks like two of 'em," he says, "and I'd say they were big ones. Probably freight wagons."

Earl looks up the way they had come. "Akus," he says, "ain't that the road up to yuhr place?"

"Mine and some others," pipes back Akus. "Why yuh askin'?"

"Oh, no particular reason. I jest noticed the trail aims that way."

Toss was scowlin' hard now. He looked like a man that was fixin' to eat buffalo hump. He didn't say nuthin'. He jest headed his hoss on down the Bolus road and picked up the pace.

Later as we was ridin' along, it was Santo who saw if first. He sings out, "Bad sign, Sheriff."

There ahead of us, risin' from the brow of the long ridge that lays above Bolus, was smoke. Dark against the afternoon sky, it wasn't a tall straight stem of smoke, but was bent and fuzzy from some breeze high above the ground. But the message was as clear as the sky itself, somethin' in Bolus was burnin'.

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No need to talk about that. We pushed them hosses into lopes and was soon breakin' over the ridgeline above town. Below us, the smoke was comin' from the center of town and I figured that maybe the Forty Rod was on fire. Course that may have been because fer the last five miles, I had been thinkin' about washin' the trail dust outa my pipe with a tall beer.

Finally, we came poundin' around the last corner onto the main street of town. Then it was easy to see the bottom of that smoke. It was the Bolus courthouse, or what was left of it.

As we rode up, I could see that the buildin' was jest a heap of black sticks pokin' and aimin' ever way under the sun. The smoke was climbin' outa the middle of the mess where there musta been some burnin' and smolderin' still goin' on. Some of the bigger pieces stickin' up were still wiffin' smoke too.

It was easy to see there had been some powerful fire fightin' goin' on around the place. Wooden buckets was laying around, the big stock tank was empty and a water wagon, with a couple of hangy down team horses, was standin' down the street.

The fire fightin' showed on the men, too. They was standin' around in little groups talkin' and lookin' at the ashes of what had been a mighty nice courthouse, jest a few hours earlier. Only a couple of the men were wearin' hats, most everyone's sleeves were rolled up, and from what I could see, every arm and hand in sight was black and dirty. They were a mean lookin' lot, that's fer sure.

When we hauled up, they started driftin' in our direction. His Honor, Judge Dunstan, was the first to walk up. His pants was tore bad, he had a respectable cut on one arm, and he had a six- gun shoved in his belt. "Tubert snakes," were his first words. "They've stolen the county seat."

Old Farley, whose swingin' doors and jury corral fence, were ashes, joined in, "There musta been thirty of 'em, Sheriff, but they was all wearin' hoods, black ones. They rolled in here like an army, acted like one, too. They marched into the courthouse and right away started carryin' out the files and record books. They loaded the stuff in two big freight wagons that came in with the riders."

The judge cut back in, "I had gone to the Forty Rod for a bite of lunch when Frenchy Curl came running in hollering that Tubert was robbing the courthouse. I guessed it was a raid of some kind."

An excited man in the back of the group, threw in what he had seen. "Yep, I was in the Forty Rod when Frenchy came bustin' in. The

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judge right away orders us to go out and get guns and more men and come back to the Forty Rod through the alley."

His Honor takes it from there. "We managed to get a dozen men together, but we couldn't even get out the front door. They were keeping up the heaviest firing you could imagine. Besides, by the time we were really ready to put a rush on them, they were finished and riding out."

Farley couldn't contain himself, "The whole kaboodle jest rode outa town. But first they fired the courthouse, jest like that damn Sherman at Atlanta. I know, I was there."

Nobody wanted to hear Farley's burnin' of Atlanta story again so the judge interrupts and says, "I imagine they doused the inside of the place with coal oil. It went up fast. We tried to save something, but you can see the results."

Toss was beside himself and was near to bustin' somethin'. "Anybody hurt?"

"Sarah Beekam was shot in the belly trying to keep them from taking her land records," sighs his Honor, "and Jed Panner was killed. After they rode out, Nibbs Finley went running in to see if everyone got out and to see if anything could be saved. The roof came down on him and he was crushed."

"Cooked, too," put in Farley.

The judge finished the report, by sayin', "There were some others in the Forty Rod with me that were wounded, but none too seriously."

The same excited man who had spoken earlier called out, "Does this mean we ain't the county seat no more, Judge?"

Before his Honor could answer, another man yelled, "Hell, no. Besides we aim to get them records and books back."

Toss didn't want this to be decided at a street meetin'. He right away took charge of things. "You men there, get that horse tank refilled and get them buckets picked up. We need to get that fire put all the way out. If we get a wind, it could still spread and we could lose more than the courthouse. Farley, you and Sim go around and spread the word. There'll be a meetin' in the Forty Rod in about an hour."

There weren't no arguin' with Toss. The men started doin' like they was told. Havin' him give orders like that seemed to put life back in 'em. Turnin' to his Honor, he says, "Farley claims the raiders all wore hoods, but did yuh see anything that would let yuh put the bee on a particular one? I can't arrest the whole consarned town of Tubert."

"I didn't," frowned his Honor, "but I can ask the men who were with me in the Forty Rod if they did. I'd be surprised if anyone saw faces."

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They had men firing at us the whole time." "But they were from Tubert. Everyone agrees with that."

"Them damn warts," spits out Toss. "They were from Tubert all right. We were on their trail all the way. Not havin' a name or a face will make the roundup harder, but their day is comin'. Fer now, we need to get organized. Santo, take Earl and Akus with yuh. Scout around on the edge of town and see what yuh can find. Judge, I need to talk to yuh. Jim, come with me."

The three of us went to the Forty Rod and took a table. Everything was turned up, turned down, and which way to the world. Yuh could see there had been some hot lead thrown around. The windows had been shot out and there were splinters and poc spots on lots of the wood.

We set a table back up on its legs and did the same favor fer some chairs. One of the waiters, who looked to be still skittery from the shootin', brought us some beer and Toss and the judge chewed on the raid.

Toss, speakin' out of a drumhead tight face, says, "I've seen this happen before, a couple of times, down in Kansas. It's bad business because it could be the beginnin' of a war. Courthouse raidin' starts when some gander in a second rate town starts complainin' about the records not bein' kept jest right in the county seat. Then someone else says their own town ought to have the county government. Usually somebody then starts talk that by some law he's heard about, their town has a legal claim to bein' the county seat. That's usually how it starts. From there, it jest grows until a plan gets made fer takin' the county records."

"Well, I've heard of such things," says his Honor, "but I never had any thought it could happen here. If we'd been hearing complaints from people in Tubert, maybe then we would have seen this coming."

"I wanted to talk to yuh about the law of it, Judge," Toss says. "I know that since yuh're a lawyer, yuh'll want to do some readin' on how things stand, but do yuh have anythin' fer us to say at this meetin' I've called?"

"I don't know what the law books will say, if anything," admitted his Honor, "but the fact is that without the record books, we aren't much of a county seat. Property ownership, land transfers, birth and death records, tax lists, and court papers are the kind of records that makes a courthouse and a county government work."

Of course, I couldn't keep out of this kind of interestin' talk. "But, yuhr Honor," I asks, "what would happen if the courthouse had

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burned accidental like and the records had gone up in smoke. Wouldn't losin' all them papers that way be the same as losin' 'em to a wild crowd from Tubert?"

Both the judge and Sheriff Toss peered at me pretty good fer that question. I started thinkin' I'd done a dumb, but Judge Dunstan cut that off. "A very good question, Mr. Tamp. And that suggests to me there must be a precedent for the wholesale loss of records."

His Honor's misterin' me took me back a step, but I guessed he didn't mean anything by it. But jest to make sure I tried him on it, "Yuhr Honer, if yuh wouldn't take it crosswise, I do better as jest Jim. Someone callin' me 'mister' makes my hat feel tight."

Toss couldn't let it be. "Don't let him shave himself down, Judge. He's the one I want sidin' me through this. As a matter of fact, Jim, that's what I wanted to talk to yuh about. Can I ask yuh to stick until this norther blows itself out?"

"Done," was all I needed to say.

"And Jim it is," says the judge, "if you'll agree to drop the 'your honor.' When I'm off the bench, of course."

With that settled, Toss starts thinkin' about his meetin.' "There ain't nuthin' fer it but to let the men decide what they want to do," he says.

What's this, I wondered. "But, Sheriff, won't every man jack among 'em want to go ridin' off to bring back them records and also corral the skunks that came in here on a killin' spree?"

"They may or they may not, Jim," says Toss. "I think they could go either way. The killin' is somethin' I'll have to look into, and sooner or later I'll bring in the ones that are mainly to blame. But as fer the records, that's a cow of another color. Some towns is all fight and ready to raid back when this happens. But it's funny, other towns get to jawin' about it and end up decidin' to try to get their county seat back by goin' to courts and sometimes goin' to the Territorial Legislature to get a law passed which says their town is the county seat."

That was a whomp of an idea I hadn't expected. It was like Aunt Min said to me once, "Jim, the only time yuh can get kicked in the seat of yuhr pants is when yuh're lookin' the wrong way."

Judge Dunstan seemed to read my mind. "It's called politics, Jim. And what the Sheriff is saying is probably right on the mark. Bolus, being Bolus, could very well decide to rely strictly on the law to settle their claim to being the County Seat."

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With that, Horace said he was goin' off to read some law books he had in his house. Sheriff Toss went to do more organizin' of the fire put out and of his meetin'.

That gave me a space of time fer sippin' on my beer. But it wasn't long before I spied Old Pivot slippin' up to the table. He was still smilin', but it was like a ma or a pa might smile when their kids have been so bad the growed ups ain't got a choice but to smile away their hurt. I ordered him a Forty Rod and ask him to sit down.

Tryin' to perk him up some, I says, "It appears to me, Pivot, that someone has been doin' some bad whirlin' around here."

"Not a doubt of it. But remember, Mr. Tamp, it ain't the turnin'. It's not turnin' back, not reversin' that leads to people and doin's gettin' outa kilter." Them vacant, starin' eyes of his, made me think he was somehow seein' things outside of the regular world. It was enough to make yuh downright skittery, yet, it was as plain as grass that he didn't have any harm in him.

Still tryin to rouse him some, I ask, "Pivot, I been wonderin' about what yuh told me. Is goin' left side around different than goin' right side around?"

"Could be. Yuh see right-sided folks have to watch left turnin'. With left-sided folks its jest the other way. Course, I've heard it said that them what are left-sided was meant to live on the other end of the world, below the line."

"What line?"

"The equatin' line around the middle of the world. It's what separates left around from right around."

I don't mind sayin' that my head was startin' to go right around or left around or somethin'. It was then Pivot's smile got stronger.

"As a matter of fact," he says, "I think that one yuh put in the warehouse was a left around, Mr. Tamp."

Yuh can imagine how straight up I came with that one. Without waitin' fer any question I could ask, Pivot explained.

"Yuh see, I sometimes sleep there." Quick he adds, "It's okay fer me to do that. The Forty Rod owner says he don't mind at all. I seen yuh bring that young man in and watched the three of yuh lay him out. Later, I buried him."

"Yuh buried Tommy Keeton?" I didn't know whether to be up or down about that news. I'd been worryin' about how to get Tommy back to Art's barber shop knowin' that pretty soon Tommy would be gettin'

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some nose notice. At the same time, I had been frettin' about what Toss or his Honor...Horace, would say about corpus delecti stealin'.

Pivot musta seen I was worried. In that far off, other world way of his, he says, "Oh, there ain't nuthin' to worry about, Mr. Tamp. Before I put him under, I gave him a good spin some left and some right. I'm sure that cleared him through jest fine."

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The Forty Rod was full. There was men fillin' up the tables, takin' all the stools at the bar, sittin' on their haunches along the walls and standin' where there wasn't room to sit. A few were drinkin' somethin', but most jest talkin', naturally, about the burnin' of the courthouse and the stealin' of the county records.

It was interestin' that they were holdin' pretty calm, not lookin' at all like the stampede I'd expected. Maybe Toss and his Honor...Horace, was right about how they would act. And yuh have to remember, that Bolus may have been the most law lovin' town in the whole Territory.

By the time the place got as full as a shippin' corral after fall roundup, Toss was ready to speak his piece. When he walked forward, the men stepped back makin' a path fer him. Then he climbs up on the bar and stands there waitin' fer quiet to spread itself around. It didn't take long. The sheriff was tall and strong lookin' standin' there like that. With his hat shoved back and that star gleamin' on his shirt pocket, he looked like he coulda whopped the Tubert bunch single handed. The Forty Rod still was directly behind him, drip drippin' into that big jug, which by a slice of luck, hadn't been shot down in the gunfight.

Raisin' his hand fer quiet, Toss starts off, "I ain't got much to say since yuh all know what happened. But in case the story ain't found yuh'r ears, I'll give yuh a bob tail tellin' of it. A bunch of river rats from Tubert rode in here and raided the courthouse. They took the county records, then fired the courthouse. In the doin' of it they killed one man, wounded another, and caused one more to get hisself fried in the fire. Those are hangin' crimes when they're done in my Territory, and I aim to bring those responsible in fer trial."

That talk brought nods and "Um hums," and "Yeah's" from around the room. Lots of arms was crossed, and lots of faces were as hard set as cow tracks around a dry waterhole. Someone called out, "What about the county seat, Sheriff?"

"That was next," says Toss. "Takin' them records is stealin'. And thieves get tried as well as killers. The trouble is that Tubert has our records, and they will soon be claimin' I ain't the legal sheriff. They'll also claim that the Treasurer ain't the treasurer and that the judge ain't the real judge. And if all that ain't enough, Tubert will claim that all trials will have to be held there."

"How the hell can they do that?" yelled someone from a back table, "They ain't got a courthouse."

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"I was comin' to that," says Toss liftin' his hands fer quiet. "I jst came from there. Jim Tamp, who's sittin' over there, was with me. We was chasin' them two that rode in here yesterday. Now there's only one left. But while we were in Tubert we saw a spankin' new buildin'. We wondered what it was, but now we know it was their courthouse. That the way you see it, Jim?"

Damn that Sheriff! Everyone turned and looked at me. I felt like I'd snored aloud in church. I tried bobbin' my head fer an answer, but that didn't turn them eyes away. So I managed to croak out, "Sheriff's plumb right, boys. Tubert's got a spiffy new two layer buildin' that's got to be their intended Courthouse."

From over to one side I heard someone ask his neighbor, "Who's that Tamp feller? Looks too young to amount to much."

I didn't get all the answer, but part of it wasn't bad. The neighbor says, "A tornado with that six-gun is what I hear. A sidekick of the Sheriff, I guess, maybe a deputy." Then another man hisses at the two of 'em. "One of the boys seen him in court. They said he's Akus Weaver's lawyer." Fer a minute there I wished I had big ears like a mule so I could hear more, but by then Toss was talkin' again.

"Yuh can see the problem. If we go over to Tubert and arrest them snakes, we may not be able to even have a trial here in Bolus. We ain't got a courthouse, and Tubert has the county records. And worse, if Tubert is now the county seat, any trial we might have might not be legal."

That sent a ruffle through that crowd like a strong breeze blowin' prairie grass. I could hear snatches of talk, "Not legal?...No trial?...Bolus havin' an illegal trial?...No county seat?"

There was some hard words fer Tubert and the raiders, but most of what I heard was worry words about Bolus not bein' legal and not bein' the county seat. I could see which way this herd was goin' and it wasn't up hill. This bunch would vote to graze the bottoms where the grass was thick, water was close and the livin' easy. Bolus wanted to be the county seat, but I began to wonder if the townies of Bolus had the sand to fight fer it. I suppose that's about the time I decided there may be such a thing as lovin' the law too much or lettin' the law get in the way of what's right.

About that time, someone in the crowd saw his Honor squeezin' in the door. Right away a hubbub goes up to hear what the judge has to say. Some polite pushin', shovin' and steppin' goes on, but finally Judge Dunstan gets up on the bar with Toss. He'd put on fresh clothes and

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washed the smoke and dirt away, and with a fat book in his hand, there wasn't no doubt about who was in charge of the court end of the law in that room.

"Men I've taken a look at the Territorial Code and I have to tell you there isn't a quick or easy answer. One section of the law says there shall be a courthouse in the county seat, but it doesn't say where that is. Another section says that the people may decide where the county seat shall be. I guess that means by a vote."

A short man wearin' a blue bandana around his neck hollars out, "Sounds okay to me. Let's vote. There sure as hell more voters in Bolus than in Tubert." Agreeable noise starts comin' up from the group like weeds in a potato patch.

His Honor, raises his hand. "The trouble with that is the County Clerk's Office keeps the voting records and, as of now, those records are in Tubert. I'm not sure I'd feel comfortable letting them count the ballots."

From the back of the room, a loud shout comes from a husky lookin' man who still wore courthouse smoke on his clothes, "We can bring them records back here and then have an election. That oughta settle it once and fer all."

"But we ain't got a courthouse," says another.

Things got pretty quiet. The men started talkin' to each other in little groups. The burned courthouse was fresh in their minds and not havin' one was a deep ravine their thinkin' couldn't cross. It looked like they was about to bunch up and not move. The notion of goin' after the county records was dyin' fast. Somethin' had to be done to keep it alive.

I was the most surprised one in the room when I calls out, "Yuhr Honor, what does the law say a courthouse has to be?"

Everyone's head spins around at me and then back to the judge. My head was so hot from the starin', I had to take off my hat so's I could wipe away the sweat.

"I don't follow your question, Jim," says the judge.

I couldn't quit now. The water was risin' and I had to swim or sink. "I was jest wonderin' yuhr Honor, if the law says the courthouse has to be such and such or so and so." That didn't sound like sane talk even to me. I tried again. "Does the law say that a courthouse has to be a regular courthouse?"

It was so quiet in that place, I could hear my own breathin'. The judge and Sheriff Toss look at one another fer a minute.

"Did you have something particular in mind?" asks the Judge.

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Gulpin' down some air, I says, "Well, is there anything that says a big buildin' like this couldn't be the courthouse?"

Toss picked up on that quick. He saw where I was goin'. "Jim, are yuh suggestin' we make the Forty Rod the county courthouse?"

I wanted to jest get outa this. "Why not?" I ask.

Every man in there started talkin' at once. "A saloon fer a courthouse?...Why don't that beat all?...A damn good idea....Why not?..."

Toss and the Judge talked to one another. Of course, I couldn't hear what they was sayin', but pretty soon Toss hollars them down and got Mr. Quiet back in charge. "Men, the judge and I agree that Jim Tamp jest gave us the answer. As sheriff, I ain't got an objection." He looks to his Honor. "Judge?"

"There isn't any law that says a county can't use any building it wants fer a courthouse, including a saloon. Records can be kept here, business can be done here, and, if necessary, I can hold trials here."

The crowd was ready. Somethin' was needed to get it movin'. We needed a lead cow to step into the river and lead the crossin'. Then it came from the man in the blue kerchief. "Judge," he calls out, "does this mean the juries get free shots of Forty Rod?"

That did the trick. Another man yells, "Let's go get them county files back! A little whiskey might even help the record keepin'."

Judge Dunstan and Toss let 'em talk and whoop it up fer a while. Then, gettin' into the current himself, the judge, shouts, "Okay, men. Order in the court. Order in the court." After things simmered down, he laughs and says, "Men, I just wanted you to see that this idea of Jim's will work fine. The next thing on the docket is to let the Sheriff organize us for our march on Tubert. The last thing I want to say is that I'm going and I hope all of you will join us."

It was settled and I was glad to see Bolus was goin' to fight fer its place as county seat. Everyone was smilin' and noddin' that they agreed with the decision. I wouldn't have been surprised if someone had started shootin' knots in the ceilin'.

But Judge Dunstan might have had an objection to anyone doin' that to his courtroom. Even old Pivot, who was still sittin' at my table, seemed pleased. I guessed the men must be turnin' in the right direction and reversin' themselves enough to keep their brains from crissy crossin'.

By the time the sheriff got the men sorted out, he had almost fifty who were fit and ready to ride. He had kept some of the real old timers and storekeepers outa the group by tellin' 'em they was needed to keep an eye on things in town while he was gone. He told the ones that

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was goin' that they was a posse and they would have to do what he said. He then swore in the whole group and said they was lawful deputy sheriffs. Toss had swore me and the others the day before so I didn't know whether to raise my hand and take another oath or not. But I couldn't think of how doin' a double swear could hurt, so I joined the rest and swore to follow the sheriff's orders and do everythin' accordin' to the law.

Toss didn't want to camp on the trail or do night ridin' so he decided to head out at first light the next mornin'. Besides, there wasn't any need to rush because there wasn't any question about where we was goin'. At least, there wasn't any doubt about it then.

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The trail to Tubert was gettin' plumb familiar and ridin' in early mornin' light alongside Toss was becomin' a habit. When the sun got around to takin' a peek at us, we were swingin' along like a troop of cavalry, mostly in groups of three and four.

We musta looked powerful. A pack of about fifty men, each loaded fer a war. But the fact was, most of these hombres were only tough lookin' from a distance. Close up, they were storekeeps and ranch hands. Toss was probably the only regular gun handler in the bunch. But Santo was no slouch and neither was slow-draw Earl. I could hold my own, but after that, I didn't know what to think. The judge made me nervous with his shiny six-gun and stiff, new lookin' holster. But I'd seen him lever that rifle of his like he knew somethin' about this business.

If I'd kept thinkin' about it, I mighta scared myself, but I put my worries about it a sock, figurin' that "want to" in this kind of war was about as important as "know how." And a lot of them Tuberts had to be jest as rough on the edges as some of our boys. The sun musta been worried about what was playin' out down below because, after an hour or so, he pulled up some clouds fer a shield and let us ride along by ourselves. An old friend, the north wind, began whippin' up a bit, tryin' to push us back to Bolus, but he jest got himself cussed by fifty men who had to snug down their hats and pull up their collars.

Toss held up again on the river bluff. Turnin' to the men he says, "We're gonna be here fer a while. If yuh want, yuh can step down and stretch yuhr legs. There ain't much cover but them rocks over there look like they'd do the job it yuh want to roll a smoke and hunker down outa the wind."

The sheriff then gives me a wave and does the same to Santo. We amble over to have a talk. I know what's comin' and wish there was a way out, but I learned early that when yuh start somethin', yuh can't cut out before its done. I could almost hear Aunt Min sayin, "Jim, when yuh start a fire, yuh're gonna get some heat."

"Santo," Toss says, "we need some scoutin'. We'd be fools to ride down that river road without knowin' what kind of greetin' they've planned fer us. I think Jim will ride along with yuh. Now, yuh both already know the lay of the ground down there, but I want yuh to be careful and remember, they hafta know we're comin'. Take as much time as yuh need. I'll hole up here until I hear from yuh."

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Santo was the best there was. He'd known it was comin', too. In fact, he'd most likely been thinkin' about it fer the last five miles or more. The others figured out what was up when Santo and I peeled away from the group and headed fer the down slope of the road. As I rode by Earl, he jest smiles and says, "Jim, since yuh got in some practice yesterday in the Forty Rod, maybe yuh could jest ride on into town and talk 'em into givin' up them records." If I'd had the time I woulda straightened that Earl's face.

The minute we was outa sight, Santo pulls up and says, "I've noticed that bonc of yuhrs, Jim. His legs is too long and his head looks like it's pure mule. But I'd guess he'll go where yuh point him."

South was twistin' his ears back like he was listenin' to what I'd say to defend him. As fer me, I was tryin' to figure out what Santo had in mind. But a look see down that road gave me the answer. It cut along the bluff fer about a mile before it leveled out along the river. One side of the road was the up slope of the road cut. Goin' up that way would jest be a hard ride back to the top of the bluff. It was the other side of the road that Santo had been lookin' at. It was a drop off, sharp and damn scary lookin'.

"I've never been one to ride a trail that's too easy," drawls Santo. "I figure that yuh're cut outa the same kinda hide."

That old trail dog was smart and deeper than I woulda guessed. He didn't need to wait fer my answer. He knew it before he asked. I think South did too. When Santo reined off the edge of that road, South heaved a sigh and followed along.

Right away I knew that there wouldn't be anyone waitin' fer us on that slope. At first it was dirt that had been shoved over the side to make the road cut. Then it was brush and rocks. It wasn't much better'n a cliff. South leaned back, put his tail on the ground and jest let himself slide mosta the way. And he kept his head pointin' down. If he'd turned either way, he woulda rolled like a round rock. The only good thing about that ride was that it was over in a hurry.

In a rush, we hit the bottom. The river bank was right up close to the bluff, and when we landed, we were in some trees that was growin' almost right in the water. South gave a shake to let me know he didn't want to do that again, and then steps over and sticks his nose in the water. Santo's hoss thought it was a good idea and joined in. The two of 'em blurbled and chewed their bits about how damned hard it was jest to get a drink.

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It was slow goin' along the river. We had to go around trees, sometimes into the river, and through sand that was soft and shifty. But we had a good view of the side of the road above us. South wasn't keen on this way of travelin', but I pretty much let him pick his way, because once we got goin' he knew his part better'n I did.

I'd like to think my eyes was as sharp as Santo's, but I had to give him the seein' ribbon fer the day. He saw the lookout first. Pullin' his hoss up sharp, Santo pointed up the hill. There, through them yellow leaves, I could see some gent layin' in a patch of brush. He was down off the road a ways, but was in a good spot to see anything comin' and also in a place where he could mount up and hightail it down the road to town.

We left the hosses behind some trees and worked our way up to where we could get a good look see. Santo whispered to me to ease off to one side and then make some noise. I slipped up to some rocks where the lookout would have to look away from Santo when I drew his attention. When I was ready, I tossed some small rocks up the hill. Watchin' our man, I waited fer him to look in my direction. Nuthin' happened. I threw more rocks, bigger ones. Still he laid there like he was dead.

While I watched, Santo moved up. Step by step. Then like a cat grabbin' a mouse, Santo was on him. I scooted over there, six- gun out and ready to help. But when I scrambled in, Santo was sittin' there on the man's back with the business end of his pistol crammed in that scuffer's ear, and Santo was chucklin', almost laughin' out loud.

"Jim," he says, "if yuh ever have to pick a man fer lookout duty, find one that's smart enough to know he's supposed to stay awake while he watchin'."

I lifted a gun outa the guy's holster and gave it a throw down the hill. Santo says to him, "Yuh was put out here to watch fer the men from Bolus, right?"

Somethin' that sounded like "Yeah," came outa him. Santo encouraged him. "I ain't got a reason to let yuh live, so yuh best give me one. Now answer me straight. What were yuh supposed to do when yuh seen someone comin'?"

"Ride to town and tell Huttle," he says.

"How many men are waitin' fer us?" Santo wants to know.

"I dunno."

"Well then, where are they?"

"Around town, I guess."

"Plannin' on ambushin' us are yuh?"

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"Not that I know of."

I put in the next question. "And were yuh one of the mud stickers that rode on Bolus and stole county records?"

"Yeah, but I didn't shoot anyone," he says, beginnin' to sound scared.

"And I suppose yuh didn't have anything to do with haulin' them county records down to yuhr new buildin' in Tubert?"

He was too close to Santo's pistol to give a lot of time to figurin' out an answer, but he didn't say anythin' fer a minute. Santo twisted his gun like he was goin' to drill it through the man's head. "What'cha waitin' fer, a chunk of lead in yuhr ear?" asks Santo.

The invitation helped get him talkin' again. "Okay," he howls. "Ease off that. Yuh'll split my ear open."

"We was talkin' about them county records," I reminded him.

"I said I helped haul 'em outa Bolus. What more do yuh wanna hear?"

"And they're headed fer that new buildin' in the middle of town?" I says.

"As soon..." he started, then held back.

"As soon as what?" demands Santo.

"As soon..." he stumbled again, then says, "as they get there."

Before I could chase that answer with another question, our prisoner makes a hard roll and manages to knock Santo's gun away from his head. He quick starts scramblin' to his feet and tries to get down the hill. Before I could move, Santo was back on him. With a hard swing, Santo slams his pistol barrel alongside his head, and the lookout goes back to sleep.

Lookin' down at him, Santo says, "It was either that or shoot him."

Seein' blood startin' to come from a gash in his head, I wondered if shootin' him mighta been doin' him a favor. He was goin' to have a sore head fer a long time, and he would have to nurse it somewhere besides Tubert when we slipped up on the town without any warnin' from him.

Tryin' to be certain sure the way was clear, Santo and me went back and finished scoutin' the river road all the way to Tubert. We even looked over the edge of town tryin' to spot places where they might be settin' waitin' fer us. But jest like the day before, things was peaceful. It was about what yuh might expect from a town sittin' on the slack water

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side of a river at the end of road that had to run hard jest to get to a town like Bolus.

"Somethin' damn funny about this," mutters Santo while we was squattin' behind some larch trees lookin' at the town. "This don't look like a place that knows sooner or later a mob will be ridin' in like thunder lookin' fer somethin' to shoot."

"I been thinkin' the same thing. From here we've seen a few folks jest doin' what yuh'd expect at this time of day. There ain't no body rushin' around or lookin' up the road. Any ideas, Santo?"

"Not a one. But we have to figure those skunks is in there waitin' to turn and lift their tails at us when the time comes."

Thinkin' back over our ride through town, I kept rememberin' that big, new courthouse. It had looked strong, almost like a fort. I ask Santo if he thought that might be a place fer rats to hole up.

"Jim," drawls Santo, "I'm surprised. Yuh think jest like a bad man."

"How would yuh know a thing like that, Santo? I wonder if yuh haven't been hangin' out with some back lot types yuhrself."

Smilin', Santo says, "I guess I've hung out with about all the sizes on the shelf. And yuh're right, if I had jest stole a couple of wagon loads of county records and was lookin' fer a place to make a stand against an army comin' to take 'em back, I'd probably pick that new buildin'."

We decided there was nuthin' more we could do by ourselves, so we got outa there and hit the river road. As we rode back up toward the top of the bluff, my head kept puzzlin' on why the Tuberts hadn't covered their back trail any better and now didn't seem worried about what was comin'. There had to be more to it than Santo and me had seen, but I couldn't put a tag on anything, so I kept my mouth shut.

Toss listened as we told him what we had done and seen. He took up testin' his early mornin' shave as he scowled at the wind, then at the dirt, and then at where the sun would have been if he hadn't been lollygagin' along behind that cloud shield of his.

"It don't ring like it should," mutters Toss.

"Yuh're sayin' the story is not what we saw, but what we didn't see?" I asked.

"That's one way of puttin' it," agrees Toss. "Still, we ain't got but one way to go." Once he decided somethin' Toss moved. So he calls up the men and tells them, "We're ridin' on into Tubert, but we're ridin' in

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blind. Remember, no shootin' unless they start it. Anybody got questions?"

"I ain't never been in the place," calls out one of the men, "what's it like?"

"Today, it's like a Sunday afternoon cake dance," replies Toss. "Jim and Santo tell me that it's purely peaceful lookin'."

"Maybe we should have brought the parson," jokes the man with the blue bandana.

"Good idea," puts in Earl. "We might need him to give us some buryin' talk."

That brought some nervous laughs and some "Yeahs" and one "Yeah, fer us."

Down the road we went. Mostly everyone was quiet and doin' his own thinkin'. I jest don't understand how things happen the way they do, but there I was up in front with Toss. My sense, which I must have lost somewhere, told me I belonged in the back, maybe way back."

We slowed to a walk at the edge of town while a hundred or so eyes looked at every shape, every house, every shed, and even every outhouse. I had an awful itch in my gun hand, but sidin' Toss the way I was, I wouldn't have touched that six-gun without a mighty good reason.

The business buildin's came up in front of us, and then in the middle of everythin' we could see that two layer square buildin'. A few people came out of the store and stood lookin' at us like we was the main part of a parade. A smart mouth kid standin' by a hitch rail hollared at his ma, "Must be dead fish on the river bank, ma. The buzzards have come." That brought a huhaw from some of the others on the boardwalk. An old lady carryin' a basket marched right out in front of me and Toss and we had to hold up to keep from runnin' her down. She acted like we weren't even in town. Otherwise, the people who were there, and there weren't many of 'em, jest watched.

There didn't seem to be any thing else to do, so we rode on up to that new buildin' and stopped. While we were sittin' there, one of the doors opens and a man walks out and comes down the steps. He keeps comin' and finally stops directly in front of Sheriff Toss. Wearin' a round topped derby hat and a city man's coat, he looked like he might be a clerk or some kind of office worker. His face was smooth but there was a good crop of hair fluffed around the edges of that hat. He made a point of holdin' his hands on his hips so it was plain he wasn't wearin' a gunbelt.

"Mornin' Sheriff," he smiles.

"Yuh got a name?" Toss wants to know.

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"Sure do. Folks call me Funder, Linus Funder."

"And are yuh the town greeter, Funder?"

Funder chuckles at that. "Well, some would say that I am. But others would tell yuh I take care of town business and do some sellin' of property from time to time."

Toss was not impressed and his voice showed it. "Yeah, I've heard of yuh, Funder. But everythin' I've heard is bad. As a matter of fact, I've been thinkin' of ridin' up here jest so's I could see what yuh look like and so's I could ask yuh some questions about land that was sold to some farmers."

"Grumpy customers is the worst part of doin' business, Sheriff. But I'd be glad to answer any questions about land I've sold."

"They'll keep," Toss cuts in, "I've got other questions today."

"I'll bet yuh have, Sheriff Toss. I'll jest bet yuh have."

"Meanin'?"

"Well, I imagine yuh came ridin' up here to ask questions about missin' county records."

"How'd yuh know about that?" demands Toss leanin' one arm on his saddle horn.

"Oh, news like that travels fast, Sheriff, mighty fast."

Toss' eyes measure the derby hat, the man under it, and then the buildin' behind him. "Alright, Funder, tell me about missin' county records. Yuh might start by tellin' me where they are."

Pullin' at a tuft of hair, Funder smiles, "If I knew where they were, I might tell yuh, and then again, I might not. But the truth of the matter is I honestly don't know where yuhr records are, Toss." With a smirky smile that gave me the nasty sevens, Funder says, "Next question, sheriff?"

Toss had dealt with this kind of sassy customer before, "Funder, I'd like to know if yuh have any notion of how a rope feels while it squeezes yuhr throat?"

Funder takes a step back and some of his smile gets lost. "Now lookee here, Toss. Yuh ain't got no call to talk to me like that."

I was tired of jest sittin' there listenin', so I unties my lasso and as casual as if I was fixin' to practice on a stump, I shake out a loop and swing it. Then I start lookin' around, fer a tree or a pole of some kind.

Funder knows he's in easy ropin' distance. That gives him some fidgets, and he backs off a couple more steps while he keeps his eye on my loop. South, a ropin' natural, feels me swingin' a loop and begins headin' Funder like he would a steer that was bein' cut outa some herd.

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Funder is close to turnin' tail and gallopin' back to the courthouse. I suggest that ain't a good idea. "Mr. Funder," I call down to him, "don't even think of hoofin' away. This hoss has a mind of his own about getaway stock. And I'm pretty good at heelin'."

While the sheriff and I was talkin' and while Funder was startin' to shuffle away, Earl had eased around behind him. Earl's warnin' hit Funder by surprise. "And if Jim, there misses, I get a turn."

Funder's head swivels around like an onion on a greased nail. "Toss," he yells, "yuh can't go around threatenin' innocent people like this."

"I ain't threatenin' anybody," says Toss as calm as he would say hello to a lady. "All I see is some high spirited cowhands playin' with lassos." Then, in a hard voice, Toss says, "I think we've both had enough of this, Funder. Where are them county records?"

Funder was low on smirky smiles and scared enough to be tellin' the truth. "I said I don't know and that's the truth, Toss."

Like a snake comin' down outa the grey sky, Earl's rope hisses out then drops over Funder's derby hat. The loop settles on the ground around him. "Don't move," Earl sings out in a sharp, threatenin' way. "This hoss is ringy and he might rear and drag yuh before I could stop 'em."

"Once more and last time," says Toss, "what's in the big buildin', county records?"

"Nuthin'," he cries out, "Nuthin'. Go see fer yuhrself."

Without another word, Toss rides right up to the door of that buildin' and climbs down. "Judge, why don't you and three or four of the boys join me. We'll have a looksee. Jim, if Earl there can keep Mr. Linus Funder entertained fer a while, why don't yuh come along?"

Walkin' into Tubert's new buildin' gave me a funny feelin'. It was as much like the Bolus courthouse as a buildin' could be. The main difference was that it was bare bones empty. It smelled like paint and new wood, but it didn't have any chairs or desks or anythin'.

We clomped and echoed all through that place. Up the stairs to the second level and in and out of every room in the place. There wasn't even any dust on them new wood floors. We seen some unfinished cabinets in a couple of the rooms, but they belonged in Mother Hubbard's house. There had been work goin' on in some of the rooms. It looked to me like the wood was goin' into desks and benches, but it wasn't finished enough fer me to be sure. One thing was fer sure though, there weren't no county records in that buildin'.

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Gatherin' in the hallway of the bottom level, we took a last look and were ready to leave. Toss asked me and the judge to hang back fer a minute.

"What do yuh make of it, Judge?" asks Toss.

"There certainly isn't any doubt about why it was built. It's a near duplicate of the Bolus courthouse, and the intention here is clear. This was planned as the new county courthouse. The judge's chambers are unfinished, but that's the work of only a few days. I noticed that there is other work that's not done yet. I'm hardly an expert, but I'd say the carpenters had another's week's work to do before it could be called finished."

That puts Toss in the puzzle pasture. "Does that mean the raid on Bolus was ahead of schedule?"

"Hard to say," shrugs his Honor...Horace. "They could have brought everything here, but if I were planning such a thing, I'd have waited at least a week, more likely two."

Lookin' at the door, Toss tilts his head in Funder's direction, "He's in this thing up to that hat of his, but they haven't told him where they've stashed the county record on purpose. That way he can be here in town watchin' what we do, but can't accidently or on purpose spill the beans."

"I agree," nodded the judge with a sort of mean lookin' smile. "Jim, I thought for a minute that you were actually going to rope and drag the poor fool."

Keepin' my face as sober as I could, and even lookin' a little surprised, I tells him, "I will if yuh think it would help. As a matter of fact, I think I'll go ahead and string him up anyway. It'd set a example fer the rest of the town."

Toss knew right away I was jest doin' some friendly rawhidin', but Horace didn't figure it out right away. Instead, he gives me a sharp look and starts to say somethin'. Then he catches on and says, "Go ahead. It might do him some good."

Serious again, Toss asks, "Either of yuh have thoughts on where we go from here?"

Judge Dunstan ain't an expert on these things and he knows it. His game is sittin' in court herdin' words and tryin' to corral the truth and cull out lies, but he was never short on common sense either. "I'm just another hired hand on this party, Sheriff, but one thing seems certain. We can't give up and go back empty handed. I doubt if we could ever get a group like ours together again. If we fail to bring back county records on

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this trip, there won't be another. If we don't have anything to show for our work, Bolus will almost certainly take the political approach and we might not even get a decision from the Territorial Legislature of the Supreme Court for years."

Toss looks at me, "Jim? Yuh've shown awful good sense in this so far."

"What the Judge, says makes sense to me. If yuh go fer kindlin' and come back empty, yuh can count on a long cold night."

"Then I'll divide the men up in groups of four or five and we'll go lookin' fer kindlin'," announces Toss, startin' fer the door.

"Sheriff," I says, holdin' him up.

"Yes?"

"I got a hunch, and it ain't more than that. It's been a snag on me since we left town. I know yuh have to search Tubert from one end to the the tuther, but I have the suspicion yuh won't find anythin'."

Toss and the Judge wait. They don't have to ask me to spell it out. They know I'll tell 'em what I need to. "Well, as I said, this lash up ain't trackin' the way it should. They had only one man watchin' the road and he was a no account, a throwaway. Next, it don't take much to see this town knows what's up, but it's jest as true that no one here really knows the details. They've hidden those records somewhere else. They have to be figurin' that when we can't find anythin' we'll jest have to ride back to Bolus. If they're savvy enough to put this plan together, they also know we get only one trip. It's exactly the way the judge jest laid it out. If they can send us back empty, they get the courthouse fer months, maybe years, and maybe forever."

"Yuh're makin' sense to me," says Toss, "go on."

"I'm of a mind to mosey up into the breaks and look around while yuh search the town."

"The breaks," Toss sings out like I'd put a spur in the tender place on his backside. "Hellfire, Jim, yuh could look around there fer weeks and end up lookin' in the same places over and over again. Akus took us on a direct ride through, but he knowed the area. Them sharp little hills cut back and forth for miles up and down the river."

"I had a mind to take Akus along and maybe Santo. Three of us outa yuhr posse wouldn't make any real difference. And it's worth a try."

Toss was hesitatin'. He wanted to go along with me 'cause he'd gotten to thinkin' I was a pretty good hand, but this was rain he hadn't seen comin' and it was bringin' up nuthin' but muddy water. I reckoned I

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owed it to him to give him some more so's he wouldn't think the notion was less brainy than a March hare.

"One more thing, sheriff. It ain't much, but it's worth the air to say it. The other day when Santo, Earl and me was puttin' up the hosses at Sinton's place, we seen some wagon wheels in the barn. And Sheriff, they wasn't regular buggy or hay wagon wheels. They was big ones. They looked like freight wagon wheels to me, but whatever they were, they wasn't what yuh'd expect to see on a ranch."

It hit Toss almost like a shot. "I'll be damned. That fits like an old brandin' glove. The wagon tracks we seen came anglin' in from the direction of Akus's place and that was the same direction as the Sinton place. I'm of a mind to fergit Tubert and take the whole posse up there."

"It's a mite thin fer that," I says. "It might be better fer jest the three of us to go. We can move faster. Then too, if yuh keep the main group here and search the town, it'll look like yuh're doin' what they expect yuh to do. The fuss of yuhr searchin will give the three of us a better chance to slip away without bein' seen. That won't be easy 'cause I'd guess they got someone watchin' the town, and I'd bet a hair rope he won't be asleep."

"Yuhr plan is to keep their lookouts, wherever they are, watchin' us?" asks Toss.

"Somethin' like that."

"Jim, I can see yuh've thought this out. Fer whatever it's worth, I think yuh're right. Are yuh sure Santo and Akus is all yuh want?"

"Any more would jest make us easier to spot."

"Well, go when yuh think the time is right. I promise yuh, my searchin' will give them lookouts somethin' to watch."

Back out with the men, Toss starts givin' loud orders on how we was to group up and how each group would have a part of town, and so on. Pretty soon there were men goin' in lots of directions. I managed to say a word to Akus and Santo and we drifted down the street to the River Cafe. On the way I told 'em we was slippin' outa town and that I'd explain later. Lazy, like we was more interested in eatin' than huntin' fer county records, we slouched in the front door and took a table.

J. Tikit, was inside, and it was plain that he'd been standin' by the windows watchin' the goin's on in the street. Grinnin' at me with the gaps in his teeth, old J. Tikit, says, "I didn't expect yuh back so soon. What'll yuh have?"

"What'cha got?" drawls Santo soundin' like he had all day.

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"Got lots of coffee. Some damn good soup, fresh baked sourdough biscuits, spuds, eggs, fry meat, and some mince pie. Oh, yeah, a kid brought in some fresh black berries this mornin', and if yuh got a taste fer it, I got some rhubarb I could cut up. With sugar and cream, it ain't bad."

"Let's start with some coffee," I suggested. "We ain't in a hurry. We can decide what to eat later."

Santo gets up and stretches. "I need a smoke," he says, "yuh got some fire back here?"

"Sure," Tikit calls over his shoulder while he pours our coffee, "the sulphurs is there by the stove."

Takin' his time, Santo rolls a smoke, fires it, and then peers out the back door and stands there fer a while, lookin' around outside. When he comes back, he nods an okay. I take it to mean that would be a good way to leave.

We sipped and blew on J. Tikit's coffee fer a while. Then, I says, "This java's okay, but I need somethin' stronger."

"Me too," says Akus, jest goin' along with what seemed right.

"Yeah, but if that damned law dog, sees us on the street goin' to the saloon, he'll send us back to Bolus without any hide and without any pay fer this long, dry ride," complains Santo.

"Say, J. Tikit," I calls out, knowin' he's heard every word we've said, "is there a way of goin' down the alley from yuhr back door to the bar?"

"Sure," he laughs, "I do it myself from time to time. Out the door and to yuhr right."

"Well, then, I'm fer takin' a sashay down thataway. The two of yuh wanna go along?"

Akus and Santo gave me a "Yep" and a "Sure, why not."

I made sure J. Tikit saw me put a cartwheel on the table. "Mr. J. Tikit, do yuh think yuh could not see us if that sour damn Sheriff should ask?"

"See who?" laughs J. Tikit.

"I'll recommend yuhr eggs and spuds to the rest of the boys," I promised. "That searchin' is bound to make 'em hungry as all get out."

"Do. Jest do that," says J. Tikit as I went out the back door of the River Cafe.

Lettin' Santo take the lead we worked our way down the alley and found a shed where we could stop and palaver on the best way to get get outa Tubert. We settled on a plan fer Akus to collect the hosses and

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meet us down by the livery. He said he would fuss around on main street about needin' to look to see if his hoss had picked up a rock in his shoe and that the other hosses needed water and whatever else he could think of. We figured that if anyone seen him, they wouldn't think much of it. Not as much as they would if they seen three headin' to the edge of town.

We left Tubert by goin' directly over the edge of the bank and down to the river. The direction was away from the breaks and more toward the river road and Bolus. If by chance someone had seen us, they might have figured we'd had enough of possein' and were headed back to Bolus.

Then, once we were in the river trees, we angled back and took a line that would get us back on the trail to the breaks. Santo was doin' what he knew best, and I was glad to have him settin' the lead. After a while, Akus looks at me and asks, "Do yuh mind tellin' me what in blazes this is all about?"

I wasn't ready to be givin' any attention to explainin' jest yet and Santo knew why. Ignorin' Akus fer the time bein', Santo cuts in with a suggestion, "Jim, I'd guess we ought to stay in these trees fer a while, but we also need to think about where that lookout might be."

I nodded and kept watchin' fer the best place a man could be if he wanted to be able to see Tubert and still have a clear trail behind himself. Findin' the watch point wasn't hard, but gettin' to it was goin' to be stiff hair and belly grease all the way.

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The point of rocks I seen was higher than the Tubert flat. Them same rocks was above the trail which led into the breaks. A man with a pair of faraway eye glasses could see right down Tubert's center street, and, of course, he could watch the natural path that led to the breaks country.

If I was right about the county records bein' parked somewhere among them crazy hills, we'd find a watcher in the rocks alright. Santo and I didn't have to jawbone about the where, and he says to me, "I think I can stand 'em up, Jim. Are yuh up to shootin' 'em down?"

"No choice, Santo. It'd take a soft-footed goat to get close enough to get clean drop on 'em. And since, we can't have him on our back trail, we gotta bring him down. Yuh think there might be more than one?"

Akus spoke joined in by offerin' his services, "I got a rifle, and I can usually hit a snake when I see one."

I found me an aimin' place where I'd have a clear shot. Akus did the same a ways a way. Santo nodded that he was ready and started up through the brush toward the rocks. Watchin' him slide through the scrub larch and past them onto the stone shelves of that little hill, I was glad I was at the bottom with my Winchester and not on the top lookin' down at Tubert.

It wasn't long before we heard a rattlin' and slidin' sound. A hat, then a head came up from the top of the rocks. Whoever it was was tryin' to peer over the edge at somethin' below. Near the top, Santo stands full up, then he goes down. The hat and head came further up followed by arms and a rifle. Santo musta been showin' himself, and I knew there wasn't time to wait fer a better shot.

The shoulders are in the notch and I squeeze the trigger, knowin' from lots of years carryin' and firin' rifles that quick is usually a miss. The crack of my Winchester is loud and the noise hammers against the ground. The butt plate shoves at my shoulder as I watch over the top of my sights and see the watcher whip down outa sight. Then, I hear his rifle clatter against the rocks. It's a little sound and seems far away.

We wait. In a few minutes Santo stands up and gives us a wave. Since we wern't snakin' up the hill, Akus and me made it in a jest a few minutes. Sittin' and leanin' against a rock, Santo smiles, "I guessed yuh could shoot, Jim. Now I know yuh can. If yuh hadn't fired when yuh did,

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he'd a got me. I was full open." Holdin' up a leather case, Santo says, "I borrowed his faraways. He won't be needin' 'em any more."

There starin' at the clouds was the one we'd learned to call Huttle. "I'll be damned," breathes Akus. "That's the one we was after the other day, Huttle. He's the one that had a gun to the judge's head, and the same one that plugged the kid and one of the Bolus men."

"Huttle?" shrugs Santo, "Well, I guess a kid-shooter can call himself anything he wants, until he gets his waddle cut, then, he shouldn't be called nuthin' but dead."

"But he's the one we all thought was the pullin' the strings on the courthouse raid," puzzled Akus. "It's funny, he'd be on the lookout, and by hisself."

I agreed, "This whole shebang is off center, if yuh ask me, but with some luck, we might get to the bottom of it before too much longer."

Akus, tuckin' his hands in his belt, says, "Now that we ain't watchin' fer someone who was watchin' fer us, maybe yuh'll let me in on what's goin' on here."

It was only fair to let 'em both know some of my thinkin' so we moved down off the top of the hill outa the wind and outa the range of Huttle's dead eyes. "While Toss and the others is down there makin' a ruckus about searchin' Tubert fer them County records, our job is to find 'em up in the breaks. Leastwise, that's where I think they're hid."

"Searchin' that country'll take more than the three of us and a hell of a lot more time than we got this year or next," says Santo. But it's jest talk poppin' outa his head, because he knows there's more comin' from me.

"It might not be so much a job as yuh think," I argued, "First, Akus knows the area. I'm hopin' that means he'll have some ideas about where we should be lookin' and where we shouldn't be wastin' time. Next, them county records are heavy and them wagons have to be loaded down to the straps. If we can pick up the track, the rest should be simple enough."

"Sounds possible," agreed Akus, "but where do yuh suggest we start lookin' fer tracks?" I hold back fer a minute, and pretty soon, Akus and Santo both give me a look. They knew somethin' was comin'. Santo figured it out quick and gave a low whistle. There wasn't any way of sayin' it sideways.

"I think we'd best do our lookin' around the Sinton ranch."

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That hung in the air fer a minute. Akus didn't howl out anythin' or even get mad. "Can yuh turn up the wick on that a mite, Jim."

It was the first time, Akus had called me much of anything, let alone by my name, and the way he said it, made me wish I hadn't been the one to carry the news. But, his long, sober face also told me that this wasn't comin' as a great surprise to him.

"Mostly, it's the fact that when we was headin' back to Bolus the other day, the wagon tracks joined the Tubert raiders from somewhere in the direction of yuhr ranch. I'm guessin' they turned back that same way somewhere off the Bolus road."

"I'm thinkin' there's more," says Akus.

"The other evenin' at yuhr ranch, Santo and Earl noticed a wagon wheel. A big one, Akus. The kind yuh might expect to see on a heavy freight wagon."

Akus lets off a long sigh and his mouth turns down. Fer a couple of minutes, he stares off in the direction of the broken land we called the breaks. Still not lookin' at us, he says, "I guess yuh can tell, I ain't surprised. My brother, Sinton, has gone through life crosswise of other people, of the law, and even his own family. I've been lettin' him live on that ranch along the river only because of Bess. If yuh're right, it'll mean he's took advantage of me again, and that I'm a fool fer lettin' him."

I wanted to ask about where the girl might fit in, but decided to leave it fer later. And, right now, Sinton bein' part of the record stealin' was jest an idea, stronger though because of dead Huttle.

"Then we're off to Sinton's place?" says Santo.

"I reckon we are," answers Akus, his thin voice soundin' almost the same as the wind that was brushin' through the rocks and the trees. Both was sad and lonesome, and both was goin' from one place to another, and neither was sure jest where they would stop.

Ridin' that chopped up and hatched up country wasn't easy even with Akus guidin' us. We made one wrong turn, but it didn't cost much time 'cause Akus caught it right off. It was gettin' on in the afternoon when we hauled into sight of the buildin's at the ranch.

It was almost like seein' the place fer the first time. Before, we'd ridden in under dark and had left in mighty weak light the next mornin'. There was the Bolus road on the other side, two tracks that wound around a hill and disappeared. The barn was smaller'n I remembered it bein'. The corral's fence was almost round and looked to be strong and tight. There was a harness shed, and next to it a mound of dirt that had

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the shape and look of a root cellar. The bunkhouse was almost square and was set over by the barn and corrals.

The house had been built near some sizeable evergreen's that had spread out in a fan shape from the side of a hill which was close by. The front porch looked out at the ranch yard and at the road. There were two wings runnin' at angles away from the kitchen and sittin' room area. I have to say everything was pretty well laid out, and it gave the look of bein' a decent workin' ranch.

"If we ride in now, and it looks like Sinton is mixed up in this, one of us would have to stay and keep an eye on him." I says. "So let's scout around some first."

We circled the ranch buildin's until we came up on the road. Then we spread out on both sides of those tracks, and, ridin' at a steady pace, followed it, watchin' the ground. It was discouragin', 'cause the ground was pretty hard and it looked to me like the wagons could have used the road without leavin' a track.

After a while, we left the road and made a wide swing toward a line of hills that looked like they would be good cover. Nuthin' but prairie grass, cow leavin's, and a few black magpies flappin' their snow white wings and swoopin' over havin' a look at us. Off in the distance, I seen a coyote lopin' along, his head down tryin' to make hisself look like nuthin' we'd care about. Right then I woulda given him our smart button, 'cause he was a mile ahead of us in thinkin' because he seemed to know where he was headin'.

Back we went, cuttin' back across the Bolus road. Swingin' around the other way toward a dry creek bottom. We rode down and looked at the sand which hadn't seen runnin' water in a long time. Goin' on, we had a look at the far side bank and found as much as we had where we'd already been.

We pulled up fer a pow wow. "Any ideas?" I ask.

"Naw," growled Santo, "but this ain't puttin' meat on the fire, that's fer sure."

Lookin' around, Akus agrees with him, "This ain't very promisin'. And seein' that they probably didn't use the road, we're probably jest wastin' time now. And like yuh can see, there are a hundred places they coulda wheeled them wagons through here."

Lookin' up at the sky and givin' his hat a tug, Santo says, "It's too bad that snow that's comin' is a day late."

"What'll Toss do when we don't get back by dark?" ask Akus.

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I explained that Toss knowed we wouldn't be back this day. "He figured we'd be on this side of the breaks at sundown." He'll stick close to Tubert, maybe they'll make camp at the livery."

"Or in the new courthouse," chuckles Santo.

We decided that we should make a try at the ranch. And feelin' as how Mr. North Wind had got pin-sticky cold, gettin' outa his way fer a while made the ranch seem like an extra good idea. South wasn't one of yuhr run-to-the-barn hosses, but he agreed, it was time to get outa the wind, so I jest pointed him back the way we had come and he did the rest.

Naturally, we was careful in comin' up on the ranch house. No man, if his mind peg is in the right hole, rides up too fast on another man's place. Sittin' off a ways, Akus calls out, "Hello, to the house. Anybody home?"

Fer an answer, the house's front door swings open and Akus's niece steps out. She's holdin' a scatter gun, but that was jest because she'd picked it up when she heard us ride in.

"Akus?" she calls out.

"Yeah, it's me, Bess."

"Lite, and come on in," Bess calls to us.

That warm kitchen felt mighty good. We'd slapped the trail dust off on the porch and were as respectable as yuh can get in a half minute after bein' hossback most of the day. Akus makes us known to her again. "Bess, yuh remember Santo there and JimTamp."

"Sure. What brings yuh back this way?"

"Doin' some huntin'. But if yuh happen to have hot water, maybe yuh'd drop in some grounds so's we could have some coffee."

She was started on it before Akus even got the words outa his mouth. "Sinton, around?" asks Akus.

"Not since early this mornin'," she answers, "He said he wanted to ride the line along the river and drive any stock there down before snow flies. It's probably a good idea since it feels like snow to me."

"We'll get some," Santo says from the sofa where's he planted hisself.

Lookin' at me, she says, "Well, have a seat, Mr. Tamp. Anywhere yuh feel comfortable."

I'd forgot I was still standin'. She musta thought I was one of them punchers that was slow and needed to have things explained. The table looked like a good place, and since it gave me a place to put my hat, that's were I went.

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"Sinton say when he thought he'd be back?" asks Akus, takin' a cowhide covered chair by the stove.

"Nope," she says smilin' at Akus. "Is it important?"

"Might be."

"I hope, it'll keep."

The coffee grounds she had dropped into the boilin' water had settled enough to pour and pour she did. First a cup fer Akus, then one fer Santo, and finally one fer me. Settin' the cup on the table, she gives me a polite smile and says, "If yuh're plannin' on waitin' fer Pa, yuh might as well take them coats off."

Right then and there I woulda thanked Huttle and his whole crowd fer stealin' them county records. If folks hadn't been hurt of course. That was the best tastin' coffee that ever found a cup. Bess talked about the comin' bad weather, she fussed around that big, high legged stove, and she kept Akus talkin' about the kind of nuthin's that such a girl can hang on an uncle

But even that started draggin' after a while. Finally, she said she had chores to do and started pullin' on a red and black checkered wool coat. "Them hosses will need tendin'," she says. "But I haven't asked if yuh're stayin' the night. Are yuh?"

"Seein' that it's startin' to get dark, and 'cause we got to talk to Sinton, we'll stay," Akus tells her, puttin' his cup down.

I was on my feet. "Keep yuhr seat, Akus. I'll settle them hosses in the barn." To Bess, I says, "And I'd be obliged if yuh'd let me give yuh a hand with yuhr chores. I expect it's gettin' chilly out there."

"There ain't much to do, Mr. Tamp, but I won't turn down help."

South and his friends didn't object to goin' in the barn and they each took a can of grain without objection. The same fer water and a helpin' of grass hay. While I was doin' that Bess busted up a party the chickens was havin' around the door of the chicken coop. They had been ready to go in fer the night, but had got into a "to do" with a guinea hen. They all needed some firm direction to settle their differences, and they got it from Bess.

I helped her feed the buggy team and a sorry old hoss she said was full retired. Lookin' worried she tried to call a couple of dogs that had excused theirselves around noon to go huntin'. Guessin' they might be late comin' home, especially if they had got outrun again, she left one of the small doors open enough fer 'em to slip in and left 'em some scraps she'd brought from the house.

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Our last job was to throw down some grain and open the door fer a Guernsey cow that was waitin' her turn. That cow gave me a suspicious look, but finally went in and let me lock her head in the stanchion. The milkin' went fast with the warm milk smell fillin' the barn. Finished, we let the cow out and dumped some milk in a pan fer a cat that wasn't comin' out to be seen by any stranger. I carried the milk and we headed through the dark back to the house.

Steppin' up on the porch, Bess stopped in the light that was siftin' through the windows and turned full on me, haltin' me in my tracks. "What's Pa done now," she asks.

I tried to think of somethin' to say. Mostly my head told me this kinda talk should come from Akus. "It's gettin' a mite cold out here, Miss Bess."

"And it's goin' to get colder, Mr. Tamp, the longer we jest stand here. Now I'm askin' you because Akus will jest "hum and haw" ferever. Yuh see, I've gone through some pretty bad whirly jigs with Pa before. And I guess I knowed before yuh rode in that he was gettin' into somethin' again. I aim to know what it is."

Listenin' to her, I knowed she wouldn't be moved until she had some answers. Standin' there on the porch, Old North W. couldn't hit us directly, but he was whooshin' around the corner and blowin' some of her hair first one way and then the other. She jest brushed it back and kept them eyes on me. The light from the window made 'em glint, but there was lots of carin' and worry there, too.

There wasn't but one way to say it and that was direct. "Yesterday, the county records was stole from the Bolus courthouse and the buildin' itself was burned. A couple of folks was killed in the doin' of it."

"Yesterday," she frowned, "but yuh were out here the day before yesterday and were on yuhr way to Tubert."

"That's part of it, but I haven't figured out jest how." I explained about Huttle and his big ox friend, and told her how we'd had been on their trail the day before the courthouse was fired. I went on and told her about the wagons and finished by mentionin' the wheels we'd seen in the barn.

"Yeah, I seen 'em too. That's one of the reasons I figured pa was into somethin' again. I seen the wagons too, they jest rolled in here one day about a week ago. Pa told me they was some freighters that had taken a jog outa their way. I wondered about it at the time, but we was

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busy brandin' and roundin' up stock so I wasn't here at the house much. When I came home one evenin' they was gone."

Bess slowed at that point, thinkin'. "As a matter of fact, they pulled out the day before yuh rode in here. That'd be day before yesterday. Yep. It sure enough fits. The only think I don't understand is what Pa is doin' gettin' mixed up with courthouses and stealin' papers and such." We was quiet fer a minute, each thinkin' about that. As fer me, I was also wonderin' how Tommy Keeton fit into all this. I hadn't mentioned Tommy to Bess, thinkin' that was a story fer another time.

Even in the weak light I could see she'd had enough fer a while. Her face was soft, but I could see flint there too, in her eyes. All of a sudden she says, "Yuh're right Mr. Tamp. We'll freeze jest standin' out here. When Pa gets back, we'll have some answers. Fer now, we need somethin' hot to eat."

Inside, Santo and Akus was gabbin' about somethin' that had happened a hundred years ago. They didn't pay us a lot of attention, and that was jest fine with me.

When their yarin' slowed down, Akus asks, "Chores done?"

"Yep," she says, bustlin' around the stove, "Mr. Tamp, was a mighty big help."

"I see it's gone plumb dark out there," says Akus, "I wonder if Sinton holed up somewhere? Maybe at one of the line shacks."

"Could be." She kept right on with her cookin', but adds, "Or maybe he's keepin' an eye on them county records he stole."

Akus gives me one of them thin stick looks of his, and I know he's fixin' to lay some talk on me. But Bess pitches in and puts a whoa on him. "Hold up, Akus. Don't be puttin' any blame on Mr. Tamp. He jest did what shoulda been done the minute yuh came walkin' in here. He told me what I wanted to know and should know. We both know that Pa's like a lodestone when it comes to trouble. He attracts it, and it attracts him. Trouble comes to him like water finds the bottom of the hill."

Akus musta seen somethin' mighty interestin' on his boots 'cause he looks down and jest sits that way while she's havin' her say. He knows that Bess is right, and he's probably wishin' he'd spoke up right off.

Goin' head on at the problem, Bess tells us, "If Pa's done wrong, he'll have to settle up his accounts with the law. I ain't no law bug, but that don't change right and wrong does it?"

It didn't take much to see that Bess was close to bustin' wide open. I wanted to say somethin' but fer the first time in a long time, words wouldn't march up and take their places fer me. And I was mighty

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disappointed in 'em too. At the same time, I was jest as leave they wouldn't show up, cause if they had come I woulda said 'em and most likely used the wrong ones.

That kitchen got awful quiet. Akus didn't give Bess an answer, but everyone knowed it was the kind of question that ain't really a question.

She kept on workin' up some supper, but the quiet was too heavy fer me. I went over and in a voice that sounded too loud when it first came out, says, "There ain't a cook between here and Texas that will let me close to the fire while the fixin' is goin' on, but there ain't one ever turned me down as a carry and fetch hand. Now, what can I put on the table fer yuh?"

Up close, I could see she was about to flood, so I jest took what she handed me and put it on the table. To keep it from gettin' too quiet again, I spoke to Akus and to Santo. I told 'em how empty I was. I ask if they was goin' to eat or jest chaw on their teeth. I told 'em what was fer supper and finally ordered 'em up to eat.

It worked, the ice was busted and easy talk came back to the room. On one of my trips to the stove, Bess says in a quiet voice jest fer me, "Thanks, Jim." Seein' what musta been one of my gawky, surprised looks, she asks, "It is 'Jim' ain't it?"

Thirty miles of grass in May! Nuthin' coulda been more grand than that meal, even with Akus and Santo there. Leastwise, I guess they was there. I hardly noticed.

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Mornin' light showed what Mr. North W. and a tad bit of snow could do. The fences, the trees, the hitch rails, and everythin' that had an edge or a top-side was glistenin' silver even in the before dawn light. Naturally, the sun was anxious to get up over the edge of his lower world and join in. And when he did, he was mighty pleased, and he showed it with so much bright and white that the world blinked and squinted at the whole show.

It wasn't much of a snow, but it was a sure sign that real winter was close by makin' his plans. But this little skiff, by itself, was the kind of thing that would be gone by mid mornin'. About the only thing it was good fer was lookin' at and makin' the livestock onery. The snap in the air also makes breakfast eatin' one of the best times of the day. This mornin' weren't no different.

Over coffee, we started talkin' about how we should start our searchin' again. Akus was scratchin' his head and tryin' to tell us about places he could remember, but he wasn't havin' much luck since he hadn't worked this range, leavin' it to his brother, Sinton, and Bess. Santo said the snow wouldn't help none unless some one had traveled in it since it fell, and that wasn't likely.

I was helpin' Bess with her kitchen work while I listened to Akus and Santo, but I finally run outa things to do and decided I had to join 'em at the table. I didn't see a hand wipin' towel so I reached into my hip pocket and pulled out my hanky. With it came a little leather pouch which plopped down the floor.

Fer a minute, my mind was bare ground. I wondered how in Tut I'd come by that. But when I picked it up, I remembered it was the one I had took off Tommy Keeton. After promisin' to give it over to the Sheriff, things had got rollin' pretty fast and I had plumb forgot about it. I remember thinkin' it was a tobacco pouch, near empty.

But pickin' it up again and seein' it fer a second time, I wondered what it really was. It didn't have the feel of tobacco, or anythin' else I could think of.

"What'cha got?" asked Akus, seein' me fussin' with the sack.

"I don't rightly know," I shrugged. Sittin' at the table, I held the pouch in my hands and turned it over, kinda admirin' it. There weren't any closin' string 'cause it was held shut jest by foldin', and yuh had to unwrap it by peelin' it outa the flaps. I'd seen cattle buyers carry money in this kind of rig which they called a 'bill folder.'

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The others was curious and they watched while I opened the thing up. As I was turnin' it in my hands a stubby little piece of soft writin' lead dropped out. Reachin' in, I found a folded paper. It was dirty on the outside from rubbin' on the lead and its edges had been pressed so tight the paper coulda been tore in four pieces easy.

I unfolded the paper and laid it out on the table. It was about the size of a man's hand, maybe jest a figit bigger. There weren't no words, jest lines. It didn't take a school marm to figure out that it was a map. The only question was, 'what was it a map of?'

Santo says, "Jim, I didn't know yuh was map drawer."

"Why would yuh be makin' a drawup?" asks Akus givin' me one of his thin frowns.

"I haven't been."

I get a, "Hum," from Santo, whose sound makes it clear to me that he's doubtful.

I didn't know that Bess had been lookin' over my shoulder, so I was surprised to hear her speak up, "That's a drawin' of the Feeder Box Park."

"Feeder box? What's that?" I ask.

"It's a one of the main sections of the breaks. But it's divided into little flats that folks call 'parks.' Because those pockets or parks are lined up one right after another, it makes yuh think of a long feed bunk that's been divided into smaller pockets. The kind of thing yuh do to keep hosses from fightin' over oats."

Goin' on, Bess describes the rest of the map fer us. "See there," she points at a bottom corner of the drawin, "that "B" must mean Bolus. The T up here near the top has to be Tubert. This line is the road. There's the fork and that little square is our ranch. Here in the center, between our ranch and Tubert is Feeder Box Park. It's two, maybe three, miles off the trail yuh rode goin' to Tubert and back. And look there," Bess points at one of the small places in that Feeder Box, "one of them pockets has a little mark in it."

"If yuh didn't make this drawin'" puts in Akus, "where did yuh get it?"

"Outa Tommy Keeton's pocket."

"Tommy Keeton," Bess says, surprise showin' in her face and in her words. "Why he's the young puncher that helped us finish roundup. He was here only a week or so before he rode out."

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"I'd guess Tommy Keeton did some ridin' through that Feeder Box Park area. And he musta liked it, seein' he made a drawin' of it." Santo didn't see the connection.

Akus and I did. The two of us remembered that Huttle and his pard had been demandin' to see Tommy Keeton the day they came bustin' into the Bolus courtroom. Akus and me looked at each other. We was wonderin' the same thing, namely if this little fold up pouch was the reason Huttle had been lookin' fer Tommy.

There was some other questions that needed answerin', but fer now, we had somethin' that was better'n nuthin'. I laid out where we stood, "We know that Tommy worked in this area, in jest the last couple of weeks. Add to that, our notion that them courthouse records may be hid somewhere in the river breaks. There may be a link up or there may not be, but seein' as how we don't have a line on anythin' else, I think we oughta have a look at this Feeder Box Park."

"I reckon a paper sign can be as good as any other trail sign," drawls Santo. "Sounds like a possible to me."

"I agree," says Akus.

"Yuh'll need someone to show yuh the place and to help yuh read that drawin'," Bess tells us, goin' to the hangin' nails by the door. She takes down her coat and pulls it on. "Are yuh ready?"

Thinkin' of the rough things that we'd had to do already and that worse might be around the bend, I had wanted to close the gate before that girl could get out. It was probably too late, but I tried anyhow, "Maybe yuh should stay around here seein' that yuhr Pa might show up any time."

She threw that one away without even thinkin' about it, "I think we all know where Pa is. I've got a better chance of seein' him if I ride with you, than I would if I stayed around here."

"There could be some shootin'," I began.

"Good, I'll take my trusty Henry rifle. Anybody that shoots at me will get back as good as he tries to give."

Akus and Santo had already gone out the door. I guess they knowed from the beginnin' that Bess would ride with us. So did I, but I decided to give her somethin' to think about, "It is a good trail that runs both ways and has no end." I'd heard that from an Injun friend of mine who'd ridden with a trail herd I'd worked on. It didn't mean a thing to me, but it sounded might purty and, once in while, I'd pull it out and lay it on someone when serious was gettin' too serious.

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Squintin' at me, suspicious like, Bess asks, "What does that mean?"

Givin' her a deep, serious look, I says, "I ain't got time to get into that jest now, but yuh might give it a good thinkin'."

I got only somethin' that sounded like a "Harrumph," from her as we went out the door.

And she did take that old Henry with her. Hangin' in that slick rifle boot, it looked like it had done some serious work and could do a lot more. And Bess looked to me like she knowed lots about how to make Mr. Henry talk.

It didn't take us long to get back into that busted and cut up country. I suppose yuh could ride through that country every day of the year fer a long time and never really feel like yuh knowed fer sure where yuh were, 'cause them sharp sided hills all looked the same. The snow coverin', which was already beginnin' to disappear on the sun facin' sides, made me feel like I was ridin' down a valley between two different ranges of hills, white ones on my right side and dark brown ones on my left.

Akus and Bess were doin' the guidin', and we made good time. I had the feelin' we was goin' back the way we had come, but I couldn't be sure, 'cause every one of them mean lookin' dirt hills looked jest like every other one. It was like ridin' night hawk and not bein' able to tell cows from steers or brown cows from spotted ones, or worse, not bein' able to keep an eye on the mean ones with sharp horns.

After a time, we took a sashay off the main bottom and took a line toward what I guessed was this Feeder Box Park. I was right 'cause pretty soon Akus and Bess hauled up and sat on their hosses lookin' around. Pointin' ahead, Bess says, "Them little box parks that we seen on the drawin' are up ahead about a mile or so."

I'd been watchin' fer wagon tracks and noticed that Santo had been doin' some keen lookin' too. "Is there another way of gettin' in an outo of her?" I asks.

Bess answered that right off, "Sure. Yuh could come up from the river. That's close and easy and, as yuh know, Tubert ain't too far once yuh're down to the water. Then yuh could come in over the prairie. It's a mite longer but it's lots easier travelin'."

Even as she spoke, she guessed what the rest of us was thinkin'. I said it fer the others, "If yuh was rollin' heavy wagons, yuh'd take the level drivin'."

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Pointin' ahead, Bess says, "And I'm bettin' that if we ride on up to the foot of that hill jest ahead, we'll find wagon tracks comin' in from up above. There's a wash there that takes yuh right up outa these breaks. It'd be jest right fer a wagon road, probably rough, but passable. Two years back, we used it to shove some cows outa these bottoms."

Takin' it slow and careful, we moved up. Before we made the swing around the bottom of that hill, I held up. "Before we go ridin' into somethin' that'll be too thick to stir, I'm of a mind that Santo and me oughta take a walk see."

We swung down and, leavin' Akus and Bess there to wait, we led South and Santo's bronc over closer to the cover of the hill. Then followin' around and stayin' on the flat ground at the foot of the hill, and stayin' in close and tight, we worked our way around the bend.

By Aunt Min's tin roof! There was the whole kaboodle, close enough fer me to have hit 'em by throwin' a rock. Two wagons, big enough to carry lumber, were pulled up, one behind the other. Their thick double tree riggin' was hangin' down empty, but the teams was right there, strung up to a long rope hitch which ran from one wagon to the other, jest the way freight wagon drivers like to hold their teams.

In a rush we dropped back a ways until we found a notch in the side of the hill. We left the hosses there behind some brush and climbed up the side of the slope. Keepin' high on the side of the hill, we worked our way back around and looked down. There were the wagons, below us now. Further back on the bottom of what was a little box canyon, or as Bess had called it, a "pocket," was some tents, two picket lines of hosses, a campfire, and a half dozen men sittin' around drinkin' coffee. A few more were doin' camp chores and one was standin' and shavin', usin' a glass hangin' high up on a tent flap.

"Jest lookin' at 'em, yuh'd think they was a passel of settler's," whispers Santo.

"Yeah, plumb peaceful, " I allows, "But don't it tickle yuh'r whiskers that they don't seem even a tad bit worried about bein' disturbed. The way they're loungin' around, an army could ride all the way into camp before any of those rascals could get up off his bottom."

"I'm afraid yuh're right, Jim. They must have a guard out there somewhere, and we either missed him or he missed us."

Lookin' again at the man scrapin' away at his face, I remembered that our first job was to get word of this to Sheriff Toss. These were his county records and his record thieves.

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But, it only made sense fer us to scout the place, so we took another long minute to get the lay of the camp. It was good camp and one that had been set up to last fer a while. The fire was rocked in and off a ways there was a good sized stack of wood. The water barrels, four of 'em, were lined up not too far from the fire. The burtle pot was steamin' and gurglin' away, and some of the men was still eatin'.

Then jest as we was startin' to ease back, there was a hullabaloo down in camp. At first I though someone had seen me, but no one was lookin' up. Instead, they was grabbin' rifles and handguns and lookin' down at the openin' of the pocket toward the wagons.

Into that hill pocket, came Akus and Bess, ridin' in front of a jasper crookin' a rifle in his arm. "There's yuhr guard," says Santo.

"One of us has to scat fer Tubert and bring Toss and that posse, quick," I says.

"If they had found the hosses, they woulda brought 'em along," guessed Santo.

"My hunch is they'll send someone back to take another look, and they'll probably find 'em."

Santo grunted that he agreed with that. We both knew that meant we'd better scoot outa there, fast. But I wasn't keen about leavin' Akus and Bess down there, and I also had a notion there might be some camp movin' goin' on pretty soon.

We scampered back down and around the hill to where we'd left the hosses and found them still there. South and Santo's hoss was chompin' on some grass they'd found under the bushes. South didn't mind seein' us 'cause he thought it meant work, and he was gettin' hossy about jest standin' around.

"Santo," I says, "it only takes one to fetch the Sheriff. One of us should stick close and keep an eye on things."

He agrees, "I'll do the ridin' and you do the watchin'."

"Fer a while, I'd be better off on foot," I tells him, "If I remember, there's stand of scrub about a mile back. That'd be a good place to leave South."

In a whirl they was gone. Standin' there alone, I started thinkin' that maybe I shoulda gone along, but then I remembered Bess and Akus back in the Tubert camp and knowed that leavin' wasn't really a choice open to me. Santo had knowed before I did that I'd stay.

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Perched back up on the hill, I used the faraway glasses that Santo had left with me and got a good look see at the camp. There was a group of men standin' around talkin' and I guessed they was gettin' loud.

There in middle of the whole thing was Akus and Bess, jest standin' and listenin'. It didn't take long to spot the one that was doin' the most talkin' and carryin' on like he was in charge. I wasn't surprised that it was Sinton Weaver hisself.

In another couple of minutes, my guess that they would scout out the area, turned into four men on hosses. With Sinton yellin' somethin' at 'em they went gallopin' outa there with search written all over 'em.

There was lots more talkin' and some arm wavin' before the meetin' broke up and the men began driftin' back to eatin' and sittin' around doin' camp work. Akus and Bess ended up sittin' down close to the fire, but the same man that had brought 'em into the camp sat down a ways away still holdin' onto that rifle. Sinton talked fer a while to a couple of men, then he came over to the fire and talked fer a time with Bess and Akus.

It's hard to know what a man is sayin' when yuh can only see him. But Akus and his brother was goin' at each other somethin' strong, I could tell that much. Bess had her back turned to my direction, but with her head down and her shoulders bent over, I guessed she was feelin' like she had fell into the left side of awful.

Sinton waved his arms at Akus somethin' fierce. Then Sinton hollars somethin' at the rifle guard that makes him sit up straight and pay more of his attention at the two he was guardin'. Takin' three of the men with him, Sinton walks off in the direction of the wagons. Parked the way they was, they were a walk outa the main camp back toward the mouth of the canyon.

Followin' them with the faraways, I could see Sinton stop and gab with the ones that was with him. Then, they divided up. Sinton and one man in one wagon, and the other two in the second wagon. They pulled back the canvas covers that had been laid over the wagon boxes and started fussin' and shufflin' down behind the wagon sides.

That was interestin' enough to get me to go back around the hilltop a ways and climb a mite higher. From there I could see down into the wagons. They was full of stacks and piles of papers, little boxes and thick heavy lookin' books. But what was more interestin' was that someone had been sortin' through all them papers and had been movin'

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the sorted stuff to one end to keep it separate from the unsorted. It was easy to see that's what was goin' on again.

Usin' them faraways made my eyes blurry and tired, so I takes a rest and tries to figure jest what was goin' on. It was easy to figure they was lookin' fer somethin'. But what was it and was that all? Lookin' back down into the wagon boxes, I could see that in each one the cullin' had given them a few papers which they kept separate. Then I realized they was changin' the papers somehow by writin' on the ones they had saved out. Changin' county records! Them dirty wheels!

Whether yuh put in with lots of law or not and whether yuh read and write or not, county records is somethin' special and the changin' of 'em jest seemed to me to be worse than givin' a wrong herd count at trail's end. That helped explain why they had stopped off with the wagons rather than go directly to the new buildin' in Tubert. Not only was Tubert goin' to be the new county seat, it was goin' to open fer business with records that said what the record thieves wanted them to say.

I knowed it was a safe bet that descriptions of land, the writin' of who owned what and where ranch lines were supposed to be, was bein' changed. Maybe some taxes was bein' paid too, and bank loans were more'n likely bein' paid off.

It was hard fer me to guess what else they was doin', but I didn't need help knowin' it was as wrong as a dirty boot in church. If Bolus ever got the county records back, it would take a heap of swearin' and testifyin' in Judge Dunstan's court to get everythin' set right, and it might be that every one of them cheatin' lines that was bein' writ under my nose could never be fixed. Innocent folks might lose out from this and that idea almost made me jump up and go down there blazin' away.

Thinkin' about how things was set fer now, I reckoned that Bess and Akus had kept buttoned about me and Santo. They could make a convincin' case that they had come ridin' out lookin' fer Sinton and jest happened into the camp area. Sinton and the others must have bought that story or somethin' like it, because they wasn't bustin' camp, nor was they settin' things up fer a shoot out with Toss and a posse. Until Toss shows up, that gives me an edge.

That much was good to know, but I'd have to be as careful as a bee settin' down on a Trimly flower if I did anythin' at all. If I tipped 'em off, Toss would lose a chance to trap the whole passal and more men might be shot than was necessary. Fer the time bein' there wasn't nuthin' to do except sit tight and watch.

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After the watchin' settled down to pure tiresome, I started figurin' ways of usin' Toss's posse to take the whole crowd without startin' a war. That plannin' didn't get far down the trail. All of a sudden another hollarin' and whoppin' up started again. It wasn't hard to see why. The scouts that Sinton had sent out had found old South and they were ridin' in with that damn galoot in tow. 'Course he was the center of the whole show, and watchin' him with the faraways, I could see him makin' a fool of hisself, thrashin' up to the fire on them knobby knees and throwin' his head like he'd jest done somethin' real proud.

Well, them Tuberts was like a herd that had jest smelled smoke. They was on their feet and ready to run. They didn't know where, but they had their water up and was waitin' fer someone to make a move. Sinton and his county record changin' snakes came a'runnin' from the direction of the wagons.

There was more arm wavin', and it looked like a lot of back and forth between Sinton and the others. He musta gave orders because everyone started gettin' ready to cut outa there. That meant grabbin' war bags and saddlin' hosses. They meant to leave the tents and whatever else was heavy and would have took time to load.

Sinton sends some men back down to the wagons. I reckoned they would be hitchin' up and pullin' outa there in short order. It looked like I was about to be left behind and on foot. Never bein' one to walk much, I started lookin' fer a way to catch a ride. Mr. Knothead South was hangin' close to the other hosses, and I knowed he'd run with 'em when they left. The same tune played fer the pack hosses that had been used to bring in the tents and heavy stuff fer the camp. My feet were already achin' jest thinkin' about walkin'.

Once more I scrambles around the top of the hill to my wagon viewin' position. Then I slides down closer to the action and real close to the wagons. I could see that the canvas covers was back in place, the teams were in their traces, and they was ready to roll. From there, I didn't need the faraways, and could even hear the yellin'. Hunkerin' down behind some bushes I waited. It wasn't long before the main body from the camp came thunderin' up and hauled to a stop by the wagons.

I could hear Sinton hollarin', "Put Bess and Akus on them wagons. Remember, we're ridin' fer Tubert. The sheriff and his posse most likely know where the camp is by now, so we'll go around the main trail. Those of yuh that I named will stay back and cover us. All yuh need to do is keep 'em off our tail and give us enough time to get to the

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courthouse and inside. Once we get there, the whole town will back us. Holdin' 'em off will be kids play. Let's ride!"

The men on hosses whipped outa there and headed down the trail. 'Cause the wagon's had to make a wide turn and 'cause they was so heavy, startin' them took more doin'. That gave me my chance. I slickered down outa them bushes, and as the second wagon rolled by, I was up and runnin' and, because it meant ride or walk, I was fast. I grabbed onto a tailgate brace and hauled myself up to where I could lift the canvas and spill myself into the wagon box.

So there I was. Floppin' around with county records slidin' on me, under me, and ever'where. It was bounce, slam, bang, and lots of ouch. Finally, I managed to get myself braced and got some of them big record books arranged around so's I began to think I might keep from bein' knocked silly by Township such and such or by the Wedding Book, which wasn't so big as it was jest threaten' lookin'.

There hadn't been a whoa up or a yell, so I figured I had made it without bein' seen. But this wasn't my idea of how I wanted to spend the next couple of hours. I worked my way up toward the front of the wagon box and, bein' careful, took a peek out to see how things was goin'. Our wagon was the last thing in the whole parade. The riders was up in front, almost outa sight. The other wagon was a couple of wagon and team lengths ahead of our lead hosses. Right above me on the seat was the driver. And by jingo! Sittin' there holdin' on, lookin' like the hen that had fell into the water trough, was Bess.

By the way I ticked up the sum, that driver had my place. I stood up, and reached forward with my six-gun, and, with a good swing, laid the barrel alongside his head. He directly went off to sleep. I grabbed him and pulled him back over the seat.

Bess's eyes flew open and with a snap were almost the size of one of Aunt Min's china saucers. Then she knowed right off what she had to do. She snatched them lines up to keep 'em from fallin' down into the traces. While she handled the drivin' fer a minute, I borrowed the driver's coat and hat and then climbed up on the seat. She let me take the lines and while we was makin' the swap, gave me a smile that beat any I'd ever seen before.

Up ahead, I could see the front wagon rollin' along, swayin' from one side to the other. It looked to me like Akus was on the seat of that rig alongside a driver that was leanin' forward, sawin' and tuggin' on them lines.

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We made good time and it wasn't long before we came up to the main trail through the breaks. Right after that, we swung onto another trail that took a different line from the one we had been on. I imagined this was Sinton's way of avoidin' the posse he guessed was comin'.

That trail jest got worse and, then, real bad. The hills closed in on both sides until there wasn't room even fer much air between the sideboards and the hills. That was fine with me, because it kept down the odds of someone from the rider's group droppin' back on us fer some reason or other.

Leanin' close, Bess says, "They been changin' the county records to add land to ranches near Tubert and take some away from places back around Bolus."

"I know, I watched 'em doin' it from the top of the hill."

"My father has been at the bottom of it from the beginnin'."

I didn't wanna give that one an answer, so I jest gave it a nod as though it was a new brand to me. I was glad to be busy with the team.

Wipin' at her face, she goes on, "Jim, he's got to answer fer the folks that have been killed and fer the stealin'."

"I know, but the settlin' up is fer the law to take care of. There ain't no need fer you to be judgin' him."

"I know that, but it don't change what he's done, or what he's still tryin' to do."

I allowed she was right, but didn't say anythin' to put more on her hurt. Instead, I tried to get her to thinkin' about somethin' else. "Bess," I says, sayin' her name to her fer the first time, "do yuh know where this trail comes out?"

"I think so. It comes out a couple of miles upriver from the better one that goes to Tubert. Before we get there, we come to a fork. One hook goes on to Tubert, the other cuts back into the hills fer a while and then ends up on the Bolus road."

We was interrupted when the wagon ahead starts slowin' down. It looked like this was jest a pull up to let the hosses blow. I held the team back, and by the time we stopped, our wagon was a long ways back from the one ahead. I didn't want the front driver to get suspicious so I says to Bess, "Jump down and skedaddle up ahead. Tell our friend up there that we've got a little snag in the lines, but fer him not to worry. I'll take care of it. Get him to thinkin' that we may be a little behind, but that we'll be along jest fine. But don't make it sound bad enough fer him to sent help back here."

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Before I stopped talkin' Bess was off the seat and on her way up the road. I looked back and made sure the driver I'd pulled off the seat was still sleepin'. He was, like a baby, right in the middle of what I reckoned was Birth Certificates and Given Names.

Bess came quick footin' it back. "Right behind me," she called. "There's a rider comin' to help out."

I gave the lines a wrap and came down off that seat. Turnin' my back and hunchin' over the riggin' I gave my back to the rider who came skiddin' up.

"What's the problem, Gus?" he called out as he stepped down outa the saddle.

Givin' him a mumble, I held up one of the lines. He steps around the hoss and finds his nose about a foot from the end of my six gun. "Sing out one note and yuh'r second note will be from Hell, mister."

He froze. "Pull his six-gun, Bess." She took temptation outa his holster and handed it to me. I remembered a doin' that had been used by a pard of mine, name of Owen Bannack. I switched hats with that bird and then, using some county record tyin' twine, tied him like a fat hog and propped him up on the wagon seat. Climbin' up on his hoss, I waited until the wagon driver ahead was ready to roll. When he turned around and looked back, I rode up a ways toward him and gave him a big 'okay' wave and motioned him to roll on down the road. He accepted that and snapped his lines to get his team movin' again.

I tied the hoss to the back of the wagon, shoved the tied up Tubert into the back with his friend, and joined Bess on the seat. From what she had said, I guessed the fork in the road should be comin' up. "Bess," I says, "when the road splits, I want yuh to take the lines, head this rig toward the off turn and drive like Hector's ghost fer Bolus." I could see she was about to argue, but I held her off, "By doin' that, yuh take away half of what this hubbub is about and yuh give both sides half a reason not to shoot it out. That'll give yuhr Pa a better chance of livin' to deal with the law instead of takin' a slug."

Instead of answerin' she jest nodded. When the fork came, I stepped down, untied the trailin' hoss and stepped on board. Bess smiled and jest said, "Jim, will yuh be careful fer yuhr own hide? I want to see yuh in Bolus, soon." With that, she snapped them lines and was off.

The hoss I had borrowed wasn't up to South, wherever that cayuse was, but he had good strength and felt like he had lots of bottom. And he needed it. I cut back and by pushin' hard on the back trail and cuttin' off a bit here and there got back to that longer trail to Tubert.

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There was sign, fresh sign, that riders had been on it headin' in the direction of the camp. I rode hard after 'em and pulled in behind 'em. I hallowed 'em to a stop and rode up to the front where I found Toss and Santo.

"Howdy, gents," I says. "Yuh're ridin' in the wrong direction. Them Tubert campers pulled up stakes and have headed fer town. They took a detour and they got about a half hour on us. If we move fast, we can be in Tubert close behind 'em."

Words wasn't needed. We headed the posse back the way it had come and slapped leather fer town. On the way, I explained to Toss about the second wagon and how it was headed fer Bolus. When we came to the fork, Toss holds up his hand and calls back to a couple of his men. "The two of yuh, cut off here and follow that wagon. Don't go ridin' up and scarin' the lady driver. Jest get it in sight and follow it into Bolus. See that it gets there in one piece or I'll have yuhr hides."

Hearin' the way Toss talked to them two and seein' that he'd picked good men fer the job, I felt a heap better about Bess. That made it a lot easier to think about what was ahead, close ahead and comin' up fast.

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Somehow Tubert seemed changed. Sittin' on the edge of town fixin' to ride in, the place gave me a different feelin' than it had the last time we rode in. I had me a bad notion about this town, and I knowed that Sheriff Toss had the same kinda bug bitin' at his belly.

We had already been shot at on our way to the river road. A couple of Sinton's rear guards had plinked at us from some trees. It wasn't serious shootin'. It was jest their way of buyin' time fer the others to get into town. I'd told Toss it was comin' and we'd been expectin' it.

Those two hadn't been the best time buyers that ever tried their hand at pot shootin', but they did their job and slowed us down some. But more than holdin' us up some, they gave us somethin' to think about. And that's jest what we were doin' sittin' there takin' a gander at that mean lookin' little town.

"At least we know where they are," muses Toss, peerin' down the main street. "They're hunkered down in that new courthouse. A bunch of sand turtles all usin' one shell. But that ain't the only problem."

A wide man in a green coat, by the name of Ned Bent, has been listenin' to this. "What is the problem, Toss? Hellfire, why not jest ride in there and give 'em a taste of their own medicine. If we put a torch to the place, they'll come outa there fast enough."

"And burn the county records we came to get?" answers Toss. "By now, they've got that wagon unloaded and those files stowed inside. It's the best fire protection they could find. No, Ned, burnin' is outa the question."

"What then?" asks Bent, anxious and pushin' fer action. Like most of the others, he was tired and was gettin' riled up from pullin' back one empty loop after another. The idea that the Tuberts were finally corraled and jest waitin' to be roped and tied had got a hold of him. But he wasn't seein' the back side of the problem. Toss laid it out fer Ned and the others.

"Men, I'd like to tell yuh that we're about ready to put the point of the knife to this blister, but it ain't that easy. The last time we rode into this town, nobody gave a damn. All they had was an empty buildin'. Now they got a courthouse with county records in it. They'll be on us when we go in. Not jest the ones in the courthouse, but the rest of the town as well. In fact, they'll have us in a crossfire all the way in and out."

Mostly the men was quiet. A few grumbled and others frowned. They began to see how this trail was goin' bad. But they wasn't ready to

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leave it alone either. One of the men called out, "Judge, I wanna know, is that buildin' down there the county courthouse or ain't it?"

His Honor who was beginnin' to show some wear from this posse business, shook his head like he was tryin' to get it clear fer judge like thinkin'. "It's no better courthouse in the eyes of the law than the Forty Rod. I'd say the county seat is where folks in the county say it is. Right now, that issue is in considerable doubt."

It was a lawyer answer and didn't count fer nuthin' and didn't settle nuthin'. It jest left it with the Sheriff and the others to decide what they wanted to do. Ned Bent was probably speakin' fer lots of the others when he says, "Well, I fer one don't want to go back to Bolus without givin' these Tubert snakes a run fer their money. Besides the folks in Bolus will be expectin' us to have somethin' to show fer all this ridin'."

I'd told 'em about the other wagon. But that news was both hot and cold. On the one hand, the thought of a girl rollin' into Bolus with half the county records, tended to fire 'em into goin' after the rest of the files. On the cold side, they knew the job was half done and the idea of gettin' killed fer one wagon full of records was a mite cooler that doin' the same fer two.

They needed someone to tell 'em what to do. That job went to Sheriff Toss. Ned Bent put it to him. "Sheriff, we trust yuh. What's it goin' to be?"

"That ain't an easy question," says Toss. "It's this way. I got myself two problems. One is the stealin' of county records. If that was the only wrong that was done, I'd say let's leave it be since there seems to be considerable doubt about the legal side of the question. But bein' a lawman, I can't say that about the killers that's there in town. My job is to bring 'em in."

"But, Sheriff," calls out a man sittin' next to Ned Bent, "don't that mean we got to bring 'em all in? The whole gang had a hand in settin' the courthouse to fire, and who this side of silver clouds in the sky, can name the gents that pulled the trigger on the ones that was killed?"

"We may never know who did the actual killin'," admits Toss, "and to my mind the law says the whole pack of 'em is guilty. But the law has sometimes got to be put in on the back of the buggy while common sense has a say. Here, that means that I'll go fer the one who's been callin' the shots in this game. His name's Sinton Weaver. If I can take him back to Bolus fer trial, that'll hold water fer the time bein'."

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His Honor chimes in, "Sheriff Toss has explained it better than I could have. Since, it simply isn't in the cards to take the whole bunch prisoner, the law will settle for the ringleader."

One of the boys calls out, "I didn't ride all this way to get knocked down flat by hot air talk, and I don't plan on sittin' here and watchin'. What in the Billy Hell are we waitin' fer?"

Put up a high mark fer Bolus! Every man there made it plain they wanted to have a try at the new Tubert Courthouse.

Toss told the men to keep from bunchin' up so's they wouldn't be an easy target. Then he says, "And remember, yuh represent the law, so we won't start the shootin' here. That'll have to come from them."

It was mighty quiet ridin' down that street. Earl, who sometimes gets in at the right time, took some of the brittle outa the air when he starts singin' in an easy tone, "We'll hang Sinton Weaver from a sour apple tree. We'll hang Sinton Weaver from a sour apple tree." Some of the others started chucklin' and laughin' and a few even joined in.

A good yell away from that new buildin', Toss holds us up. Loud enough to bring pigs in from the back forty, he yells out, "This is the law and I'm callin' on you men in the buildin' to give it up. There ain't no call fer anyone to get killed here. I want them county records and I'm arrestin' Sinton Weaver fer murder."

It was jest like Toss to start by askin' fer twice what he wanted. And to see him sittin' there, yuh mighta thought he had a army in town and had another one comin' down the road. And Toss's powerful talk and show seemed to be makin' 'em think.

A voice that coulda been Sinton's finally came streamin' outa the buildin'. "One minute, Toss. Yuh got one minute to ride outa here before we put yuh under arrest fer bummin' on the public streets."

"And who's in there who lays claim to a badge," demands Toss.

"Me," calls out a voice. Standin' in the doorway, but stayin' inside the buildin' was Linus Funder.

"Why, of course," calls out Toss, "I shoulda knowed yuh'd be in this somewhere, Funder. Do yuh mind tellin' me what kind of law officer yuh call yuhrself?"

"I'm the Sheriff of this here county," says Funder, tryin' to sound strong like a real lawman.

Most of the men in our group laughed at that. One yells out, "Funder, I know yuh and yuh're a mud puppy. Yuh couldn't Sheriff the back lot of the livery."

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Holdin' up his hand to quiet the boys down, Toss makes a try at splittin' the Tuberts up. "You men in the courthouse, listen. Sinton Weaver has spooned up some mighty bad medicine. Now, this county seat stealin' is one thing, murder is another. Fer my money, the whole lot of yuh are only mixed up in the court records business, but Sinton Weaver is the cause of some innocent people in Bolus bein' shot down and burned in a fire. Some of yuh know me, and yuh know I don't put down a bet if I don't have the hand to back it up. So hear me. Weaver is comin' back to Bolus with me, dead or alive. Anybody that gets in my way will go down, hard. And one last thing, yuhr put up Sheriff didn't sell. Judge Dunstan is here with us, and he says Funder will be lucky if don't spend time sellin' his bad land from a small cell in the Territorial prison fer pretendin' to be a law officer."

That was strong talk and Toss made it sound like he mean't every word. I had the feelin' the idea of mentionin' the judge was somethin' that came to him at the last minute. And it was somethin' they probably hadn't thought of. Judge Dunstan's name carried a lot of heft in the whole area. I began to think it might be dentin' some of them thick skulls.

But then it happened. Sinton hisself guessin' things wasn't soundin' the way they should and not wantin' to let Toss do any more talkin', stepped into the doorway behind Funder and cut loose with his six-gun. I seen it comin' and gave Toss a hollar.

In the next two seconds, the street was filled with lead and smoke. Hosses was rearin' and pitchin', men was yellin' and I could hear the buzz of slugs that came fast and didn't stay long as they went by my ear. The first bunch of shots came from the buildin' 'cause they were all in there holdin' guns. But our bunch got into it next and from there it was gunshot thunder.

A couple of our men went down and their hosses made a break fer quieter pasture. The rest of us kept firin' and, at the same time, started findin' cover. Some ducked behind stock troughs, others jumped into doorways, others found alleys, and a few got inside a couple of stores. Outa the corner of my eye, I seen that Toss was doin' the same thing as me, takin' good shots at the doors and windows of the buildin' to keep the Tuberts down while our boys found cover. Then, when the ones that had found shelter started firin', I decided it was time to get off that borrowed hoss and get my hide behind somethin' besides air.

As it usually does in a wild shoot out involvin' men who ain't done that kind of thing before, the firin' eased off all of a sudden and

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things got quiet. Some men were reloadin', others were lookin' fer a good shot, and a few who had scrunched down fast was slow to rise.

I took count and could only see three men on the ground. One of 'em was layin' twisted and awful still, like he was dead or dyin', but the other two was only hit. One of the posse was behind me, cussin' strong. I guessed he had got stung by a slug sayin' its "how-do-yuh-do" as it gave him an unfriendly tap. I had come to ground in front of the general store. Back down the street I could see J. Tikit's River Front Cafe, and had the silly thought that this would be a good time to call a recess fer eggs and spuds.

But J. Tikit wasn't servin' up food, he was servin' up trouble. A rifle barrel was anglin' outa his window and he had some help. From where I lay in the street, I could see a half dozen places where Tubert folks was takin' up shootin' stations, behind the posse. The crossfire that Toss had warned us about was about to begin. If it did, this would turn into somethin' more than a little wild flurry of shootin'. This could make lots of widows in Bolus and in Tubert, too.

I rolled fast fer the door of the mercantile and kicked my way inside. I seen an old gent with a greener turn away from the window and give me a scared look, so I let off a couple of shots into the ceilin' and watched his shirttail go out the back door. The firin' outside was pickin' up, and I knew I had to hurry.

First, I reloaded my six-gun, then I rummaged around until I found where the store kept its bed sheets. I pulled one out, tied it to a broom handle and went back out the front door.

Wavin' that big peace flag I marched into the middle of that street and headed fer the courthouse. So far, I'd guessed right. No one, except a weak mind on loco weed, really wants to get into either end of a massacree. I figured that these ranchers, farmers, and storekeepers had about enough gun slingin' fer the day. The shootin' slowed down and finally stopped.

Gettin' close to Fort Tubert, I calls out, "Hold off. I'm comin' in to talk." Carryin' my giant size peace flat, I went right up to the door, which someone inside swung open fer me.

Outside, it had been lots of buckin', yellin', and runnin' around. I hadn't gave much thought to what it would be like inside our target. The air was filled with gunsmoke. There was wood splinters all over them new floors and shot pockets all over the walls. The Tubert men was sittin' on the floor down below the window level starin' up at the fool that had jest walked in.

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I could see three men down, hit pretty bad. One was only a few steps from the front door and bleedin' up a mess. Walkin' over to him, I kneeled down and took a look. He didn't look like he would make it, but I ripped off some of that bed sheet and started wrappin' it around his belly to stop the blood. One of the others came over and gave me a hand.

Standin' up, I says, "I guess we can call this poor jasper number one." Pointin' to one of the others that was wounded, I went on, "And we can call him number two and that one there, I guess is number three. Around the corner there, I'd bet is four and so on. There's lots more numbers, enough fer everybody. And as sure as J. Tikit makes bad coffee, our boys out in the street have got their own numbers."

At the mention of J. Tikit, a couple of 'em chuckled. They began to ease up some and listen. "I don't know about you boys, but when I was in school, the big numbers put the fear of Daniel in me. I never liked 'em, unless, of course, they counted somethin' I was partial to. Saloon gals or silver cartwheels."

"Or shots of whiskey," laughs a man by the door. Some of the others threw in their own ideas.

It seemed like a good time to make my pitch, "Well I didn't come white flaggin' in here to make a long speech. So here it is. To my way of thinkin' there's lots of things to do that are better'n shootin' at good men that are pretty much the same as myself. Now this county seat business is somethin' that we oughta settle legal like. As we stand, Tubert has a wagonload of county records and a courthouse. Next, is somethin' yuh don't know. The other wagon load of records is in Bolus. I seen it headed that way myself. And Bolus has got a new courthouse. The folks there voted to put the county business in the Forty Rod. In my book, that makes us even. If yuh got into this to get a county seat, yuh got half way. Bolus has got the other half. The only reason fer any more shootin' is to decide if we take Sinton Weaver there back to Bolus fer a murder trial."

While I had been makin' my speech, Sinton had come skulkin' around from the back of the buildin'. Others had come to, and I knowed the whole Tubert crowd had gathered up there in the front lobby of their splintered courthouse.

A man with a thin line of blood runnin' down the side of his face, asks, "Are yuh sayin' that if we give yuh Sinton, this storm is over?"

"That's what I'm sayin', and I can promise yuh I'm speakin' fer Sheriff Toss."

"Yeah, but Toss said he wanted the county records too," pipes up a customer with a scraggly beard.

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"My offer is that yuh keep the damn records. That whole business can be fought out in court where it belongs, and as far as that goes, I'd say yuh got at least an even chance of winnin' since yuh got half the records."

I knowed the hook was in pretty good 'cause they all started lookin' as Sinton. He knowed it too and was thinkin' hard and fast about how he could crawl outa a situation that was gettin' mighty tight. He starts to argue, "Don't let this slick talkin' varmit..."

I cut him off sharp. "Button yuhr lip, Sinton. This ain't yuhr call."

Then the man with the beard cuts right across my trail. "If Bolus gets to put Sinton on trial, then why can't Tubert put Akus on trial."

"Fer what?" I asks, already knowin' the answer.

"Fer pluggin' that kid that was workin' with us, Tommy Keeton."

Well, I couldn't find a hole in the fence to crawl under and it was jest too high to jump. After all my talk they had corraled me. But like a ringy eyed old hoss that always saves a twist, I thought I could see one last way to jump.

"Sounds like a fair way of cuttin' the deck," I says. "Where is Akus anyhow?"

"He's tied up in the other room," says the beard.

Everyone there knew we had a deal, includin' Sinton. As I was talkin' to scraggly, I sees Sinton siddlin' along the wall toward the door that led to the back. Hopin' a dozen guns wouldn't plug me from a dozen directions, I drew down on Sinton, fast. Guns came up in almost every hand in the room.

Keepin' my eyes level on Sinton, I says, "Easy, boys. I'm jest protectin' the bargain. Sinton there was fixin' to drop outa the game. Now if one of yuh will relieve him of that shooter, we can keep this kettle from boilin' over again."

Seein' Sinton so close to the door made some of them Tubert's a little hot. They realized he was fixin' to cut and run. That was more than they was willin' to put up with and it nailed down the deal. A man standin' near Sinton snatched the six- gun outa his hand and tossed it away. That was as good as a signin' fer our agreement.

It wasn't long before Toss and the posse was collected up in front of the courthouse and the Tuberts was standin' on the steps lookin' down at 'em. The guns was holstered and booted, and while the two sides wasn't behavin' like kissin' cousins, it was as clear as an October mornin' that the shootin' was over fer the day. Toss had gave the go ahead to

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everythin' I'd said, and it began to look like it was time fer us to ride out. But I wasn't through yet. Not by a long shot of yuhr grandpappy's musket.

Turnin' to Funder who was doin' most of the talkin' fer Tubert, I says, "Mr. Funder, it jest struck me that there's one side of our deal that can be took care of right here and now. Naturally, you'd have to approve, but it could be a good way of makin' yuhr courthouse a mite more legal."

He gives me a suspicious look, but one that showed he was interested. "And what might that be?"

Drawin' him off a step or two to one side, I says, "Remember that them Bolus people ain't done anythin' official inside of the Forty Rod yet. Now if yuh did somethin' here, today, that was a real county seat thing yuh'd have that to yuhr credit when the legal arguin' starts over whether Bolus or Tubert should be the county seat."

"Go on."

"Since one side of our deal was that Tubert could put Akus Weaver on trial fer killin' Tommy Keeton, why not have the trial right now?"

His eyes fly wide open and his forehead wrinkles up like Aunt Min's washboard, "Yuh mean today?"

"Sure, we got a crowd. And the best part is we got Judge Dunstan hisself here to run the thing. With him as judge, nobody could ever say the trial wasn't on the up and up. The idea is to have an official trial and his Honor could give yuh that."

"But we'd need lawyers."

"Mr. Funder, I think I know a man of words when I see one. And if I'm not way off the range, I think yuh're one who's been around the law some. The judge could make you the Territory's prosecutin' lawyer."

I could almost see Funder begin to swell up. He began to look more important, and he sort of twisted his face some and pulled at his ear, the way all lawyers do when they're pretendin' to think. "Hum," he sounds, already practicin' law.

"But we'd need a lawyer fer Weaver."

"Yuh're lookin' at him."

"You? Why pardon me fer sayin' it but yuh don't look much like a lawyer, Mr....Mr..."

"Mr. Tamp. And I'm already the special lawyer fer Akus. It was Judge Dunstan hisself that named me to the job.

"Yuh don't say, Mr. Tamp? Now that I think about it, I'd have to admit that yuh do talk a lot and some of what yuh say sounds slick

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enough." Funder chuckles and even pats my arm in a friendly way, "And yuh know, Mr. Tamp, both of us bein' lawyers, we have to kinda get along, bein' members of the bar and all?" He gives me a wink like we was some kind of team. "And I must say, Mr. Tamp, it does have a ring to it, 'Linus Funder, Attorney' or 'The Honorable Linus Funder.' 'Course the 'Honorable' would come later when I become a judge."

I figured I'd better get the trial to goin' before Funder appoints hisself Territorial governor. It had to come from him, so I suggests, "Since yuh'll be the prosecutin' lawyer, speakin' fer the Territory, I think the decision and the sayin' of it should come from you."

"Yes, yuh're right, Mr. Tamp. Good of yuh to call that to my attention. I see yuh do know somethin' about this professional courtesy business. I'd guess yuh been in the law fer a time alright."

Sweepin' back his coat and shovin' his hands in his pockets, Funder steps up and raises his hands. "Men, it has been told to me that Judge Dunstan is here in the Bolus crowd. That gives me the idea that we have a chance to break in the new Tubert courthouse in a fittin' and proper way. If the judge would agree, we could have the Akus Weaver trial right now. Of course, I expect the judge would want me to be the Territorial prosecutor. Oh, yes, I'm told that Mr. Tamp here is already some kind of special lawyer fer the defendant, so we got everybody we need to have a regular trial. Yuh see when the idea come to me, I realized that if we have a trial now, we'll be a jump ahead of Bolus, seein' as how they ain't had no official business in their courthouse, the Forty Rod

"Might be a more interestin' trial if yuh had it in the Forty Rod," calls out a man from Bolus.

Most everyone laughed, but poor Funder took it serious and thought someone was tryin' to move his lawyerin' chance right out from under him before he'd even had a chance to stick his thumbs under his vest. "But the agreement was to have it in Tubert and from my studyin' of contract law a bargain is a bargain."

"Oh, Linus, hush," called a man from Tubert, "if the judge say's we can have a trial, yuh'll get yuhr chance to beller yuhr head off, but until then get yuhr hot air off my ears."

"How about it, judge?" asks Funder.

His Honor steps up and gives the whole crowd a once over. Then, puttin' his eyes on me and then on Funder, he shakes his head the way yuh would in the mornin' if yuh'd been late gettin' outa the Forty Rod the evenin' before. "Court will convene in ten minutes, inside."

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It was closer to a half hour before we started, but that bein' the way of courts, it was alright. It gives the lawyers more time to talk to folks about what they're supposed to say.

"Mr. Funder for the Territory, are yuh ready to proceed?"

"I am yuhr Honor."

"Mr. Tamp for the defense, are yuh ready to proceed?"

"I reckon I'm a ready, yuhr Honor, pull off the bandana and let 'er buck."

"Mr. Tamp, I must remind you this is a court of law, not a trail drive or a bronc bustin' contest."

"It was jest a manner of speakin', yuhr Honor. But I give yuh my word, I'll work at bein' respectful and..."

His Honor interrupts and says, "I know you will, Mr. Tamp. But if we don't get on with this, we'll be here until next Sunday. Mr. Funder, you will recall that just before the court convened, I told you how Mr. Weaver, Akus Weaver, requested a trial before this court a few day ago in Bolus. And I also explained how Sheriff Toss would be a witness for the Territory. I understand that you have some witnesses of your own to call also?"

"That's right, yuhr Honor. Yuh told me that and I got me some witnesses alright."

"Very well. Mr. Weaver, please rise."

Akus, who had been brought in and sat on a bench next to me, stands up. He wasn't any the worse fer wear from his wagon ride and from bein' tied up and looked as sour as ever.

"Mr. Weaver," says the judge, "since this is a somewhat unusual situation and comes on very short notice, I must ask if you agree to be tried in this court for the murder of Tommy Keeton. I remind you that the jury consists of six men from Tubert and six men from Bolus. I believe that's as fair as I can make it."

Akus, in that lemon thin voice of his, says, "I suppose he," lookin' down at me, "will still be my lawyer."

"Do you object to that?"

"Naw. I've seen him do lots of things. I guess I might as well see if he can lawyer."

"You may be seated. Mr. Funder, do you have an opening statement?"

I groaned, but quiet like, to myself. Every livin' creature knowed that Funder would have an openin' statement, a middle statement, an

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endin' statement, and a statement in between the others if allowed. Why had his Honor invited it?

"Yuhr Honor," begins Funder, "this here defendant, Akus Weaver, by name, is accused by.. a hem,...by the Territory of Montana of killin' that fine young man, Tommy Keeton. Tommy was knowed by most of us here in Tubert and we all loved and admired him."

"He was a driftin' puncher, here fer less'n a month," calls out a voice from the crowd. The laughs hardly got started before Judge Dunstan taps hard on the bench they's set up fer him. "Order. Order in the court. That kind of statement isn't evidence and the court would appreciate if if all of you would save your comments fer later, perhaps in the Bill Gum Saloon. Continue, Mr. Funder, but try and be brief."

Of course he wasn't. Funder went on about Tommy and how he had worked on the Sinton Weaver ranch. He told how Tommy had been in the Bill Gum Saloon and, when asked, had agreed to help the good people of Tubert "establish," says Funder, the county seat in their town. Funder was pretty full of himself and it seemed to me that he would go on ferever. But finally, his Honor had enough of it.

"Mr. Funder," says the Judge, "call yuhr first witness."

"I was jest goin' to do that, Judge. Sheriff Toss."

"Hey Funder, I thought you was the Sheriff," sings out one of jurymen from Bolus.

Judge Dunstan got on that one right away. "Gentlemen of the jury, you have sworn to be fair and pay attention. That doesn't give you the right to make remarks about the prosecutor. Sheriff Toss do you swear to tell the truth?"

"I do, judge."

"Mr. Funder, he's your witness. Proceed."

"Sheriff Toss do yuh know the defendant, Akus Weaver?"

"I do."

"Point to him."

"Why, he's the gent sittin' there next to Jim Tamp."

"Did you see Akus Weaver totin' a dead man into town a few days ago? Excuse me, make that into the town of Bolus."

"I did."

"Who was it that was dead?"

"I didn't know at first. He was face down on the hoss that Akus was leadin'. But then, when I looked, I saw it was a puncher that had been in and around town durin' roundup this fall."

"By the name of Tommy Keeton?"

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"That's the handle he used."

"Did yuh see how poor Tommy had been killed?"

"I did."

"And how was that?"

"By gunshot, square between the eyes."

"And did Akus Weaver admit to shootin' poor Tommy."

I came up and says, "Yuhr Honor. I promised to be respectful and I guess that means bein' quiet, but I don't like all this 'poor Tommy' talk. I knowed Tommy Keeton and he wasn't the kind of cow pusher yuh'd say 'poor Tommy' about. The fact is he was a little wild and I ain't surprised someone plugged him."

"Mr. Tamp," says his Honor, "you have the right to make objections. That's the way you disagree with Mr. Funder in court. In this case your objection is sustained. Mr. Funder, it would be better if you just said, 'Mr. Keeton' or 'the deceased'."

"Of course, yuhr Honor. Sometimes us lawyers fergit. What's yuhr answer, Sheriff? Did Akus Weaver admit that he shot the deceased?"

"No."

"No," scowls Funder. "But yuh said Akus Weaver brought Mr. Keeton into town face down and dead."

"That's right. But bringin' a body to town is a mile away from admittin' to killin' that body."

"But Akus Weaver demanded that he be given a trial? Now yuh have to admit that's true 'cause the judge hisself said that happened."

Poppin' up I says, "Yuhr Honor, I'd like to make one of them objections. Funder shouldn't be tellin' the Sheriff what he has got to say should he?"

"But yuhr Honor," argues Funder, "it was you who said that Akus..."

Judge Dunstan taps his table, hard. "Order. The two of you are beginning to make me think you really are lawyers. We'll take it as admitted that Akus Weaver asked for a trial. Now, do you have anything else to ask the Sheriff?"

"As a matter of fact I do. Sheriff, I heard that yuh lost the body. Is that true?"

"I didn't lose it. The body was took from the barber shop."

"By Mr. Weaver?"

"Maybe. I don't know."

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"Judge, is this where I make a ...a corpus objection like before?" I asks.

"You can make it, Mr. Tamp, but I won't allow it. For now, I think we'd better get on with the trial. We've got enough evidence that there was a killing and the deceased has been identified."

"Mr. Funder, do you have any more questions?"

"No, yuhr Honor."

"Mr. Tamp, do you want to ask the Sheriff anything?"

"Yep. I'd like to know, Sheriff, straight out, if Akus said he'd kilt Tommy Keeton."

"He never did, Jim."

"Do yuh know who did?"

"Yes."

The new Tubert courtroom got dead quiet. The Sheriff was sayin' it jest the way we'd agreed before the court had started.

"Let's get it outa the barn then. Who killed 'poor Tommy?'"

"Elizabeth Weaver."

Talk about yuhr hubbub. That stirred the air in that courtroom. Every one there started talkin' all at once. Even Judge Dunstan was too surprised to pound on his table, fer a minute at least. But finally he gives me a sharp look, raps on his table and calls out, "Order, order in the court."

That kinda rain settled the dust pretty fast, and it got quiet again. I started things up again, "Sheriff, folks is waitin', so tell 'em how yuh know that it was Bess Weaver who shot Tommy Keeton."

"Well, the main reason is that, Akus told me. The second reason is that Sinton Weaver backs Akus and tells the same story."

His Honor was snagged by this and he jumps in with his own question. "Sheriff, what you're sayin' may be questionable evidence, but I think it needs to be told. Just what did Akus tell you?"

"It's the kind of story that' ain't easy to tell, but the way I understand it, Judge, is that Sinton and his daughter, Bess, had been havin' trouble with some drifters ridin' through their place and were keepin' a sharp eye out fer 'em. Every rancher knows how that kind of no account will shoot a beef jest fer a meal and how they'll hole up in line shacks, eat all the supplies and leave the place in a mess. Them same no-goods will also rummage a ranch house if they ain't no body home. Well, it seems that Bess was home tendin' the place alone one evenin'. Sinton is late 'cause he's out on courthouse business."

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I interrupts, "I guess we'd all agree that's a tale fer another day, Sheriff."

His Honor says, "Yes, I agree, Mr. Tamp. Go on, Sheriff."

"Sinton finally comes ridin' home and the dog starts barkin' and settin' up a commotion. Tommy Keeton is with him, and like I said, Sinton's been on courthouse business and Tommy's been helpin' out. While Sinton is still in the barn, Tommy steps out ahead of him and heads fer the house. Bess, standin' up by the back door of the house, calls out wantin' to know if it's her Pa. Tommy Keeton, bein' a young fool and full of the devil pulls his bandana over his nose so's she won't recognize his voice and hollars back, that he ain't nobody's Pa and that he's jest stoppin' by to help himself to a fresh hoss. It was plumb dark and the only light was little slices comin' through the cracks in the barn door where Sinton had the lantern. I suppose yuh can guess the rest."

In the quiet of that new courtroom, I put the words to it. "Bess let fly and dropped 'em. Is that about it, Sheriff?"

"That's what happened alright. Sinton says he'd heard Tommy's funnin' and was goin' to tell him it wasn't a good idea. But then the shot came, and he ran outa the barn and found Tommy, already dead."

Not goin' through the regular business of swearin' and all that, Judge Dunstan looks out at Sinton sittin' with his head down. "Mr. Weaver, Sinton Weaver, is what the Sheriff says the way it happened?"

In a voice so low, yuh could jest barely hear it, Sinton says, "He's tellin' it straight, Judge." With his words gettin' a mite louder, he goes on, "Judge, I ain't the kinda man anyone would say much good about. I don't go to church, I drink lots, I've been known to cut lots of corners, and I been in one trouble after another ever since I can remember. As a boy, Akus always pulled me out. The last few years Bess has been puttin' up with me and tryin' to set me in a better direction. The only think that my head had in it when I found young Keeton was that I'd managed to make Bess a killer."

Sinton jest sat there, lookin' at the air in front of his face. No one wanted to say anything. Because the Sinton ranch was close to Tubert, everyone there had enjoyed knowin' Bess, and because she'd been to Bolus with Akus lots of times, folks there knowed her, too. To a man, the men in that room thought of her as bein' as honest as prairie sunshine. The idea of her bein' the killer of Tommy Keeton and of havin' to stand trial fer murder put a tight damper on an otherwise good procedin'.

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His Honor finally collected hisself and decided to bring Tubert's first trial to some kind of close. "Mr. Weaver, Sinton Weaver, that is, I'd like to have you tell us what happend after you found Keeton dead

Heavin' a sigh big enough to fill a cloud, Sinton says, "I jest couldn't let Bess know what happened. I grabbed Tommy by a leg and pulled him into the barn. Then I shoved him under some barn sweepin's and kicked some hay on top of that. I pulled down the lantern and hollared out the door tellin' Bess to hold her fire. Later in the house, I told her that I'd been jest feelin' good and had decided to hurrah her a little. I said it was me teasin' her, and I even joked about her poor shootin'. She was mad, real mad. It scared her to think she coulda potted me. She told me how she was a little skittish because some drifters had been by earlier helloin' the house and demandin' food. She had given them a warnin' shot and they had left. When she had heard the yell from the barn, she thought they had come back and was stealin' hosses. I gave her a song and dance about Tommy Keeton quittin' and ridin' outa the country."

I kept him goin', "So yuh never told her what had happened?"

"No, and she still don't know. The next mornin' before Bess could get up and do chores, I put the body under some blankets in the buggy and drove up to Akus's place. I dropped my story and my trouble on him and asked what I should do. We never even asked ourselves if Bess should be told."

Judge Dunstan could figure the rest, but he wanted to hear it from Sinton hisself. The Judge also wanted everyone else to hear it, too. "Then you and Akus decided that he'd take the body to town and have himself tried."

"That's about it, Judge," mumbles Sinton.."

Turnin' his attention to Akus, the Judge asks, "Akus, why would you offer yourself for trial? Was it just to protect Sinton?"

Akus didn't hold back on that one, "Protect Sinton?" he says, "I suppose that was part of the reason. Tryin' to keep his hide from bein' stretched is a habit I guess. But mostly, I guessed that by keepin' attention away from Sinton, I was makin' sure that Bess was kept clean out of it."

"But weren't you concerned that you might be convicted of murder?" asks his Honor.

"Oh, not much. I reckoned that if I didn't say anythin' there wasn't any way they could prove I was the one that did the killin'. The most that could be said was that I'd brung in the body. I wouldn't have

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even told where I got it. And everyone knows the law can't make yuh talk if yuh ain't got a mind to.

And it woulda worked too, if the courthouse thing hadn't of happened at the same time."

"Well, it's all come out now," says Judge Dunstan. "Just to make it legal, do you Akus Weaver and do you Sinton Weaver swear that the story you've just told is true?"

They both stood up and swore to it. Then his Honor turns to the jury and say, "Since the evidence is clear and Tommy Keeton's killer is known and it isn't Akus Weaver, I'd ask you if you agree that the verdict on Akus is Not Guilty?"

With lots of 'yes' nods and a "sure Judge," a "why, yeah," and one strong "you bet'cha" the verdict was in and unanimous.

The men started talkin' to one another and askin' each other questions. Some of 'em started standin' up and hitchin' their belts and stretchin'. But the Judge wasn't done yet.

"Court's still in session," calls out his Honor. That brought all the talkin' to a skiddin' stop. "As the judge that's been sitting on this case," I guess judges all talk like that, "I hereby find that the killing of Tommy Keeton was a pure and simple accident."

There wasn't any argument with that. In fact, there was lots of sounds that said the Judge had done the right thing. But he had one more calf to brand before he opened the gate.

"Let me make one more ruling and this case can be closed. I believe all of you know me, and you know that when I say something I mean it, especially when I say it as a judge and make it an official decision of the court. Is there any doubt about the kind of thunder I can raise if I set my mind to it?"

He had their attention. He was bearin' down on the whole room like a herd of buffalo. And there was fire in Judge Dunstan's eyes. If he'd said "scat," there wouldn't have been a cat left in town inside of a half minute.

"Very well, I am ruling that the story of the killing of Tommy Keeton is sealed. That means not one word, let me say that again, not one word of this story is to go outside this courtroom. Not a word to a wife, to a friend, to anyone. Is there any objection to my order?"

Not a man in the new Tubert courtroom breathed.

FORTY ROD COURT



The Forty Rod courtroom was packed. Judge Dunstan was behind the bar, the legal bar, and was presidin' over the trial of Sinton Weaver. The jury was six men from Bolus and six men from Tubert. The Territorial prosecutor, Simon Stanes, had presented his case, and Bidley, now sober and a fightin' scamp of a lawyer had presented his case and had enjoyed hisself in the process 'cause he got to do some good scrappin' with Stanes.

The story was told about how Sinton had planned the county seat steal jest so he could tinker with the records and get hisself some prime ranch land. The Tuberts had gone along jest 'cause they were down on Bolus and wanted the county seat fer themselves. And like I had guessed, most of 'em hadn't knowed about Sinton's crooked game.

It also came out that most of men from Tubert had drawin's of the hideaway, and when Sinton mentioned that Tommy Keeton had been shot and took to Bolus, Huttle right away took a hard case with him and went lookin' to get the map back.

Stanes had summed up on the law of stealin' and the law of conspirin', to kill. I explained to Earl that conspirin' meant joinin' up with. He kinda liked the sound of it and commenced practicin' how to say it. But he shut down when we both got a hard look from his Honor.

The jury, feelin' proud and important at bein' jurors, listened to every word. Yuh woulda thought they was hearin' about how the sun was hung in the sky the way they leaned forward with big round eyes. Then they was sent off to do their verdictin'.

Old Pivot, who had managed to slip a drink into the courtroom against Judge Dunstan's dry order, watched the jury walk out. "Ah, yes he says to me. It's goin' to be a mixed day fer Sinton Weaver."

"How so?" asks Earl.

"Why didn't yuh see how them Bolus men turned when they stood up and went out the door? Oh, it'll be mixed fer sure."

"Turned?" says Earl. "What kinda talk is that?"

As Pivot and Earl starts talkin' I stood up and put some distance between me and them. I'd been around that barn before, but Earl could use a good lesson from Pivot.

I seen Toss standin' by the door and slipped over to see what he had to say fer hisself. "Afternoon, Sheriff."

"Afternoon, Jim. Did yuh enjoy the trial?"

FORTY ROD COURT

"Well, puttin' the sufferin' of Sinton and Bess to one side, I reckon the lawyers did jest fine. That Bidley is a whirl when he's sober ain't he?"

"He's okay, Jim. But if it came down to settin' the nail, I'd give yuh the edge."

Toss never smiled much, but he enjoyed himself with that one, enough to rub his face and grin, jest a bit. Goin' back to serious, he asks, "Jim, what are yuh plannin' on doin' this winter? I could use a good deputy." Lookin' at Pivot and Earl, he adds, "Especially one that knows how to stash bodies."

Sheriff Toss never missed much that went on in his town. A pure lawman from every direction to Sunday. I allowed that I'd give the notion of deputy some thought. We talked fer a while and then there was some noise up near the bar and someone calls out, "Here comes the jury."

Sure enough, the jury comes strollin' back, noddin' to their friends like they knowed everythin' from spit to pie. They takes their seats and Judge Dunstan raps the top of his legal bar and asks, "Gentlemen of the jury, have you reached a verdict?"

The foreman, who was old Farley, stands and says, "We have, yuhr Honor."

The Judge wants to know, "What is that verdict?"

"We verdict to be hanged, yuhr Honor."

"Hanged?" asked the Judge, scowlin' somethin' fierce. "Do you mean that the defendant is to be hanged?"

"Oh, no, Judge," says Farley. "We is hanged. We decided that we ain't goin' to decide anything."

That was somethin' fer the Judge to chew on. Both the lawyers was on their feet right away, but the Judge sat 'em down again. "Order," he says. "Mr. Farley, are you saying that the jury has only decided that it won't decide."

"That's the size of it, Judge."

"But you were sworn to consider the evidence and to render a verdict."

"I reckon that's what was done, Judge. And it was damn fine. The lawyerin' was good and the judgin' was good, too."

"But, Mr. Farley, you were not supposed to decide the case on how the lawyers sounded or looked or what the court said. That wasn't the evidence. You were supposed to listen to the witnesses."

"Oh, we did, Judge. They did okay. Some was middlin', but mostly they done the best they could."

FORTY ROD COURT

"After listening to the witnesses, didn't you even want to decide whether the defendant was guilty or not guilty?"

"Oh, he's probably guilty, yuhr Honor, leastwise that's what the Bolus men say, but the Tubert men say he ain't. We knowed from the first minute that's the way it would go if we voted. And its the same way with right and wrong. Bolus says he was wrong, Tubert says he was right. So we jest decided to do some fast juryin' and tell yuh we is hanged."

His Honor sits back and looks that jury over. They sit and smile back at him, believin' they've discovered justice. "Gentlemen of the jury, you leave me no choice but to dismiss the charges against Mr. Weaver. So ordered. But before you leave, I'd like to ask a question of the jury. Mr. Farley, since you are the foreman, perhaps you could answer for the others."

"Fire away, Judge," beams Farley.

"If the question should be put to you about where the county seat is, what would you say?"

"Why, that's easy Judge. Half's in Bolus and half's in Tubert. Ain't that the way of it, gents?"

Farley's fellow jurors agreed. And the folks around there agreed with the jury. That's why still today, some county business is done in Bolus and some is done in Tubert.

After the trial was over and the Forty Rod court crowd had pretty much left, Akus comes stalkin over. "Afternoon, Jim."

"Akus."

"Jim, I'm lookin' fer a good foreman to help me run my spread. The job will mean keepin' an eye on Sinton's operation, too. Got any ideas?"

Lookin' over his shoulder I could see Sinton and Bess sittin' in the buggy waitin'. And Akus was waitin'.

"Why don't I jest tie old South to the buggy and ride along with yuh. Maybe we can talk about that job?"

Judge Dunstan's order about the shootin'?

Why, of course, it held up! At least I ain't heard a word about it since I stepped outa that Tubert courtroom forty years, ago, and neither has Bess.

FORTY ROD COURT

THE BRIEF

The advocate's brief is not inspiration's child,
For if so born from the mind alive
It would with little care or effort be compiled,
And would by intent and form alone survive.

Nor is it by luck alone devised,
For fortune favors not the vagrant mind;
Neglected issues are by adversaries prized
To the laggard's dismay as though designed.

Industry's pages will by precedents be adorned;
Its theme by sense and logic will be bound;
To all the rules of court its submission will be conformed,
In all its parts ratio and stare will be found.

The advocate thus with brief to the court repairs,
And for the win or loss his client he prepares.

COSMOS

Since first rising to our feet
And looking round at nature's ways
At the seasons, earth, and sea,
And wondering at the skies,

We have reflected, and pondered,
And with unswerving determination
Tried to reason ourselves out of
Being alone.

PAPER

We are paper people
Reading, reading, reading,
Repeating, repeating, repeating
What we read.
Re-enforcing, re-enforcing, re-enforcing
What we all have read.
'Til nothing is new or news.

THE FUTURE

The future's an easy thing to see
When not falsely screened by inconstancy
Of technology.

We study and view history
Through flickering colorful telavee
Electronically,

Drowned in what can no longer be
Through alter eyes divisibly,
Selectively.

Life's pattern lost amid a swelling sea
Swallowing up simplicity
Foundering objectivity.

Review of tomorrow is successfully
Pursued when thoughtfully
Considering humanity.

Deliberately,
Carefully,
Humbly,
Look to thou and thee.

SUDDENLY SOMETHING

Suddenly something small
Makes home seem far away.

Expectation
Fragments into random, listless ends of thoughts,

Purpose eludes purpose and a
Dissembling face smiles,

Through a mask hardening
Conceding non-consolation

And pinched, quenched
Hope of return.

MEMORY

If by memory we go
Beyond today and through
The eye and mind to
Yesterday, we learn to know

That longing days grow short
The longer they are known,
Because passion among reason is grown
And fancy beguiles fact to whisper its support

For easy, soft remembrance
Of all that is past and gone
While once burning epiphanies grow wan
To be whirled away by an ever lengthening glance

For these by false and halting history
Each in time is held in close captivity

MUSIC CHANNEL

Here in the away, the deep, and the far below,
A forlorn breath from barren minds doth flow

In vagrant quest of misspent ingenuity
Summoned to neglect by scorn of constancy.

Here in the gone, the past, and the time after,
Thought is mocked by dissipation's sneering laughter

At imitating millions who reverence has been given
To facading models who by cynicism are in secret driven.

Here the in, the last, the closed, and finally ended,
Dreaming drowns amid the dancing dying dead

Who caper 'round the murderous sound
Wherein never harmony or even melody is found.

LOST WEEKEND

The stadium seats are people filled
 And the serried green stage is laid
While the massive home mass by the media is tilled
 For the planting of slogans and a harvest from ads obeyed.

Teams and players the best
 The TV hucksters knowingly proclaim
In superlatives spun at the sponsor's behest;
 And it's on with the ads; let Hades take the game.

The emotions of the multitude awash and wasted;
 The penalty paid for a day's submission
Of the mind to an opiate that is pasted
 On the screen by general admission,

Is loss of mental possession and surrender
By which the viewer is his own mind's worst offender

OUR SONG

Notes in infinite ways
From the sounding minds
Of music's masters past
Gave man his dancing mat,
Whereon to harmony in whirling time
His step has been to reason's lines

Now jostled, crowded, and self-abused
By excess and discord exalted,
He has loosed time's taught control
And looked below where cacophony rules.

Thus the fragile human sound,
Long collected in refuge round restraint
Recedes, falls away,
And fails itself.

TIME

Time is a great compressing expanding
Damned delightful dimension
Which measures and gauges incomprehensibly,,
And inexorably, inexorably it closes
Until we are free.

SONNET ON MAJOR MILESTONES

Down through the chain of demand
Comes the imperious request for review
For although our administration we no must disband
We must proclaim that we have dome what we promised to do.

Tens upon hundreds begin through files to crawl
In an effort to bolster an image perhaps,
To salve a conscience or soften the fall,
And obscure for a moment the fact of collapse.

But the folders of achievement are thin.
When sounded, they ring with a hollow flat note
And their story about those who are in
Has been ended by the people who vote.

And leaders in need of fanfare their deeds to proclaim
Will pale into the past in the light of an inaugural flame.

POLITICAL PROMISE

Polls amid a succession of dins
Each signs on with Jimmy the pure and the right.

Voters, voters the nation 'round
And the long lead did shrink;

Voters, voters the nation 'round
And Southern hearts did sink.

“In debate – I’ll beard ole Jerry,”
Promised the intrepid Jim

“There the truth I will carry
And expose his flam and flim.”

DEPARTMENTAL

Who ever heard of an ERDA?

And who would admit he once was one
Or had seen one, or even spoken such a word a
Because after October there'll be none.

From here on in its going to be DOE.

Blest by solons and the people by the press have been
schooled Given in the Register by Jimmy the go
And by Jim the Secretary to be ruled.

Smiles all round: a new Department is toasted
Reorganization's child is born.

ERDA, FPC, and FEA it is boasted
Have forever been joined in energy's new morn.

But hold! Whose malice and fiendish delight
Tell of a DENR lurking out there in the night!

Editor's Note:

*ERDA was the Energy Research and Development Administration
FPC was the Federal Power Commission
FEA was the Federal Energy Administration
DOE is the Department of Energy
DENR never came to be the Department of Energy and Natural
Resources*

THE COFFIN TABLE OF THE SQUABBLING COMMISSIONERS

Constructed in the decade of the 1980's, a turbulent and contentious period in the history of Adams County government, this hexagonal table with its brooding and ominous outline, was designed to resolve a dispute among the Commissioners regarding the allocation of elbow space. When the competition for position became so intense and potentially physical that the orderly processes of government were imperiled, the Coffin Table with an equal space for each Commissioner was offered as a solution. Historians are in general agreement that the creation of the Coffin Table averted what could have been a total collapse of County government as we now know it.

Although the profound issues which divided the "squabbling Commissioners" have been obscured by recent events, petitioners and supplicants who visited the Commissioners' chambers in that era have vivid memories of the massive, royal blue chairs which surrounded the head and shoulders of the Coffin Table. Those cushions of power have long since vanished, but their aura of power and splendor will long remain among the governed.

Keen observers have noted that at the narrow end of the Coffin Table an apparent misjoinder of the fine wooden grain appears. Authoritative sources have reported that this subtle mismatch of head and foot was the artisan's statement that those who sit at the lower end of government are ever destined to be at odds with the wisdom and calm demeanor of those above.

It should be remembered that he who sits at the Coffin Table does so **SUO NOMINE ET SUO PERICULO**.

CYCLIC

Thought which seems to run
And run with discontented speed,

Hastening and ever accelerating
With every thought begetting thought,

And faster than light itself it seems; until
Seeing what has been, it slows

And, feeling the weight of what is, hesitates,
Then, realizing what will be, admits resignation, and

Reluctantly allows itself to be supplanted
By another newer thought which

Born with thoughtful promise begins
To run and run

IDLE RHYMES

A thousand rhymes turn idly
Through my brain,

Unrelated and disconnected,
Pressing one upon another

Testing sound
Against meaning

Then rearranging.
It's often form with no meaning

Or having a useful thought
Trampled by its subsequents

Or getting lost amid bewildering
Conformations to formations.

TIME'S CURVE

Time curves away through space
And returns infinitely to place

Its light displaced when velocity
Exceeds its own speed's capacity

Melting void into close compression
With mighty, mischievous machination

Ordained to cosmoplode
Into universe's farthest abode

'Til by its curve it is decreed
To time's decrease to accede

ANGLES

Measure the angle,

Which if obtuse

Tends always to be abstruse,

Of it its acute,

Has a nose like a newt,

And each has a twin on a plane

When the lines through the point

You maintain.

