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# Guns Of Montana

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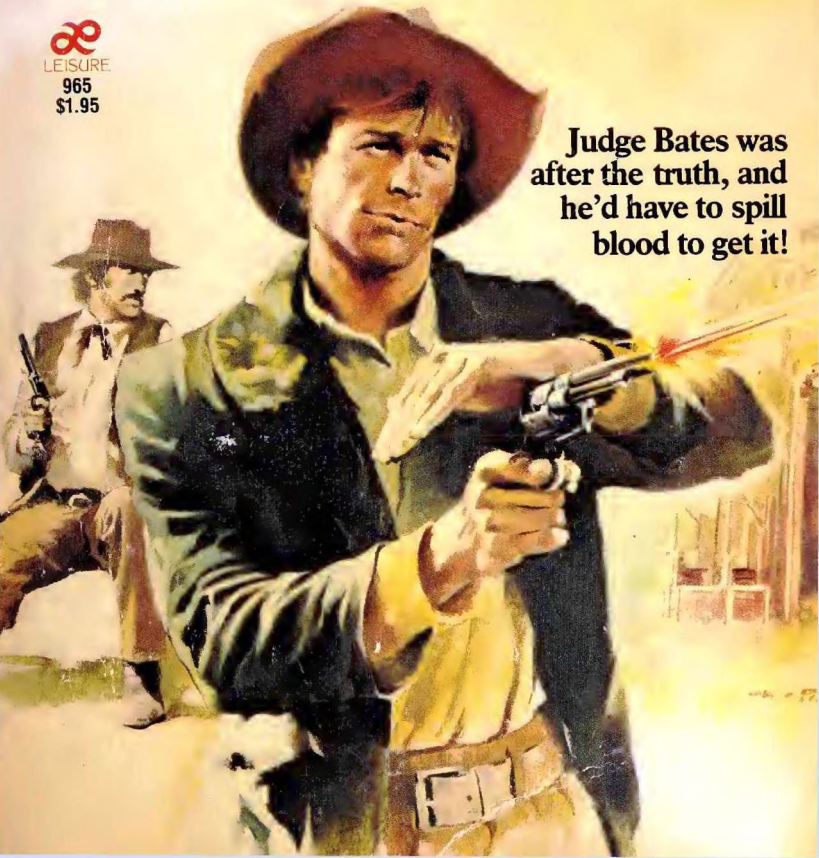

**Judge Bates was after the truth, and he'd have to spill blood to get it!**

# FRONTIER VERDICT

Judge Bates said, "Bailiff, take it and hand it to me."

Somewhere, out in the audience, a woman screamed, and then was silent. Wooden-faced, Judge Bates watched two men carry her outside. This was the part of judgeship he did not like. This was the suspense, the terror, the horror of it all.

The slip met his hand, folded four times; the hand of the bailiff withdrew. Judge Bates couldn't help but look down at Broken Leg's childish, red face. Then, he saw the terror—the naked, deadly terror—in the Crow's dark eyes. He had to take his gaze away.

He thought, I wish I had a drink.

He had the paper open, and the words made reality. He read the verdict silently, then handed it to the bailiff, who cleared his throat.

"We, the jury, find the defendant, the Crow Broken Leg, guilty of murder, as charged by the prosecution."

For the first time in his life, Judge Lemanuel Bates saw an Indian buck faint.

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# GUNS OF MONTANA

Lee Floren

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# One

Although summer-time is short in Wyoming, in this particular year it seemed to die a premature death. By September first the wind was chilly; already cottonwoods and boxelders were ready to shed golden leaves. The wind made sounds in the eaves of Judge Lemanuel Bates' chambers that seemed to prophesy a cold winter.

"Take that pot if you can, Bates," Tobacco Jones spread his cards on the table.

"What have you got?"

The postmaster bit from his plug of Horseshoe. "That wind's enough to drive a man crazy, Bates. You've looked at them cards long enough. Cain't you read?"

"I can read, friend."

Tobacco Jones chewed, long jaw working. He was not looking at the stack of chips, but his gaze was seeking the outside through the window. Finally he said, "I wish to Christmas that jury'd come in with a verdict."

"Your pot, Tobacco."

The postmaster absently raked in the chips and sorted them as Judge Lemanuel Bates dealt an-

other hand. The judge's black robe was draped across the back of a chair, where he had left it more than twenty-four hours ago. Judge Bates squinted at his cards.

"Bet five, Jones."

"Call you an' raise you ten."

"You're reckless, friend."

Sheriff Whiting, a lanky, string-bean type of individual, stuck his head in the door with, "How's the game, men?"

"Fair," Tobacco Jones grunted.

Judge Bates said, "Luck's running against me, sheriff. Any news from the jury room?"

"They still can't agree, I reckon. The bailiff looked in a minute ago an' them jurors is still arguin'."

The judge consulted his big watch. "Almost four o'clock. I was in hopes the verdict would come in before it was too late for today's session. I'll take that raise, friend, and check it to you."

Tobacco spread out his cards, looked at the judge's hand, said, "By golly, fer onct you take me, Bates. Wish there was some way to hurry up that danged jury. Why does juries take so long? A prisoner is either innercent or guilty, ain't he? Then why does they argue that-a-way?"

"An unanswerable question," Judge Bates replied, handing his postmaster the deck of cards. "A question that has been debated for years in legal circles, and as yet unanswered or solved."

Sheriff Whiting said, "See you later, men," and his lanky neck pulled his ugly head out of the door. Above the shrillness of the wind in the eaves they heard his boots go down the corridor. Then the wind and distance killed the rap of his heels.

Tobacco leaned back, looked at his cards, and

then at Judge Bates. "You figger this Injun is guilty, Bates, or is he not guilty?"

"What Indian do you mean?"

Tobacco snorted, nostrils dilated. "Now don't play that dumb stuff, Bates. You know danged well what Injun I mean. This Injun you just held trial on, the one the jury is debatin' about. Is Broken Leg guilty of murder, or ain't he? What'd you think?"

"Deal a hand of stud this time, huh?"

"Bates, I asked you a question, an' I expect an answer."

"Stud this time, instead of draw?"

"Stud it'll be, Bates. I'm still waitin' for an answer."

Judge Bates looked at his hole card. Sometimes his partner got too impetuous; this trait, though, seemed to be born in Tobacco Jones. He had hoped that the jury would bring in a verdict of not guilty against Broken Leg. For a week—sitting as a Federal judge—he and the jury had heard testimony. Now the case was in the hands of the jury and they were awaiting the verdict.

The Indian Agency up at Spotted Pony—north across the line in the Territory of Montana—had charged Broken Leg with the murder of a white man, one Charley Peterson. Because of the excitement, the case had been transferred from Spotted Pony to Cowtrail, and Judge Lemanuel Bates, acting in the capacity of a Federal judge, had presided over the case, transferred on a change of venue plea by the Federal judge in that section of Montana Territory.

Skilfully the Indian Agency office had presented evidence showing that Broken Leg, a Crow of about thirty summers, had killed one Charley Peterson, producing everything in evidence against the

Crow except the body of Peterson, who had, because of sanitary reasons, been buried already.

The Government attorney had presented a well-balanced, well-presented case. As for that matter, the attorneys appointed to represent Broken Leg had also conducted a good defense for their client. But, in Judge Bates's opinion, the prosecuting attorneys had done the better job.

The prosecuting attorneys had proven all but two points: had Broken Leg really murdered the white man, Charley Peterson? and why had the Crow murdered the white man?

To answer the first question would have required a full confession from Broken Leg, and to the second he said he had fought with Charley Peterson because Peterson had broken into his lodge and tried to steal his moccasins and other clothing, all of which made no sense.

Judge Lemanuel Bates had listened carefully, trying to find the real motivation behind the fight between Broken Leg and Peterson. According to Broken Leg, he and Peterson had fought that night, when he had caught the white man trying to rob his lodge. He had not killed Peterson, he maintained.

The prosecuting attorney had not pressed that point, but had pointed out that the next morning Peterson had been found dead in the back door of a saloon, dead from a knife wound. Where else had he received that knife slash except in the fight in the lodge with Broken Leg?

And it didn't make sense, the attorneys declared: What man in his right mind would try to rob an Indian of his clothing? What did an Indian's clothes consist of, anyway? Moccasins, buckskin pants, buckskin shirt. Yes, and maybe a beaded band, for

around his head?

Now who, in his right mind, would try to steal such junk? And Charley Peterson had been in full possession of his mental faculties, hadn't he? Anyway, witnesses to that effect had testified long and faithfully, so long, in fact, that Judge Bates had found himself dozing on the judicial bench.

"Me no kill him. Me fight him, he break loose—him run like I chase him. He no git my moccasins."

"Your moccasins?"

Judge Bates had interposed at this point. Moccasins, he emphasized, meant clothes to the Crow Indians. All Broken Leg meant was that, "He no get my clothes." Or, as the jurist pointed out, Peterson never got a chance to rob Broken Leg's lodge.

"Thank ye, judge."

"No comments from the prisoner, please."

The trial had been more or less a puzzle to Broken Leg, from beginning to end. Why go to all this just because a white man died? Did thousands of redskins fight Custer and kill him and his men and why no trial after that? Yes, and many a redskin got killed by white man, and still no trial? Why try a red for killing a white, when it meant defense of his wigwam?

Those were points Broken Leg could not understand, and their perplexity had been written across his dusky, long-nosed face all during the trial. And Judge Bates, for lack of something to do, sat on the judicial bench and pondered on why Charley Peterson had tried to rob an Indian as poor as Broken Leg.

That didn't make sense.

Unknown to the Government attorneys, Judge Lemanuel Bates and Tobacco Jones knew Broken

Leg's old father, the Crow Red Beaver. They also knew Red Beaver as a notorious evader of the truth, a rather sly old gentleman of about eighty summers, maybe more. According to Red Beaver, he had thrown his counting-stick away, sometime before Custer got his on the Little Bighorn, north of here in Montana Territory.

Neither of the partners had known Broken Leg as well as they knew Red Beaver. But both of them had known Charley Peterson. When they had run into that mess of trouble on their Double Cross Ranch, up to the northeast, Judge Bates had run into Charley Peterson, on the trip he had made into Deadwood, in the Black Hills of Dakota Territory.

The Deadwood judge, Jurist Mark Hannock, had told Judge Bates he had given Charley Peterson a floater out of Deadwood, at that time a tough mining-town. Later Tobacco Jones had met Peterson in Sundance, the trading-post where the Double Cross outfit bought supplies. Peterson had drifted into the cowtown from Deadwood, immediately had got into trouble, and the Sundance marshal had put the run on him. From there Peterson had evidently gone into Buffalo or Sheridan, then headed north into Montana.

"Maybe they're givin' him a floater outa heaven, Bates?"

Judge Bates played a card. "Charley Peterson never got to the Good Land, friend. He had a black record, so the judge of Deadwood told me: robbery, maybe a murder that had never been proved."

"Wish that jury'd come in."

"It'll report in time."

"Yeah, lotsa time, Bates. I hope they turn that Indian lose, I do. Me, I don't figger that Injun did

nothin' much wrong."

"My pot, Jones."

"My luck has turned, Bates."

"Don't step on your jaw." Judge Bates took a nip from his jug which sat beside him.

"Some judge you are," Tobacco scoffed. "Sittin' on the bench of justice with whiskey on your breath."

"You never have seen me under the influence of whiskey, have you?"

"No. . . ."

"Then, sir—"

Sheriff Whiting looked in. "The jury's filin' in, your honor. The bailiff says they've got a verdict at last."

Whiting's ugly face left the door, and Tobacco helped Judge Bates don his judicial robe. The judge grumbled and said, "Terrible a learned man has to wear one of these things just because years ago—centuries ago, in fact—some Englishman decided a judge should wear black. Small wonder they don't still cram wigs on our heads!"

"You'd look good in a wig, Bates. Turn aroun', so I kin button it— You in a wig— That'd be really somethin'."

"Your laugh is worse than a jackass' snarl, Jones."

They got the robe settled around the jurist's thick shoulders, and the judge got his jug under the flowing garment with the remark that a judge got a break in one way—his robe was so loose he could hide his whiskey-jug under it. To this, Tobacco scowled: he was an ardent foe of strong drink. But, for once, he held his tongue.

"You're all set, Bates. Wait a minute, did I strap up your corset?"

"No remarks, sir."

The judge went down the hall, followed by

Tobacco. The bailiff met His Honor at the door to the court-room and went ahead, proclaiming the audience to rise. With the people standing, Judge Bates crossed the platform, took his seat and his gavel.

"Hear ye, hear ye! The first Federal Court of the Territory of Wyoming is now in order, Judge Lemanuel Bates presiding. Sit ye down, people."

There was the creaking of chairs, and then the sounds died out before the wave of interest. By this time the jury was seated, the bony foreman holding his slip of paper.

"Sheriff Whiting, bring in the prisoner, please."

"Yes, Your Honor."

Necks turned as Broken Leg hobbled in, followed by Sheriff Whiting and three deputies sworn in for the court-term. Judge Bates sighed, realized that this was the last case on his docket, and then looked at Broken Leg, who now stood before his Bench.

Pity was a human trait that Time had almost pulled away from Judge Lemanuel Bates. He had sat on his Bench—and on other Benches—and he had heard the sordidness of life and seen that sordidness parade past in front of him. But he had to feel pity for the Crow Indian, Broken Leg.

Broken Leg's thin, sun-bleached face showed only one element: puzzlement. With his limited knowledge, he did not fully comprehend this environment. He had fought a man to protect his lodge, and that man had died from the fight—and now, for some reason, the Great Father in Washington wanted his life.

That didn't make sense, and Broken Leg's face showed this.

Judge Bates intoned the charge against the

Crow. He summed up the case briefly, then asked, "Do you, sir, think you had a fair trial?"

"What you say?"

The judge repeated the question.

Suddenly Broken Leg smiled. "Me, I free now? I go back to my lodge an' squaw?"

Judge Bates saw his words were getting nowhere. Sheriff Whiting scowled, went to spit tobacco-juice, then realized his position and swallowed it, instead. Tobacco Jones, sitting in the front row, shook his head gently, and Judge Bates caught the gesture.

"Bailiff, receive the verdict from the jury, please. Foreman of the jury, you have reached a verdict, I understand."

"We have, Your Honor."

"One moment before you take the verdict, Bailiff. Jury men, you understand the instructions, I believe. If you have found the prisoner innocent of this charge, he shall be instantly dismissed and transported to his reservation. But if he is found guilty, you have two verdicts to reach, gentlemen."

"We understand that, Your Honor," the foreman said.

Judge Bates said, "Elaborate, sir?"

The foreman repeated the Court's instructions. If a verdict of guilty were reached the jury could recommend mercy and this would forestall the death penalty. But if the jury did not recommend mercy the Court, by law, was required to sentence the prisoner to death on the gallows.

"That is right, sir," Judge Bates said.

"Then, sir, we have the verdict."

Judge Bates said, "Bailiff, take it and hand it to me."

Somewhere, out in the audience, a woman

screamed, and then was silent. Wooden-faced, Judge Bates watched two men carry her outside. This was the part of judgeship he did not like. This was the suspense, the terror, the horror of it all.

The slip met his hand, folded four times; the hand of the bailiff withdrew. Judge Bates couldn't help but look down at Broken Leg's childish, red face. Then, he saw the terror—the naked, deadly terror—in the Crow's dark eyes. He had to take his gaze away.

He thought, I wish I had a drink.

He found his fingers opening the verdict. Only the jury seemed composed, and even there one man had his head down on his arms on the railing. Sheriff Whiting watched the judge, so did the bailiff, and beyond them Tobacco Jones sat and watched, still chewing.

And Judge Bates thought, He'll chew tobacco when they check him through the Pearly Gates.

He had the paper open, and the words made reality. He read the verdict silently, then handed it to the bailiff, who cleared his throat.

"We, the jury, find the defendant, the Crow Broken Leg, guilty of murder, as charged by the prosecution."

For the first time in his life, Judge Lemanuel Bates saw an Indian buck faint.

# Two

When you leave Cowtrail, Wyoming, and head for Spotted Pony, Montana, you head northwest out of Cowtrail. You cross the Powder River near the site of old Fort Reno and you head northwest still toward Crazy Woman Creek.

"You'd be an easy man to trail, Bates."

"And what, sir, brought on that sudden summation?"

"What'd you mean? Talk American."

"You know full well what I mean, Tobacco. You're just playing dumb. What brought on that question—or rather, that surmise?"

"All a man would have to do to trail you, Bates, is to check at the saloons. Sooner or later some bartender would tell him about a stocky, heavy-set gent that had come in an' bought not a bottle of hard-stuff, but had bought a jug of whiskey. An' the gink'd say, 'A jug of likker, eh? That's the hairpin I'm trailin'.'"

"Thanks, Jones."

Tobacco spat. Over in the distance a buck antelope stood on a small hill and watched them.

Finally Tobacco asked, "What are you going to

do with that jug when you hit the Crow Reservation? They won't let even a federal judge tote whiskey on that Injun ground."

"You ask too many questions."

"Reckon that's a habit I got," Tobacco had to admit.

They forded Crazy Woman Creek at the point where the Indians tangled with the whites in 1866. They both rode mules and they had a pack-mule along. The judge fished the creek for a while and caught a catfish. They had him for supper and Tobacco said, "Never cut no Injun sign all day, I didn't." He was using a small fire though, one that didn't smoke.

Judge Bates doubted if any redskins were off their reservations. "Custer took a heck of a beating a few years ago, but it showed the redskins they weren't as big as they figured, because General Miles sure put the Sioux on the run."

"Custer sure did it the hard way," Tobacco muttered.

From Cowtrail to Buffalo, across country, is about seventy-five miles, and after two days on the trail, Judge Bates got his jug filled in Buffalo. He rode out to Fort McKinney, gave his greetings to the commandant—they had fought side by side in the Civil War—and then he and Tobacco headed due north, past the site of the Fetterman Massacre, and noon of the second day found them north of what is now Sheridan, Wyoming, and inside the territorial line of Montana.

"One more day of travel, Bates?"

"One more day, and then Spotted Pony."

Tobacco turned the trout in the frying pan. Down in the Little Big Horn, trout leaped for flies in the cool

of the evening. Judge Bates sat with his back against a rock, jug beside him. He was in a leisurely mood.

"Look at this beautiful valley, Tobacco. Cottonwoods and boxelders, and choke-cherry trees laden with ripe berries, and yet man fights and kills. Yonder stream is filled with trout waiting for the hook and pan."

"I've thought that over too, friend. You're still behind me."

"Them redskins didn't cause this trouble, Bates; you kin lay it at the door of the greedy whites. How would you like to be Sittin' Bull an' how'd you like to have the Black Hills stole from you because of gold in 'em? You'd holler an' go on the warpath, too. Mind them buffaler in the Black Hills? That's buffaler country an' them Siouxs had to have buffaler for tepees, for buckskin, for chuck."

"I'd fight for it," the judge conceded.

"Uh-huh, an' so would I, if'n I was a Sioux. Wonder how Broken Leg is gettin' along in his cell about now? Nice you gave his lawyers an appeal, Bates. How come they ask you for one?"

"Very simple. Off the record I asked them to appeal. I assured them that regardless how much of a howl the opposing Government attorneys would make I would give them an appeal."

"You figure Broken Leg is innercent?"

"I don't know for sure whether he is innocent or guilty. But I still believe that jury—had it had a nickel's worth of brains—could not have returned a death penalty on such flimsy evidence."

"Flimsy?"

"Never at any time did the prosecuting attorneys prove conclusively that Broken Leg killed Charley

Peterson."

"Broken Leg admits he knifed Peterson."

"Knifing a man, sir, is not killing him."

Tobacco put two trout on each tin plate, put some spuds on each plate also, then handed one to Judge Lemanuel Bates, who fell to with his fork.

Tobacco said, "I ain't so sure about this Injun bein' innercent, Bates. Knifin' a man is a serious offense, in itself."

"But one not great enough to send a man plummeting through a trapdoor on a gallows, friend. Once a noose breaks a man's neck you can't keep him alive, even if later evidence proves him innocent of his charged crime."

Tobacco chewed thoughtfully. "Well, look at it this way, Bates. We've rid three days on bumpy mules. That pack-mule has danged near pulled the kak off my mount, he's that hard to lead. An' what does this Injun mean to me an' you, anyway?"

"I've been expecting that, Tobacco. He's a fellow human and to him the most precious thing he has is his life. You and I have some spare time on our hands. We needed to go fishing, anyway."

"I'd hate to see an innercent man hung, too."

"Yes, and we both know his sire, ol' Red Beaver."

Tobacco had to chuckle, despite his mouth being full of fish and potatoes. "Bates, that's a joke, fella! Ol' Red Beaver ain't nobody's friend, an' you know it."

"He's a man's friend if he figures he can work a man out of something," the jurist corrected.

Tobacco was full of trout and spuds, he had plenty of chewing tobacco, he had a good partner and fish jumped in the Little Big Horn. He leaned back on the dried grass.

"I'm glad I come along, Bates."

Judge Bates laid down his plate and knife. "Remember, sir, we came to this section not to **help** the Indian Broken Leg, but to find out whether or not he really killed Charley Peterson, and if he did kill him—why he killed him?"

"In other words, Bates, if Broken Leg is guilty, to the gallow he goes; if innocent, he will have evidence granting him a new trial?"

"Well said, sir."

Tobacco laced his hands behind his head and watched the clouds move lazily along. "Where will we start, Bates?"

"In Spotted Pony, of course."

Tobacco sat up, mouth opened a little, head cocked. "Mebbeso I'm wrong again, Bates, but it seems to me I heard hoofs in the distance. You hear them?"

The jurist listened. He heard the splash of rippling water, the scolding of a jay, and the crackle of the dying fire.

"No hoofs, Tobacco."

"They stopped, Bates."

They were both on their feet. Both knew that there still were a few "reservation jumpers" in the Crows that were not against lifting an occasional patch of hair from a white man, if they could get that white-man unawares with their battle-axes.

Some of the Crows still smarted under the fact they were penned in on a reservation. And Judge Bates hardly blamed them. Once they had ridden this wide country, their borders only limited by the power of the Blackfeet and Sioux and Cheyennes. But now they were penned in on Spotted Pony Reservation. . . .

"You sure of your ears, Jones?" The judge's

breathing was coarse.

"I'm sure, Bates."

The judge said, "You swing to the left, partner. I'll take to the right. Mind that lightning-struck cottonwood tree back up along the river?"

"About a half-mile?"

"That's the one. We meet there. Careful, Jones."

"Same to you, judge."

They left their mules picketed in the clearing. They were a good decoy. Maybe the person was a trapper, aiming to steal some mules. Some of these buckskin men, the judge knew, were more thieving then the most thieving Indians.

But the judge, through past experience, had built a great faith in his partner's ability to hear. His ears, he knew, did not have the keenness that the ears of Tobacco Jones possessed. If Tobacco had heard a horse, he had heard one—if he had heard that bronc stop, then a rider had dismounted. For a loose horse, grazing through the brush, did not stop for long: he nibbled on grass a while, then sauntered on. The judge went along a path made by deer going down to water, and he had his rifle over his arm.

He stopped, listened. And he thought, "Wish that danged bluejay would stop that yowling." The bluejay was down along the creek. Maybe he was scolding the intruder. Bluejays had that habit.

The judge worked that way.

Once he got entangled in a wild roseberry bush. Patiently he worked his coat loose of the sharp thorns, once severely sticking his thumb. This drew a light oath from him and he pulled his thumb into his mouth.

Standing there, he listened. Maybe Tobacco was

wrong, at that. But still— Then he heard a movement to his right. Evidently somebody was circling their camp looking it over.

He followed the sound, trying to make no noise himself. And, despite his bulk and weight, he succeeded. He moved his rifle ahead of him, so he and it would take less space in the brush; he would stop and listen, and now the sounds of the intruder were clearer and closer.

Then, he found the intruder's bronc. He was a bay and brush almost hid him; he had no saddle but a rawhide thong ran around his jaw for a bridle. That thong told the judge one thing, "A Crow." The horse did not snort, but looked at him with no interest.

Common sense told Judge Lemanuel Bates that if he stuck around close to the bronc its rider would eventually return to him. But he decided he would keep between the intruder and his horse, thereby shutting off the Crow from his mount and possible flight.

Buckbrush was high, but he came to a small clearing. Ahead of him he saw the Crow: the buck's back was to him and the redskin carried a rifle. His back was broad and he squatted in the brush, and the judge could only see his back. The Indian wore a buckskin jacket.

The judge came in, then. The Indian heard him just as he closed in, and the Indian whirled, raising the rifle. The broad, dead-pan face showed nothing, and they crashed to the ground.

"Tobacco, over here!"

"Comin', pard!"

Tobacco came on the run, threshing through buckbrush. When he hit the clearing Judge Bates sat on the Indian, who lay on his back. The judge

had a queer, lopsided grin.

"What's so funny, Bates?"

"Look at this Indian, Jones."

Tobacco stared down. Then he started to chew again, and with the motions of his jaws a smile began to form on the corners of his tobacco-stained mouth. And the smile widened.

Tobacco said, "Get up, Bates. Don't you know it ain't perlite to sit on a woman's back, even if that woman is a **Crow squaw**!"

# Three

The Crow squaw was mad. Her broad, almost homely face broke at the mouth, and she cursed them in Crow, Gros Ventres, and a smattering of the Sioux tongue. Judge Bates laughed until tears came to his eyes. Tobacco Jones grinned and giggled.

"He—hurt your—spine, squaw?"

"You shut big mouth, jackass white man."

Tobacco spat out his chew. "She kin talk U.S., anyway," he said. "Who are you, lady, an' what's your name?"

"Yes," the judge cut in. "Who in hades are you?"

"Me Running Deer. Me squaw to Broken Leg."

The Cowtrail pair exchanged glances.

"You two—you know Broken Leg, my husband?"

"We've heard of him," the judge admitted. There was a lot here he did not understand. Therefore he aimed to play ignorant for a spell to see which way the wind blew.

"What'd you mean by jumpin' two white men?" Tobacco asked, winking at Judge Bates.

The squaw said she had been heading for Cowtrail to see her husband, who was in jail there. Evidently she did not know that Broken Leg had

been sentenced to die on the gallows and that was logical, for word had no way of getting to her. The Government attorneys, instead of reporting back to Spotted Pony after the trial, had headed for Leavenworth, Kansas, there to get ready to protest the chance of a new trial for Broken Leg.

"You hear about my husband?"

Judge Bates said, "Yes, we heard about the trial when we were in Buffalo, at Fort McKinney."

"What the trial, he say?"

The judge, lying magnificently, told her that her husband had been acquitted, but had had to go with the Government attorneys to Leavenworth, Kansas, and, after his business with the Government had been finished at that point, he would return to Spotted Pony.

"No need I go to Cowtrail, then. He come back, me glad. Papooses, they glad, too."

"How many papooses?"

"Me got four." She held up four fingers. "Where you men, you go, huh?"

The judge said, "Spotted Pony."

"I maybe see you there. Thanks for the words—the good words."

Judge Bates asked, "Why did you try to sneak up on us, squaw?"

She regarded them with dark, bland eyes. "I know but you bad white mens. I think maybe you take Broken Leg back to home. Still, me afraid. So I try to—what you say—sneak in?"

The judge allowed that was a reasonable precaution. Some whites, he knew, had not been very considerate in the way they treated a lone squaw away from the protection of her men.

"You sure—Broken Leg, he come soon?"

"Yes."

"How you know, Heavy Man?"

The judge almost winced. His weight, to him, was a matter of some touchiness. The less he ate, the thicker became his waist. Tobacco blamed it on the whiskey the judge consumed but the judge blamed it only on middle-age.

"Can you keep a secret, Running Deer?"

"What him—a secret?"

The judge used a little sign language. He pointed to his ear, opened his mouth, and that meant somebody was going to tell her something. She nodded with great concern. The judge then drew his forefinger vertically across his lips and sealed them.

Running Deer broke into a wide smile. "Me, I keep my mouth sealed, mister white man."

The judge then introduced himself and Tobacco Jones. She was so happy to hear who they were that she got down on her knees. She took the judge's hand and rubbed it across her lips and said, "My mouth, he sealed now. You two come to help me?"

Tobacco Jones couldn't help it, but his throat got a little tight. He looked at the judge, then down at Running Deer. "Yeah, we come t'help you, Squaw. Now git up on your pins, 'cause you embarrass me."

"Nothing could embarrass you," Judge Bates breathed.

Tobacco glared at him, then spat.

Running Deer got on her feet. She held back her sobs. Judge Bates' voice took on a stern note.

"Did your husband knife Charley Peterson?"

"He knife him, yes."

"Did he kill Peterson?"

"That—me no know. Peterson, he run. He come at

night to rob lodge. He try to get off with moccasins."

"Did he?"

"No."

"Why did he try to rob you?"

This made her look away. "Peterson, he run away. Moonlight, me see him—me know him. Maybe he die later from Broken Leg's knife."

"You think so?"

A shake of the thick head. "No, me no think that. Peterson, he not hurt bad. Knife only cut on shoulder."

The judge knew the rest, and did not press her for details. For one solid week he had heard the details at the trial. The Crow marshal had found Peterson dead the next morning. He had died of knife wounds, so the reservation doctor had testified. Naturally, all signs pointed to Broken Leg, for Broken Leg dutifully had reported to the marshal his fight with Charley Peterson.

The judge repeated, "Why did Peterson try to rob you?"

Again he got no answer to this. This was the part that had puzzled him throughout the week of trial. Broken Leg had been very secretive on this point, too. All in all, why should Charley Peterson try to rob a few Crow Indians?

That was the weak point—the illogical point—of the whole thing. And this squaw did not seem to be able to put any light on this matter, either. And, for that matter, she did not want to disclose anything. Or did she know anything?

Judge Bates figured, just from her lack of desire to talk, that she knew the reason why Charley Peterson had tried to rob her lodge. For Running Deer seemed suddenly tongue-tied.

Tobacco said, "Squaw, tell us."

The brown, deep eyes went from the postmaster to Judge Lemanuel Bates, then swept across the timber, then to the ground.

"Me no know."

"I think you do," the judge corrected.

Tobacco had withdrawn from the field, leaving the questioning to his partner. He watched Running Deer like a weasel watches a rabbit.

The squaw turned and started away, then stopped. She looked at them again as if apprising them, trying to guess through their honesty.

"Maybe I tell you when you come to Spotted Pony."

The partners exchanged glances. The judge murmured, "Guess we'll have to let it rest at that, Jones," and Tobacco Jones nodded. The judge spoke to Running Deer. "All right, you may go."

"Me thank you again."

"You've thanked us enough."

She went to her horse.

Tobacco said, "Maybe I oughta help her git on that plug."

"She can mount that horse faster than you can," the judge grunted.

The squaw got on her pony, turned him, and rode north, down the river. Suddenly Tobacco sat down and laughed. The judge knew what prompted this mirth, and he shook his jug to verify its contents, scowling a little.

Tobacco said, "Dang it, Bates, that was funny. Here I round the corner an' you're settin' on this squaw. Couldn't you see she's got a dress on?"

"The bottom part of her," said the judge, "was hidden by brush. Laugh loud and long, you rude Rocky Mountain canary."

Tobacco realized he was not nettling the jurist. There is no point in teasing a person—or making fun of him—if he doesn't respond with anger. Therefore the Cowtrail postmaster sobered and scowled in deep thought.

"That deal about Peterson robbin' their tepee—That sure seems funny to me, Bates. I sure cain't see through thet a-tall."

The judge had to admit he was also in the dark. One thing was certain: evidently Broken Leg's tepee had contained something that Charley Peterson would give his life to get. But what was it?

"I sure ain't got no idea, Bates."

The judge was tired. He stretched out on the ground. "Maybe we are putting too much attention onto an irrelevant point, Jones. These Indians like to play mysterious and silent."

"Yeah, thet's a habit with them, 'specially these Crows."

The judge admired the sky. One thing about the sky: it was never the same. It was always changing, clouds moving here, then moving back. He wanted to take a nap, but fought off the lassitude and took his mind back to the present.

"You get around a Crow camp when those redskins like you or don't know you're around and you'll find them joking and laughing. This old saw about the wooden-faced warriors and dumb squaws belong to those boys who write this wild west stuff. But one thing is certain, Jones."

"Yeah. . . . An' thet, Bates?"

"Running Deer is evidently holding back some vital information. I can see her point, too: she's bossed by Broken Leg. She can add, that girl can: her mind works this way—'These men don't know

why Peterson tried to rob our lodge. That means that Broken Leg kept that a secret at his trial. That means he doesn't want anybody to know, so I'm not going to tell.'"

"That's the way it 'pears to me, Bates."

They decided to camp the night away on this spot. Water was close, their mules had grass, and if they did ride on they would get into Spotted Pony about midnight. "Better we head in tomorrow, Jones."

"Fer onct I agree with you."

The night was marked by brilliant moonlight. Dawn found them up and saw the lift of their campfire against the coolness of this high altitude. Tobacco squatted by the fire and said, "Feels like snow soon, Bates."

"You can't tell about Montana weather."

This prophecy completed, Judge Bates gave himself to his breakfast trout, his hotcakes, and his coffee. Usually he drank coffee without adding a snort of whiskey but this morning he spiked his java good.

"Want a snort, Jones?"

"Never," Tobacco retorted.

The judge drank, yawned. "Still sleepy from my trick at watch. That was a good idea you had for one of us to stand watch. But I'd still like to know why that fellow came snooping, knife in hand."

"They sure cotton to usin' knives aroun' here, don't they though? Me, I never did cotton to cold steel. Them bayonets in the war was enough for me. Lord, Bates, can a man ever fergit a war?"

"Never."

They killed their fire with water and the judge, using his hand as a funnel, poured the contents of his

whiskey-jug into half-point flasks he had obtained down at Fort McKenzie. This way he could transport his whiskey in on the reservation. Had he tried to tote in his jug it would have been spotted immediately but these flasks could be hidden in his saddlebags.

"Hope the marshal picks you up, Bates. Sure would look good for a federal judge to be arrested for smuggling whiskey in on a Federal Injun reservation."

"Crude, ugly humor, Jones. Try some other tactic, please?"

Neither was in a very good humor. They got saddles and Tobacco led the pack mule. After they had gone a mile the postmaster looked back at the mule with, "His load ridin' all right, Bates?"

Judge Bates rode over and inspected the mule's new burden. The man was thrown belly-down across the mule's back, hands tied to the off-rings of the pack-saddle's cinch, his feet tied to the near rings.

"He's ridin' all right."

The man didn't know he was on a mule, for the man was dead.

# Four

The cockroach crawled across the rough plank floor. He crawled across the whiskery cheek of the dead man. He halted by the lobe of the man's right ear, then crawled on. The cockroach came back on the floor again.

A big boot came out, and the cockroach scooted to safety under the mopboard.

The marshal said, "Danged things. Must be a million of 'em here. Danged neart as many as at the resturaw."

Judge Bates said, "So this gent's name is Skunk Ferguson, eh? How come they call him Skunk? Surely he must have had a given name."

The marshal was a thick, short man. Smallpox had made craters in his red, ugly face.

"Done heard somebody onct call him Virgil," the marshal said.

Tobacco looked at Judge Bates. "I'd rather be called Skunk," the postmaster said.

The marshal said, "Gimme another bite off'n your chew, Jones," and then, to Judge Lemanuel Bates, "Tell me ag'in about findin' Skunk's body, will you. I want t'git it clear for my report."

The judge repeated his story. According to him they had been riding along the Little Big Horn and had come upon the body of Skunk Ferguson lying beside the trail.

"He was dead then, huh?"

"Very dead, marshal."

"Okay, Your Honor, continue."

"Well, Marshal Smith, it was this way—" Judge Bates continued with his lying. He and Tobacco had talked it over and had decided to not claim the dubious honor of killing Skunk Ferguson. The judge had not wanted to kill the man. But Ferguson had been caught sneaking up on their camp. The jurist had called to him and Skunk Ferguson, a total stranger to them, had turned with his gun talking. Luckily, his shots had missed, and Judge Bates had been forced to use his rifle.

"So, we took him into your office, marshal."

"You did the right thing." Marshal Smith scowled deeply. He was at least a quarterbreed, or else he could not have held down the job of marshal on the Spotted Pony Reservation. Evidently he had had a brush or two with schooling, for he did not speak a bad brand of English.

Tobacco chewed, leaving the discussion to Judge Bates.

"Wonder who killed him?" the marshal pondered.

"Perhaps he accidentally shot himself. We found a spent cartridge beside him on the ground, alongside his rifle."

"He was a friend of Charley Peterson's," the marshal said. "So Broken Leg was cleared. I'm glad to hear that."

"How did you find that out, marshal?"

The marshal said that Running Deer had told about her meeting with the judge and postmaster, and how she had ridden back to Spotted Pony to inform all within hearing distance that her husband had been freed.

Judge Bates gave this a moment of thought. He wondered if he had done right by lying in this manner to Running Deer. Sooner or later she would find out her husband was still in jail, waiting to see if his appeal to a higher court was successful. Or would she find that out?

Judge Bates' methodical, legally-trained mind gave this matter deep thought. Then he decided the squaw would probably not hear the truth. Three witnesses had been brought to Cowtrail to give testimony. But, right after testifying, they had returned to Spotted Pony.

They had not waited for the verdict.

The prosecuting attorneys had come out from Leavenworth, and would return there—they had no reason for going to Spotted Pony. One by one, the judge eliminated persons who might come to Spotted Pony and reveal that, instead of being acquitted, Broken Leg had drawn the death penalty.

By rights, nobody should come, and his fabrication was safe.

"Skunk Ferguson stuck around town all day yesterday," the marshal explained. "Onct I saw him talkin' with Runnin' Deer."

That gave the judge his clue. Skunk Ferguson had been a friend—a good friend, according to Marshal Smith—of the dead Charley Peterson. Had Skunk Ferguson, after talking with Running Deer, decided to ride out and ambush him and Tobacco,

thereby hoping to make Charley Peterson sleep more soundly in his grave?

That was possible and probable.

It was simple. Ferguson and Peterson had been close friends. He, Judge Lemanuel Bates, had, according to Running Deer, turned loose Broken Leg. Ferguson, on hearing this, had ridden out to kill the judge who had turned loose the slayer of his best friend.

It had been done before, and undoubtedly it would be done again. And this thought drew Judge Bates' thick jowls into thick thought. For the first time he fully realized the danger he and Tobacco Jones faced on this Spotted Pony Reservation. And the maddening thing was this: Why were they in danger? What was behind all this?

"You have heard our story, Marshal Smith. Are you satisfied and are we free to go to breakfast?"

"I'm satisfied."

The Cowtrail partners went outside. Already word had got around Spotted Pony that they had packed in the body of Skunk Ferguson. Judge Bates looked at the blanket-bucks, sitting in front of the Trading Post. At the end of the street was the Agency buildings. These were brown-stained one-storey buildings, set in a square, and with lawns and trees around them. Over them flew the Stars and Stripes.

"Who is agent here?" Tobacco asked.

"John Miller, I believe."

Tobacco chewed. "Wasn't he agent over on Wind River, too? When they had thet trouble with the Shoshones a year or so ago?"

"The same man."

"You ever meet him?"

The judge said he had met John Miller once.

Traveling federal circuit judge, he had held court at Fort Washakie, the agency point for the Wind River Reservation.

"What kind of a gent is he, Bates?"

"He's a glad-hander," the judge replied. "Holds his job on political pull, and when the brains was dished out his bowl was awful small."

"Seems to me they's quite a bit of white men in this place, Bates. An' what are they doin' on a squaw reservation?"

"I've noticed two or three white men, too."

There were no sidewalks. Just paths, winding along on each side of the road, ground smooth by moccasins and boots. Tepees were outside of the town proper, and the camping-space beyond the agency buildings were thick with lodges—one behind the other.

"Guess about time the beef ration is comin' in," Tobacco grunted. "That's why all them bucks is in town."

The judge looked at the pine-pole corrals to the right of the agency buildings. "No cattle in them yet. But they must be waitin' for their beef consignment. Somebody told me there isn't a buffalo left on this reservation."

"When they got the buffaler off the grass, they whupped the Injuns without firin' a shot."

"How about something to eat, friend?"

"My belly," said Tobacco, "thinks my throat is cut."

They turned into a log building that had the sign: Spotted Pony Cafe. They were the only customers and the cook—a half-breed—stuck his big head over the swinging doors that shut the kitchen from the dining room. He pulled his head down as the partners found stools.

The waitress was a white girl, and not too pretty. She took their orders and Tobacco said, "What's wrong with that squaw that's makin' that terrible noise? She settin' on a red hot rock er sumpin'?"

"She's kept that up for days," the girl said. She went into the kitchen. She explained their orders in Crow and a mixture of English. The keening wail of the squaw almost drowned out her words.

They heard the waitress holler out the back door. "Hungry Dog, for the love of mui, stop that screeching. I've got customers."

The wailing did not waiver for a moment. It was the same level pitch, and it reminded the judge of a file running across quavering steel. It kept on and on and on.

The waitress came back, brushing aside a wisp of hair. "I can't make her stop. She's driving away what little trade I do have."

"Somebody dead in her family?" Tobacco asked.

"Her husband."

"She'll git a new one directly," Tobacco said, spearing a hunk of steak. "Them high-bawlin' ones always git another man pronto. Dunno why, either, but the harder they take it, the sooner they seems to forgit."

"What happened to her husband?" Judge Bates wanted to know.

The girl looked at them. She had a queer touch of a smile. "You two just brought him into town, I understand. You found him dead along the river, didn't you?"

"Oh."

The partners attacked their steaks in silence. The girl seemed to want to talk. "I get tired of looking at these ugly redskins, day after day. They had a

cavalry post here but they moved it over to Fort Keogh. Now all the men are married. And there are only three reservation workers, including Mr. Miller."

"Honey," Tobacco said, "I'm too old for you. Let me introduce Judge Lemanuel Bates, my partner. He's a judge, has a good home in Cowtrail, makes a good salary, loafs a lot between terms of court, is honest and kind and—"

"That's enough," the judge said. He looked at the girl. "Emma, I didn't know I was that good a man."

"You're both too old for me," Emma said. "And how did you know my name, Judge Bates?"

"Heard the cook call you Emma, young lady."

"Emma Dalberg's my full name."

All the time, Hungry Dog was screeching. Occasionally the screech would die down and hit a plateau and then it would slowly rise in tempo and pitch. To Tobacco it sounded like a violin bow hitting a wet string.

"How long was her an' Skunk Ferguson man an' wife?" Tobacco asked.

Emma frowned, held her fingers to her ears, and said, "About six months, no more. I'm glad you said man and wife, too."

Tobacco and the jurist understood. Skunk Ferguson had been a squaw man. But the noise was getting tiresome.

"She's cut her face all up with her knife," Emma said. "We've told Mr. Miller, but he doesn't seem worried. But I guess they'll come soon and lock her up until her crazy spell is over with."

The judge had a hunch that Hungry Dog was not weeping so much out of love for Skunk Ferguson as she was wailing out of pure disgust. Here she, a Crow, had snagged a white man, and now that

white-man was a corpse. And the topmost desire of every squaw, he knew, was to get a white man.

And besides, it was the habit of Crow women to wail and disfigure themselves after their bucks had been killed or died. This was a sign to the rest of the redskins that she had loved her husband very much. The louder the wailing, the greater the love.

"She sure must've thought the world of him," Tobacco said.

Suddenly the squaw's wailing stopped. It stopped so suddenly that it sounded like somebody had closed both hands over her throat. There was a commotion—somewhere behind the cafe a timber fell, hitting the cafe. The judge heard moccasins rustle, heard more timber falling.

"Sounds like a tepee's fallin' down." Tobacco paused, steak suspended on fork. "Maybe the vibration of her yowlin' shook down her lodge."

Emma had run out the back door and the cook had left, too. The partners heard people talking out in the alley.

Somebody said, "Git that beaver pelt off'n her head, or she'll choke."

"Leave it on," a buck said in Sioux. "Let 'er choke."

"Get it off her."

Tobacco sucked his coffee.

Judge Bates said, "Somebody must've throttled her. Judgin' from the talk, I'd say he tied a beaver pelt over her head."

"My nerves has already settled, Bates."

There was more commotion. Emma came back and said, "The kid did it. Her kid, too. He's fourteen. He come up behind her with a pelt—a beaver pelt— and he shut her up quick."

"Her boy?" the judge asked, wanting to make

sure.

"Yes, Jimmy. She had a buck for a husband, but he got killed against the Piegans. Jimmy's her boy."

The judge said, "Oh."

Emma gathered up some dishes. "The agency police is taking her to a cell in the jail. That's best. She can't have her knife there and if she gets too wild, they'll tie her. It's all show to her. She never cared about Skunk Ferguson. He hooked up with her just to get her agency money."

"They do that," Tobacco said.

"More coffee, gentlemen?"

The judge wished he had a drink of something stronger than coffee. Emma returned to the kitchen with their cups. The cook was struggling with somebody, grunting and cursing, and Emma said, "Enough of that, cook."

A boy came running through the swinging doors. He was a skinny young Crow, with black braids hanging down his back. Evidently he had had a bit of schooling for he said, in English, "You're Judge Bates, ain't you?"

"I am he, young man."

"I'm Jimmy. I want to thank you two for one thing. You found that skunk of a father-in-law of mine dead, that was good."

The dark, wan face was savage. So savage that neither of the partners said anything.

"But you should've left the rat out here for the c'yoties, men. He ain't worth a plantin'."

"Hush, son," the judge said gently.

Emma said, "Jimmy, get out of here."

"I'm not going. I'm with Judge Bates."

The boy's hand was a claw gripping Judge Bates' arm.

"You git goin'."

"I'm not goin.' Judge Bates helped Broken Leg. These white man ain't here for no good. Judge Bates'll help me, too."

Emma looked rather mystified. Then she asked, "Have you met him before, Your Honor?"

"He's a stranger to me."

Emma said, "The marshal is coming after you. He wants you for almost stranglin' your mother to death. That's no way for a boy to do to his mother."

"No woman that'd hook up with Skunk Ferguson is much of a mother," Jimmy corrected. He had both arms on the Judge's stool, squatting and hanging on. "You gotta pull this stool out to git me, Emma. I'm stickin' with Judge Bates, I tell you."

Emma looked at the judge in despair. The big cook was standing in the kitchen doorway, apparently waiting for Emma to give him orders to throw Jimmy out.

Judge Bates said, "Let the boy stay, miss."

"Well, if you say so, Judge Bates."

The judge said, "Stand up, Jimmy." Then to Emma, "He's just frightened, Miss Emma."

"I don't want him to disturb you, sir."

"He's not disturbin' us," Tobacco said.

Emma went back to the kitchen. Jimmy stood beside the judge. His young face was very serious as he said, "Thank you for your help, sir. I knew you would help me, because you helped Broken Leg."

"What is the matter?"

Jimmy smiled. "That marshal'll be comin' for me soon. I had to shut my mother off. The noise was drivin' me loco. I didn't want to kill her. But my father—my stepfather, I guess Skunk was—used to choke her."

The judge gave the boy a brief lecture on behavior. "You should never have hurt your mother, son. You should have gone to Mr. Miller up at the Agency and reported the case and acted like a gentleman, instead of a rowdy. Surely your teacher in school would not recommend such behavior?"

"No, she wouldn't."

"I want you to apologize to your mother."

Jimmy scowled. He eyed the judge's empty plate. His tongue wet his dark lips. "All right. But not today. Tomorrow."

"That's all right."

Tobacco asked, "You hungry, younker?"

"No."

Tobacco said, "Spuds an' steak for Jimmy, Miss Emma."

Jimmy was eating when Marshal Smith came in. He gave the youth a severe dressing-down and Judge Bates said nothing. The kid had earned a bawling-out. Smith really laid it on, too.

"I should lock you up over night. What do you say, Mr. Bates?" Jimmy didn't see the marshal wink at the judge.

The judge appeared very serious. "I think it is a good idea, Marshal Smith. He has to be taught to respect the law."

Jimmy looked up from his steak, alarm in his eyes. He looked at the judge and then Tobacco.

"Do you mean that, sir?"

The judge nodded.

Jimmy said, "Well, if you think I need a day in jail, I'll go." He gulped a little bit. "But they won't beat me like Skunk Ferguson used to beat my mother, will they?"

"They won't beat you."

Jimmy said, "Wait till I finish, eh?" He was very hungry and he ate rapidly. "But I shore hate to go."

The marshal realized the boy had been scared enough. He extracted the promise from Jimmy that he would not harm his mother again, and that if he felt the desire to do wrong he'd come and talk with him first in his office.

"Could I talk to Judge Bates, Mr. Smith?"

"Yes, either me or the judge."

Jimmy said, "Thanks a lot, men. I feel better now."

The marshal stood up, winked again at the judge and Tobacco, and left the restaurant. The judge looked down on the blackhaired boy who ate as if his life depended on each bite. Life was a complicated affair, he realized. He found himself thinking, "I'd hate to be his age. He's got a lot to go through before the final curtain comes down."

But Jimmy didn't know that. No more than a boy named Lem Bates had known when he'd been Jimmy's age, over in Kentucky. Maybe that was the fun of life—meeting obstacles, conquering them. That put variety in life and made it worthwhile.

The judge sighed and wished he had a drink.

# Five

The partners put their mules in the livery-stable and got rooms at the Willow House. Jimmy followed them with the reverence a cur shows when he follows a new master. The clerk took them down the hall and showed them their rooms and Jimmy sat in the lobby of the log building and waited for their return.

They got adjoining rooms at the end of the hall. Judge Bates' room was the last room and was next to the backdoor. The clerk assured them that he would not place any drunken Indians in any of the rooms and therefore they would be undisturbed.

"Drunken Indians?" Judge Bates repeated. "Where do they get whiskey?"

"Make it, I reckon."

"Whiskey," Tobacco said. "The bane of mankind."

"I agree with you completely," the clerk said. He had the thin blue-nose of a transplanted New Englander.

The judge did not rise for the bait. Too often had he and Tobacco discussed the evils of drink. According to Tobacco, even beer was injurious to the human system. The judge would point out the

evils of tobacco. According to Tobacco Jones, the weed had no evils. Tobacco could see black but he couldn't see any other color when alcohol was mentioned.

They went back to the lobby, signed the register, and Jimmy got out of his chair. He started to follow them outside.

Judge Bates said, "You'd best go to your tepee, young man."

"I wanna foller you."

"You heard me, didn't you?"

Jimmy stopped. "All right."

The partners went down the street. Tobacco glanced back and said, "He's still standin' there, Bates. But we sure don't want him taggin' along. Mind what he said about the white men when he come runnin' into the cafe?"

Judge Bates nodded.

"Wonder what he meant?" Tobacco asked.

"He said something about the white men not being here for anybody's good, if I recollect rightly. Well, that's a natural statement for a redskin to make isn't it? They hate the whites. Do you blame them?"

Tobacco looked at two bucks squatting in the sun, blankets around them. How in heaven's name did they keep from boiling under that sun and with those heavy blankets around them? They claimed blankets kept the heat out.

They looked at him with dark eyes. One thing about an Indian, the postmaster thought, and that is that you never can read his eyes. He looked away, a feeling of almost fear permeating him. A few miles to the east was the scene of Custer's last stand. There were graves there—new graves—but most of them

contained whites, not redskins.

"Where we headin' for, Bates?"

"Over to see Agent John Miller."

Tobacco spat. "You're headin' for the livery-barn, not the Agency buildings. How come?"

The judge had no answer.

They went a hundred yards or so and Tobacco said, "You craves a drink. Your likker is on the mule."

"Not on the mule now," the jurist corrected. "In the pack, for I unsaddled the pack mule."

"Why be so technical?"

The judge grunted, "You're as sociable as an ulcerated tooth, friend."

The hostler was gone. The judge got out a flask and drank eagerly. Then he sighed and wiped his mouth with the back of his chubby hand. He put the flask under his belt and it was hidden by his shirt.

"Agent Miller'll smell likker on your breath, Bates."

"I don't think so."

"Why not? I can smell it away over here, I can."

"But you have no whiskey on your breath," the judge pointed out.

Jimmy came into the barn. "I come over here to watch your mules," the Crow said. "I ain't got nothin' to do so I might jus' as well keep an eye on your outerfits."

"Why?" the judge wanted to know. "Aren't they safe?"

Jimmy shrugged mysteriously. "A man never knows what to expect next in this town."

"Like what?" Tobacco asked.

"Well, now—"

Tobacco and the judge went toward the Agency. Spotted Pony was anything but a quiet town. Squaws haggled and gabbled, kids ran around

almost naked, dogs barked and a mule brayed somewhere.

The brown Montana hills stretched away. To the east you could see the cottonwoods and willows that grew along the Little Big Horn river. Then the narrow valley lifted, and the hills ran on again, rising until they became mountains in the distance, blue and serene, holding their endless snows.

"Yonder is the Big Horn River," Judge Bates said. "There's a canyon over there, where the Big Horn goes through those mountains."

"How'd you know about it? You ain't never been over there, have you?"

The judge had grubstaked a prospector some years before and the prospector had explored the Big Horn Canyon country. As usual, he had returned with no sign of gold—a habit the judge's grubstaked prospectors had.

"He told me about that country."

Tobacco bit off a chew. "You've spent a few hundred dollars, Bates, outfittin' them ol' prospectors, an' not a one has showed you a grain of gold, has he?"

One of them—Tim Keeburn—had brought back a small poke of dust, the judge allowed. But Tim had been the only one that ever found color.

"What about ol' Jack Minor," Tobacco pointed out. "He claimed he'd found no ore, then went back east to live, you notice. I still think that gent was lyin' to you, Bates."

"Jack Minor was the fellow that prospected the Big Horn Canyon."

"You're a sucker for them ol' goats, Bates. Every prospector in the country finally comes to you fer money. Word travels aroun' you're soft an' in they

come, like bums come to a housewife that feeds them all."

"Which tooth is it that hurts?" the judge asked.

Tobacco said, "T'hades with you, Bates."

Agent John Miller was not in his office. His aide said he was in his home. When the judge and Tobacco entered, Miller got out of his chair and came forward, hand extended.

"Heard you were in town, Your Honor. Very glad to have you visit this oasis of pleasure."

The judge remembered the howl of the squaws, the smell of their camps, and barking of the curs. He shook the agent's hand, introduced Tobacco Jones. Tobacco looked at Judge Bates and only the judge caught his sour smile. Agent Miller had whisky on his breath.

The judge knew that Miller would not offer him a drink. Miller was agent of Spotted Pony Reservation and, in having whiskey in his house, was violating war department rules. And Judge Bates was a federal judge.

"Sit down, sirs, and tell me why you came to this town?"

They took seats. The judge caught Tobacco looking for a spittoon, but the postmaster was not successful. Mrs. Miller, a gray-haired woman, came in and was introduced, and she left immediately to make tea.

The judge said, "We came in on a fishing trip. Broken Leg said fishing was very good along the river, sir."

"Indeed it is." Agent Miller, though, was frowning a little. Fishing was also good in the Crazy Woman, the Powder, and other creeks and rivers, all much closer to Cowtrail than was this section of the Little

Big Horn. "Very good fishing, Your Honor."

The judge noticed John Miller's frown and understood clearly the conjecture that motivated it. There was trouble here on Miller's reservation—and there had been the murder of Charley Peterson—but still Miller seemed calm and unconcerned.

Miller was a politician, the judge knew. If things got too bad here on Spotted Pony he would ask army officials to transfer him. Judge Bates understood that Miller's father—now retired—had been a major-general or some form of general. The old man still held power in Washington, D.C., though, and he had helped and would help his son along.

They talked about various things, none of them very interesting. Finally Miller said, "I understand Broken Leg was cleared of the murder charge."

"He drew a death penalty," the judge said.

Agent John Miller's thin eyebrows rose. "But his squaw, Running Deer, told me she had seen you down along the river, sir, and that you had told her that her husband had been acquitted, but had had to go to Fort Leavenworth."

"So I told her."

"But—"

"I couldn't tell her right out that her husband would be hanged," the judge said. "Broken Leg is appealing the case, and therefore he might get a new trial, with a different verdict."

"Oh, I see."

"I trust you'll keep this information secret, sir."

Agent John Miller swore himself to secrecy. Mrs. Miller came in with tea. She also had some small cookies she had baked. The judge hated tea and Tobacco claimed that tea was without any nourishment at all. But now he said, "Thank you, madam.

I'll enjoy this."

The judge also thanked her and held the cup by the handle, wondering if the cup were not so fragile the handle would fall off. He wished he could take out his bottle and spike his tea. He knew that Miller would have enjoyed a shot in his cup, too. But neither trusted the other so therefore they drank straight tea only.

Mrs. Miller sat down, and a painful silence followed. Judge Bates knew that Miller was still wondering why he and Tobacco had ridden into Spotted Pony. Agent Miller knew well they hadn't come to only fish.

A dark head came in the door, a smile showed flashing teeth, and a boy's voice said, "I'll wait for you out on the porch, Mr. Bates."

Mrs. Miller gasped. "Why, that was Jimmy Hungry Dog, wasn't it?"

Judge Bates said, "He adopted me."

"Oh."

The judge explained about the incident in the cafe. This led to talk of Hungry Dog, who was now in a cell in the agency jail. She was still whooping, Agent Miller said, but the jail was so far away nobody could hear her.

The judge then told about "finding" Skunk Ferguson's body. This occupied a few moments. The talk then shifted to Charley Peterson. Peterson and Ferguson had been friends. Peterson had had a squaw, too, but she had not mourned a bit. She had already married another buck.

"Got quite a few white men around," the judge offered. "Saw a couple of them sitting in the card room when I went by."

"There's no gambling there," Miller hastened to

say. He was a government official talking to a federal judge and he was all business. "I've checked and made sure no gambling goes on."

"Any whiskey get smuggled into the reservation?"

Miller assured the judge that none was coming in. But there was whiskey, though, and he was sure it was being manufactured by the redskins themselves, and not being smuggled in by white men.

"Marshal Smith and I are working to stamp it out, Your Honor. By the way, we have another bedroom or two, and we'd love to have you and Mr. Jones stay with us during your visit to Spotted Pony."

"Yes, do stay, gentlemen." Mrs. Miller showed a lifeless smile. She had one of those smiles she could turn off or on at will.

Sometimes, Judge Bates noticed, her timing was wrong, and she smiled at the wrong time.

The judge looked at Tobacco. He thought he read a touch of alarm in his partner's eyes. If they stayed here at Miller's home it would be the same as being under the agent's eyes all the time.

Tobacco said, "I'd like to stay, folks, but we got hotel rooms for four days, all paid for."

"Oh," Mrs. Miller sounded relieved.

The judge thanked them and they left. Miller shook hands again, offered to send a guide with them to show them the best fishing-holes; this was not successful either, for Jimmy Hungry Dog, said, "Me, I know where the fish are. I take them to lots of trout, Mr. Miller."

Miller said, "Don't bother these men," and he was stern.

"I pay no attention to you."

Miller started forward toward the boy, then stopped. For Judge Bates had throttled the young

Crow.

"Apologize to Mr. Miller, Jimmy."

Jimmy wriggled. "Why?"

"You know why. Apologize."

Jimmy looked at Miller. He looked at Tobacco, then at the Judge. Judge Bates' fingers tightened on the youth's neck.

"I'm sorry, Mr. Miller."

Miller said, "Apologies accepted, Jimmy."

Judge Bates released the youth. Jimmy rubbed his neck, eyes on the ground. The partners left, Jimmy trailing half a block behind.

"What'd we find out?" Tobacco asked.

"Just that Miller's either a fool or he's playing a tight hand. But we'll find out something soon, partner."

"Poor ol' Broken Leg," Tobacco grunted.

# Six

Tobacco Jones sat on his bed and said, "Well, for two days we bin hangin' aroun' this burg, Bates. An' so far we ain't found out nothin'. Fact is, I don't mind for sure jus' what we are lookin' for, at that."

"You mean to tell me, Jones, you see nothing wrong here?"

Tobacco chewed and scowled. "Well, things ain't good, if that's what you mean. But Broken Leg sure ain't no brother of mine; fer one thing, his skin is the wrong color."

"I'm going down to the pool room and get in a card game."

Tobacco speculatively eyed his partner. There was another thing he could not understand: Judge Bates seemed to have acquired a sudden love for playing poker in the pool room.

"Since when did you become such a poker fiend?"

"There is no poker playing on Spotted Pony Reservation."

Tobacco made the spittoon's contents splash. "Sure, they ain't . . . accordin' to Agent Miller. Blind in one eye, he is, an' he cain't see outa the other. But

you're a federal judge, Bates, an' legally you should close thet game, instead of encouraging it by your company."

The judge openly winced.

"Tobacco, you sure will get to the Next World."

"Sometimes I doubt about you," the postmaster retorted.

The judge left his partner in the hotel room and outside Jimmy Hungry Dog awaited him. He swung down the street and Jimmy joined him.

"Going to the pool room, Your Honor?"

"How's your mother, young man?"

They were standing in front of the pool room. Despite the fact that it was fall, the sun was still warm, and an almost hot wind came in from the Dakotas, moving across the endless sweep of hills and buffalo-grass, now brown and bent beneath heat and drought.

Two young bucks came into town on a wild lope, a yell splitting from their leather-colored throats. They roared down mainstreet, hoofs kicking dust, and Judge Bates noticed they wore only buckskin pants. Their torsos were brown and their ribs showed.

One pulled his bay in close, made a motion with his hand, and said clearly, "White man, bah," and then loped out. They rounded a corner, broncs almost skidding as they circled, and their hoofs ran out.

The judge said, "Nice fellow, he was."

Jimmy accepted it more philosophically. "That's Jack White Feather, Your Honor. He's a wild one, he is. A few days ago he wouldn't've dared to talk to a white man like that."

"Why not?"

"He done shot a buffaler the other day an' has meat for his lodge. Therefore he don't need to get a beef from the agency. He's—what's that word—indep—?"

"Independent?"

"Yeah, he's that, he is."

"You control the food that goes into a man's belly," the judge said, "and you control that man, body and soul. That goes for most men, I've found. Still, there are others who'll separate body and brain, and despite hunger and privation will still fight for their civil rights and liberties."

"My ol' lady won't eat," Jimmy said. "But she shore ain't fightin' fer nothing except the right to howl, is she?"

"We do not know."

"In what way, Mister Bates?"

"Maybe she loved Skunk Ferguson."

Jimmy considered this with the raptness a boy gives to a new thought. "Well, she might've been, at that. Though it shore seems odd she could cotton to that hunk of raw meat."

"What did Skunk do?"

"Do? What'd you mean?"

"What did he do for a living?"

"Nothing that I know of. He'd get ma's gover'ment allotment an' head down to the pool hall an' gamble. That's how come my belly got as flat as it did."

"He did nothing else?"

"Well, he'd git his mule an' head out, for Lord knows where, Your Honor. He'd claim he was out huntin' but I seen him shoot—he couldn't hit a antelope with a shotgun if the antelope was tied down ten feet away."

"Did he have any friends?"

"Only ones I seen him chummy with at all was this dead gent, Charley Peterson, an' them two you play cards with."

"You mean Mr. Frazier and Mr. Perrine?"

"Them's the two, only I'd not call them by mister."

The judge said, "I'm going to talk to your mother again." He had noticed neither Jack Frazier or Mike Perrine was in the pool room. "Yes, sir, I'm going to try to talk to her again."

"Try to is right," Jimmy corrected. "I'm not goin' with you, sir. I get around her an' she stops bawlin' jus' long enough to think of somethin' for me to do. I'll watch over your mules."

All right."

Heat waves danced across the patio of the agency. Down by the corral squaws and bucks squatted in the shade, evidently waiting for the arrival of the beef allotment which, so John Miller said, was due in a week or so. According to the agent, the beef was being driven in from the Milk River country, up around Malta. Circle Diamond beef, he had said.

The wind met Judge Bates, lifted a fine sand, blew it against the jurist's face. He snorted and spat in disgust. Maybe Tobacco was right, at that. Maybe they were just wasting their time. Maybe Broken Leg had killed Charley Peterson, and therefore the verdict of hanging had been justified?

"Judge Bates."

The words were spoken brokenly. The judge stopped and saw an old buck who sat with his back against a building. He had a faded blanket over his shoulders, his hair was in gray braids, and an occasional gray whisker sprouted out of his leath-

ery chin, reminding the judge of a blade of gray grass trying to catch hold on brown rock.

"Red Beaver, how?"

"You come, judge? You sit beside me?"

The judge went over and squatted beside the father of Broken Leg. Red Beaver's tiny, wrinkle-enclosed eyes were on him, the sharp eyes of a gopher—they weighed and measured him.

"You came here to fish, judge?"

"Yes."

"That is all why you came?"

"That's right."

Red Beaver looked across the clearing at Agent Miller's house. Then he said, "White Man, he always poor with his mouth."

"He doesn't hide things like Red Man."

"This time, White Man he hide."

Judge Bates realized this conversation was getting nowhere. He had talked with Red Beaver before and the old man always seemed to be holding something back from him. Or was he using his imagination?

Judge Bates stood up, a sign the conversation had ended. But Red Beaver was not through. He looked up and the judge thought. He looks like an old walrus, minus the walrus' whiskers.

"My son, he come back to Spotted Pony?"

The judge couldn't honestly answer that question. But he found a way of evasion that was not a direct fabrication.

"I do not know, Red Beaver. I am not your son."

Red Beaver studied him, and the judge wondered just what the old buck's thoughts were. Red Beaver's aged, watery eyes were on him. Finally the old Crow looked away and he seemed under a

heavy, unseen weight. A weight that was more than his years.

"A man has a son for the hope that son will be a better man than he is." He made the words also in sign language for his English was very broken. "Then the White Man comes with his sickness and soft hand and his knife behind his back. . . ." He bowed his head and apparently went into sleep.

The judge stood and looked across the clearing. Other Crows were watching them, but none met his gaze. He stood there and the wind came in and lifted a geyser of dust, and off in the distance riders toiled toward the reservation, their positions marked by the lift of prairie dust. Ten minutes from now, it would seem they were no closer; there was that much distance between them and Spotted Pony.

"Farewell, Red Beaver."

There was no answer, and the judge walked toward the agency jail. He looked at the squatting Crows again and heads went down or turned to one side to avoid seeing him, but he knew curiosity ate at the vitals of the bucks and squaws.

Agent John Miller came out of the barn. Suddenly and without warning he said, "I'm tired of these damn' redskins. They sit there and look at you and you can't read a thought they have, if any. They're like fenceposts."

The judge smiled, but not in amusement; he could see John Miller's position—day after day, day after day. And he knew Mrs. Miller was a sort of social bug and a woman can't do any social climbing among a bunch of Crow squaws.

"I can see your point, Mr. Miller."

"Judge Bates, there's some trouble here on this

reservation, and I cannot lay my hands on it, although I try hard. I question an Indian and all I get is grunts."

"Are you sure there is trouble?"

"Peterson got knifed. He was no good—just another squaw-man hanging around for his squaw's allotment check. Then Ferguson was found dead. But what's behind it all?"

"Broken Leg claimed Peterson tried to steal his moccasins. By that, I'd judge he meant his clothing."

"I heard that, too. That doesn't make sense! Who in his right mind would want to steal a redskin's dirty buckskins? They stink too much!"

The judge nodded. There was wisdom in those words, too. He had questioned Red Beaver and Running Deer, and had found out nothing.

"I'm as mystified as you are, Mr. Miller."

Miller said, "I hope you find something substantial, sir, if that is what you search for."

"I came to fish," the jurist reminded.

Miller said, "Oh, I see," and showed a big smile. "You going to question—I mean, talk—to Hungry Dog?"

"With your kind permission, Mr. Miller."

"You have my permission, Your Honor. She hasn't howled for a few minutes. And a welcome relief that is, sir."

The judge noticed that Agent John Miller did not have the same stiffness he had shown when the judge and Tobacco Jone had visited him in his home. Maybe it was because Mrs. Miller was absent. From what the judge had heard, Mrs. Miller was somewhat domineering. She wanted to steer her husband up in politics but Miller lacked the integrity to climb. The judge, being himself a politi-

cian, realized Miller, although not possessing too much brains, still had brains enough to climb the political ladder, had he the desire.

They went into the jailer's office, but the jailer was not around. "Guess he went down town for a chew," John Miller said. "He told me he was running out of tobacco."

The judge nodded. Miller seemed anxious to talk. That could be a method of drawing information out of him, Judge Bates realized. He didn't know which side of the fence Miller stood. In fact, he didn't even know where the fence was, or of what it was made—wood, brick, stone or what have you.

It was a little cooler in the jailer's office. The judge took a drink from the stone crock, wishing Miller were not along so he could take a nip out of his bottle. Miller scowled.

"Usually, when that squaw hears a newcomer out here, she starts bawlin' again. She must've have fallen asleep out of sheer exhaustion, Judge Bates."

They went down the cell corridor. The place had eight cells and Judge Bates knew, from Miller's talk, that Hungry Dog was the only prisoner.

"If she stops bawling, I'll free her," Miller said. "I hate to see a woman kept in—"

Something chopped Miller's words short. They were looking into Hungry Dog's cell. Judge Bates could not conceal his surprise, either.

They stood there a moment in front of the cell, both of them apparently speechless. Then Judge Bates walked to the rear door and opened it and then closed it and returned to Agent John Miller, who still stood in front of the cell.

"Back door was unlocked."

The jurist opened the cell door without a key.

"Jailer must have left his keys behind when he went out," the judge said. "Or has a duplicate set of keys?"

"Duplicate. In his desk." Miller's tongue wet his lips.

The judge said, "Heck of a jailer, that gent." He went into the cell and Miller followed on wooden legs. "Where'd she get the rope?"

"No rope in here—I made sure myself that the cell was empty."

Hungry Dog's slashed face had healed a little, with scabs over the scars. Her eyes were closed, but she was not asleep. She was hanging by her neck, the rope tied to the ceiling beam.

And Hungry Dog, the Crow squaw, was as dead as she would ever be. . . .

# Seven

Judge Bates walked around the hanged squaw, taking in every detail. The rope even had a hangman's knot, he noticed.

Miller said, hollowly, "This will cost me my job!"

Judge Bates had a smile that hid his irritation. Here a woman had been hanged, and Miller thought not of her loss of life—rather, he thought of his job. Well, it showed how his thoughts ran, anyway.

Miller said, "Hell, she ain't hung herself, Judge Bates."

The judge asked, "What makes you say that?"

"Well, first thing, she never had no rope. Second thing, the cell was unlocked—my jailer never left it that way. For the third thing, there's no box under her feet to kick away, no chair."

"She could have jumped off her bunk."

"Rope would have been too long then. No, somebody's hung her, Your Honor—but why?"

That was a question the judge could not answer. The squaw's buckskins, he noticed, were disarranged—her blouse was crammed loosely into the waist of her buckskin skirt, and her moccasins were

off. He got the impression that somebody had searched her body as she hung at the end of the rope.

But he did not mention this to Agent Miller. Instead he said, "Better get the marshal, Mr. Miller."

"I'm sure glad you were here to see her first, Judge Bates."

Miller went down the corridor and Judge Bates heard him slam the door. While he was gone the judge inspected the corpse closely. He found nothing on the dead squaw's person except her clothing. He was looking at one of her moccasins when Tobacco Jones said, "So somebody strung her up, huh?"

The judge nodded.

Tobacco said, "An' they took off her moccasins, eh? Now what were they looking for, Bates?"

"I'll be darned if I know."

Tobacco said, "Miller's comin' with the marshal an' jailer. You know, Bates, I never knew this until a minute ago, but Jimmy done tol' me his mother an' Runnin' Deer are sisters."

"**Were**," the judge said.

The jurist took a quick drink, restored his flask to its hiding place.

Tobacco said, "Don't get technical." He chewed and thought. "Somethin's rotten in this town."

The marshal and agent returned, the jailer right behind them. Word had got out about Hungry Dog and the squaws wailed with knife-like sharpness. Bucks tried to get into the jail but they locked the door.

The jailer stared, eyes popping, and then found his second set of keys. "My keys is here, men. So is the key to the back door."

Judge Bates had nothing to say. He wished word had not got out to the other Crows, for the din was terrible. They were at both the doors, pounding and keening; he decided to get out.

Tobacco followed him outside. Red Beaver and another old buck had not joined in the festivities. Red Beaver beckoned to the partners.

"She dead?"

"Yes."

"Good riddance."

The old buck made the sign of dismissal and the judge and Tobacco continued down toward town. Mrs. Miller and a young squaw, evidently her maid, stood on the porch of the Miller home, and she called to the partners, "What happened?"

The judge told her.

"Oh, my husband's job! Oh, why did it have to happen to us!"

The judge and Tobacco continued on their way. At the corner they met Jimmy. Jimmy said, "So my ol' lady is dead, huh?"

"Come with us," the judge said.

Jimmy said, "I—I can't, judge." He was weeping then, weeping as only a heartsick boy can weep. The tears knocked the pretence of maturity, the cockiness, out of him. Judge Bates picked him up and carried him to the hotel room and laid him on his bed. Tobacco bit off a fresh chew and said, "Dang it, anyway." That was about the closest he'd ever come to swearing.

"Let's go to your room," the judge said.

They left the weeping boy on the bed and went to Tobacco's room where the jurist sat on the bed and took a long pull out of his flask.

"Who hung her, an' why?"

"That," said the judge, "is the question."

"Some of them Indians must've have been in a position to see that back door, Bates. But none of them seen anybody leave it."

"They were playing mumble-peg and a man could have ridden a bronc in that door, and they'd not have seen him."

"They must have come in the front door first," Tobacco said, "or else how would they get the key to the back-door? It was in the jailer's desk. I sure can't savvy it. In broad daylight, too."

The judge said, "I'm going to talk to Red Beaver."

"That'll get you nothing."

Red Beaver had moved a little to get in the shade. The other Indians had, for the most part, left the jail and were in groups talking and gesturing.

"You see back door of jail, Red Beaver?"

"Me no see. Me no set right."

"Anybody see?"

"Nobody see."

Tobacco murmured, "We're gettin' everywhere in an awful hurry, Bates."

Judge Bates said, "You see anybody go in front door?"

"Nobody see."

Another buck said, "I see. Only jailer, he go in."

The judge and Tobacco went back to the hotel and sat on the porch. Tobacco chewed thoughtfully.

"In broad daylight, Bates, they sneak into jail an' string up a squaw. Nobody sees 'em. They're not only smart, they're invisible. Maybe they came through the roof?"

Judge Bates studied his partner. "Partner, you really said something. There's a skylight in that jail."

"But why leave the back door unlocked?"

"Maybe the jailer left it unlocked. He's that ignorant. He's got no memory—not in a case like this, anyway.

"Wonder if that roof can tell us anything?"

"Might," the judge admitted. "Evidently the roof is tarred. The tar is hot in this sun. They must've dropped down from the skylight. They could come up the other side of the jail and nobody would see them there."

Tobacco grunted, "Let's move."

They went back to the jail. When they carried out the body of Hungry Dog the keening rose in a new wave. They had the dead squaw on an improvised stretcher and the four white men turned the handles over to four bucks who carried her to the Indian village, the squaws screaming and jumping behind them.

The north side of the jail showed a sandy area unmarked by tepees or Crow dwellings. Buffalo grass grew high and was now brown and crisp. No ladder leaned against the jail wall.

"Footsteps," the judge intoned. "See where the grass has been trampled." He looked up at the roof, about nine feet above him. "They wouldn't need a ladder, if there were two of them. One could boost the other up, then he could help up the man on the ground."

"These ain't moccasin tracks," Tobacco said. "They look like shoes to me, Bates."

The judge went to one knee. "Hard to tell," he said. "But some of these Crows wear shoes, I've noticed."

"Not many."

"You get on my shoulders."

The judge got against the wall, with his back to

the siding—he helped Tobacco on his shoulders. Tobacco could look over the eaves and see the roof. He looked for some time—in fact, he stood on the judge's shoulders so long his weight got heavy.

"See anything, Jones?"

"Lemme down."

The judge got rid of the postmaster's weight and then brushed the imprints of Tobacco's boots off his shoulders. "Next time," he said, "I'll stand on you."

"You'd flatten me."

"Well, what did you see? Don't play the detective all the time, friend. Talk?"

Tobacco said, "Two men, both wearing shoes."

The Crows were still making a din. Dogs barked and kids hollered and squaws wailed. The sound moved across the prairie in waves, registering in the ears of Judge Lemanuel Bates and Tobacco Jones.

"You sure it was only two men, Tobacco?"

"Two men. One gink's feet is a little bigger than the other's."

"That sure is something to bank on," the judge murmured. "Maybe you and I did it? Your feet are bigger than mine."

"Shut up, Bates."

They went around to the front of the jail. Judge Bates looked at the compound with eyes that were heavy with thought. He seemed to be speaking to himself; Tobacco looked at him, chewed, and was silent.

"They came in from the skylight. They tried to make her talk, I think—did you notice the fresh bruise on her right wrist."

"I noticed that, Bates. Black already, it was. But maybe they didn't try to make her talk— Heck,

Bates, I dunno. Now they went in that skylight, we'll say. They're in her cell. She couldn't have got out the skylight 'cause it was too high an' it was bolted on the outside."

"Yes, they're in that cell. But there we're stuck, Jones."

Tobacco nodded, spat on a grasshopper climbing a stem of buffalo grass. The grasshopper ran into a miniature Niagara and landed on the ground. He started to prune himself free of the brown tobacco-juice.

"Yep, stuck we are, Bates. They're in the cell an' the cell is locked, an' they ain't no way to git the key an' unlock it—'cause them gents is locked in. That proves we're wrong, don't it?"

"It looks like it."

They went to Agent Miller's house. Miller sat on the porch and drank from a glass of lemonade and had a worried look on his long, handsome face.

"Now who t'hell hung her?" the agent wanted to know. "Nobody could come in the skylight, could they?"

"Never noticed the skylight," Judge Bates fabricated. "But if somebody did get into her cell via the skylight, how would they get out of it to get the key to the backdoor and the cell? They'd be locked in."

"Had two men up on that roof the other day," the agent said. "They checked the turn-bolt on that skylight and said it was down hard. I also had them tar the roof a little more."

Agent John Miller did not notice the look Judge Bates sent toward Tobacco Jones. That explained the footprints on the roof, eh? The judge thought, reckon we aren't so smart after all, Tobacco.

"No, they've come in the front door, bold as life,

and still nobody's seen them—or so those Crows claim. They've doped everything up so it would look like that squaw had hanged herself. Or maybe we're both wrong, Bates. Maybe she did hang herself. Maybe she got a rope smuggled to her and she stood on the bed and jumped—"

The judge almost said, "But that rope even had a hangman's knot," but he held his words. He listened to Miller drone on and gave the man's words only one small part of his attention.

The wind moved across the compound and it had a chillness now. Somewhere to the north hung the cold clouds of winter; soon this range, these hills, would feel the soft, hungry kiss of wet snow. Then the wind would come with its blizzards, and wind and snow would become a living hell.

Mrs. Miller said, "How terrible, Judge Bates. I'm glad you were with John when he found her. It will be a terrible report we will have to send in to Washington."

The judge said, "We'd best get back to our hotel, Tobacco."

They took farewell of the Millers, who went into their house. The wind shoved the judge's coat against his back, made Tobacco's pant legs lie flat on the postmaster's skinny shanks.

"Them two sure is worried," Tobacco grunted.

"That Miller gent," the judge said, "hasn't got sense enough to drive nails into a snowbank."

Tobacco looked at his partner with a slanted glance. "Are we any better, Bates? Here we figured they'd sneaked in that skylight and Miller'd had two men up there doin' repairs."

"You bray like a jackass in a tin barn."

# Eight

Here the land rose suddenly, twisting as if in pain under the cover of night, then it fell into a ravine that slanted down toward the Little Big Horn River. Here in this ravine grew red willows and cottonwoods, and the chokecherry trees were heavy with black berries that almost bent their branches. When the frost came, those berries would loosen and fall.

A black bear, disturbed in a berry patch, lumbered to his hind feet, sniffing the air and catching the scent of humans. He stood there, silent in the darkness, and listened to the man go by, his horse making small sounds when his shod hoofs hit gravel. Then, realizing there was no danger to him, the bear dropped again to all fours, and started eating again. He was fat and lazy and overfed; hibernation was near and welcome.

There was a trail here, dim and uncertain because of the night, but the horse followed it, as other horses and men had followed it, from the beginning of time. The horse descended the slope, his rider braced against fork; he came with the side-crabbing, lurching movement a horse uses when he resists gravity. Finally the land levelled, and he

came to the cabin door.

The cabin was dark. A trapper had built it years before, when the Sioux and Piegan and Crow were untamed, and now the trapper was buried down the creek, his grave unmarked and now level with the ground and the grass. The Piegans had not buried him; two other buckskin men had found his mutilated corpse and given it burial.

This had happened only forty years before, but already no living man knew about, and such was the irony. The trappers had wondered why the Piegans had not burned down the trapper's cabin. But, for some reason, the Piegans had left it standing.

The rider leaned in his saddle, and his voice was low: "Who's there?"

No answer. The rider went down and led his bronc into the willows and tied him there and returned to the cabin. He did not light the tallow candle that had been melted against the wall. He waited and the moon heeled up and it turned the canyon bright with colors and shadows.

The brush made sounds, and a rider came out of it. He was bulky in his saddle, and he said, "You here yet, Jack?"

"Inside, Mike."

"Where's your bronc?"

"In the willows. Behind you."

Mike grunted, "You take no precautions," and he rode his horse into the brush. The man named Jack listened to him and thought, "He makes more noise than a honey-sopped bear."

The brush broke and Mike came out. He came into the cabin and asked, "Hermando, he ain't here yet?"

"No."

"Wonder what's keepin' him?" Mike did not wait for an answer. "An' Pinto, he ain't here yet, either?"

Jack growled his answer. "Dang it, Mike Perrine, you got eyes, ain't you? Neither of 'em is here yet."

"No need to git ruffled, Jack."

They sat against the cabin and listened to the night and its sounds. Up in the rocks the wind made its endless noise but it did not reach into this ravine. A bluejay talked somewhere, his raucous cries a wedge that drove into a man's peace of mind.

"That jay," Jack said, "must be crazy. Here it is close to midnight an' he's makin' a racket like it was broad noon."

"They do that sometimes. I dunno why, but they do. A mockin' bird is the same way, 'specially in the spring when his mate is nestin'. I mind when I was a kid in Texas. One mockin' bird'd set right outside my window an' chirp all night. I wanted to shoot him but my mother'd not let me."

Jack shifted his weight. "Shucks, I never knowed you had a mother, Mike. I thought you jus' hatched er sumpin'."

Mike was silent for a moment. Evidently he was giving this thought: Was there insult in it, or did it contain a compliment? This man known as Jack Frazier was deep and of many currents. He could smile, but his eyes would be blank; he could laugh, and his laugh could be genuine.

And it could be false, too, when it sounded genuine.

He settled there in the night, and gave his thoughts to other things then besides nettling his companion. He and Mike Perrine had become friends not through choice, but through necessity. It had all been, and still was, a matter of simple

arithmetic; two guns were better than one, two men had more strength than one. And two brains were smarter than one brain.

He had been run out of Alder Gulch by the vigilantes, and he had been part of the Henry Plummer gang—in fact, he had worn the star of a deputy-sheriff. But that had been twenty years ago and he had been a mere youth then: just reaching his early twenties. But that had been the beginning.

He had got out with his neck unbroken by a noose, and that had been more than some of the boys had done. He had drifted to other scattered gold-fields—to Last Chance and some of the Idaho diggings—but he had not mined, he had robbed and killed. But they had played out and the Black Hills had seen him, and he knew Deadwood and Lead, and he knew where a miner had been buried, for he had buried him.

But the Black Hills boom steadied and lost its wildness, for the strength of the town marshals had stiffened. He had been driven from Deadwood, for rumor had it he knew Jack McCall too well, and McCall had murdered Wild Bill Hickock. He had met Mike Perrine at Belle Fourche, north of the Black Hills.

Two of a kind had met.

Where Jack Frazier was big, Mike Perrine was solid and tougher. Where Frazier had a bluff, angular face marked by planes, Perrine had a round, almost stupid-looking face, dark and with its stupidity as a cloak to mask savagery. Frazier's cunning was more direct; Perrine's cunning was a soft, smooth breeze, hardly detectable, yet holding in its touch a fierce burst of strength.

The Sioux were moving, and both had joined the

army at Fort Lincoln; both had started out with Terry for the Rosebud, and both had deserted when the battle of the Little Big Horn had become a certainty. But desertion was common, and nobody asked questions, and so no questions were answered. The Civil War ceased to exist in reality, but still it was an ever-present threat to this land, for Texas and Arkansas had sent its warriors north to escape carpet-bag rule, and Texas men, after the fall of Custer, had driven Texas cattle into the Montana Territory. The army men—men stationed at Fort Keogh, at Fort Lincoln—were Northern men. Thus the danger was always present.

There were other camps after that, and other thievery. Jack Frazier and Mike Perrine had been riding north, aiming to head into Canada for a spell, for south of them a Union Pacific train had been robbed, the baggage man killed—yet the loot had not amounted to much. And, in the Big Horn Canyon, they had run across the Crow, and he had had gold.

Not much gold—a small poke—but where that gold had come from there would be more, so the torture began. But the Indian had died without telling where the gold had come from.

That had happened almost a year previous. They had searched, and others had come in—the two men called Charley Peterson and the man known as Skunk Ferguson. The dead buck had been some relation to an Indian named Broken Leg, and they had seen Broken Leg in the Canyon, but he had lost them in the labyrinth of rock and cut-coulees.

Ferguson had said, "Them Injuns know where this gold is. Me, I'm goin' git me a squaw. I'm goin' set back an' let her work an' I'l lissen hard."

Then there had been six of them, for carrion attracts flies. But now there were only four, for Ferguson and Peterson were in the Happy Hunting grounds. So Jack Frazier said, "We're gettin' nowhere in a heck of a hurry, Mike. Almost a year we been in this section."

"We've had tough luck."

Jack Frazier lifted a handful of dust and pounded it through his clenched first. "Only a few Injuns know, I think. Broken Leg, he knows. He's got that map; we've got to get it."

"Peterson tried," Mike Perrine reminded. "Yeah, Charley tried. That buck is hell with that knife."

"He didn't kill Peterson."

"No," Perrine said, "he didn't kill Charley. But we had to get Charley out of the way, and we got Broken Leg out of the way, too. All in one blow. Charley would talk a lot when he got a little whisky under his belt."

"He won't talk no more."

Mike Perrine stood up, movements liquid. He had a pistol in his hand and he said, "I heard two horses."

Jack Frazier did not rise; he remained hunkered, and he looked up at Perrine. The moonlight showed the dark savagery of the man's face. Frazier heard the hoofs now, far down the canyon, and he kept watching Perrine's face. Perrine listened, and the savagery broke away, falling away in slow degrees, but yet the man's face was not pleasant.

"Not horses," Perrine corrected slowly. "Mules."

"Them?"

"It's them, Jack."

The two riders came into the brief clearing, and moonlight identified them. One said, "Hello the

cabin," and he had a broken tongue. The other was silent, watching, listening. They did not see Perrine and Jack Frazier in the dark shadow running along the base of the cabin.

"Come down," Frazier ordered.

They came out of saddles, leaving their mules ground-hitched with trailing reins. They were both lithe men, well into middle-age, and both were dark and Spanish. They were some distant relatives—maybe cousins—but that did not bind them together. They had run sluiceboxes on California's American River, they had known the strike at Last Chance and Alder, and they had seen the Black Hills. They had also helped rob a few trains, the last being one of the Union Pacific's. But above all they both knew gold, and the formations that would hold gold.

"Any luck?" Jack Frazier asked.

Hermando said, "No luck, sir."

Pinto settled and sighed and Frazier caught the smell of hot peppers and hot food. Pinto said, "We look for that gold. But it is in there. Some day we run across it, Frazier."

"We've been here almost a year," Frazier growled.

Hermando sighed, and again the stink of hot peppers. "A year is not long, my fran. But there is gold there. That redman you kill—he have gold. You got from him he got it in the Canyon?"

"No, we got nothing from him. But Broken Leg got gold; and he's got the map. Or anyway, he did have the map."

"Maybe his squaw have it?"

Jack Frazier stretched and went into one pocket and got a match. He chewed it and said, "Maybe

Running Deer has it. But she's too smart to keep it on her person, I think."

Mike Perrine had his head back against the rough building; moonlight showed on his swarthiness. "She's too smart for that," he said quietly. "She knows why Peterson tried to rob her lodge."

"The other squaw," Hermando said. "She have map?"

"Which squaw?" asked Frazier.

"The one Skunk, he join with. Seester to Runnin' Deer."

Frazier looked at Perrine, and the touch of a smile touched Frazier's lips. He seemed to be smiling at some secret, and this drew a fine hardness to the lips of the man known as Hermando, made Pinto move a little and then settle.

"Skunk," said Jack Frazier, "is dead."

"Dead? How it happen?"

Frazier told about Judge Lemanuel Bates and Tobacco Jones toting the body of Skunk Ferguson into Spotted Pony. "They found him dead."

"Dead? He no keel heemself."

Frazier shrugged. "They said they found him dead. Judge Bates is a federal judge: would a judge lie? And Jones is a postmaster. Both are responsible men, and their words should be good."

"Thees Bates—he sentences Broken Leg, no?"

"He's the same judge."

The two small men looked at each other. "We cannot understand why he is here, and why Meester Jones, he ees with heem?"

Frazier said, surlily, "There's no question why they're here. They smell somethin' rotten, an' they're followin' it. That jury made Bates give Broken Leg the death penalty, but Bates figures the sentence

was not just. Or so it seems to me."

"I'd say you're right," Perrine said.

"I cannot onderstand theese," Pinto said.

Frazier said, "There's some I can't savvy, either. Now Bates lies to Runnin' Deer: he tells her her husband is in Leavenworth, and was freed. Why did he do that?"

Perrine had his head back, still against the wall, and the two smaller men watched Jack Frazier, and Frazier looked at them. Perrine's lips were solid, the other two said nothing, and time ran out and Frazier knew he would get no answer. And so he continued: "Bates an' Jones are here to get to the bottom of this. We sent Skunk down to stop them; they stopped Skunk."

"Skunk, he tough."

"No longer is he tough. He's buzzard meat."

Hermando said, "Skunk's squaw, mebbe she know? Me, I did not trust Skunk; he might know and keep it secret, wantin' gold for himself."

"The squaw doesn't know. She never had the map."

"She no know? How you know that?"

"Hungry Dog," Perrine said, "is dead. You tell them, Frazier."

Frazier said, "We searched her. She was in a cell; the poor fool loved Skunk, and she was killin' herself. We tried to make her talk, but we didn't have much time; she went to the end of that rope and it broke her neck."

"You hung her?"

"We had to silence her. What if she told John Miller about us gettin' into her cell? We had to shut her mouth for good."

"Anybody see you get into jail?"

"Nobody that we know of. There's another angle though. Well, what have you found out?"

"Nothing," said Hermando.

Pinto said, "I find nothing. I find formation that tells of gold. I follow it. Maybe gold no in Canyon?"

"That gold came from that Canyon." Jack Frazier spoke evenly. "Lemme tell you somethin' for the last time. A prospector named Jack Minor came out of Big Horn Canyon a few years back with gold enough to last him the rest of his life. I know that, for sure. He'd hit a pocket, he said, and it had run out; I talked to him in Deadwood."

"Why he tell you that?" Pinto wanted to know. "When a man find gold, he keep its place to himself; he no tell everybody."

"The pocket had played out. What difference did it make then if I knew where it was?"

"You get—Minor?"

Jack Frazier said, "No, I didn't. But the Sioux lifted his hair, I think. Maybe he got to the Big Muddy; I don't know. But I know there's gold in the Canyon. There's a map to it. One of these Crows has got it."

"Try an' find it," Mike Perrine murmured.

Pinto unconsciously summed it up for them when he said, "Broken Leg, he not have map. Charley Peterson search his clothes, not find it. Ferguson, he get in with squaw, try to work from inside: he no find map. Now thees squaw of hees: this Hungry Dog Crow; she dead, no map."

Hermando said, "Runnin' Deer has it. I'm sure of that."

"How sure?" Perrine's tone had a scoffing note.

"Not too sure," Hermando said.

Jack Frazier had listened in silence. They seemed through advancing ideas so he said, "Runnin' Deer

is next. She's got that map or she knows where it is. We were pretty safe until Bates an' Jones showed up. Now, I dunno."

"They dangerous men," Pinto said. "They kill Ferguson."

"Ferguson," said Mike Perrine, "was a complete idiot."

Frazier said, "Bates is playin' poker with us. Why, I dunno; surely he cain't suspect us. I wonder if Broken Leg told him about this gold?"

"I no think so," Pinto said. He put his head to one side and gave himself to long thought. "No, Broken Leg, he no tell."

Perrine put in with, "Jack, if they'd known about the gold, they'd've ridden out to the Canyon by now, wouldn't they?"

"That's right."

"Where we all stand now?" asked Pinto.

Jack Frazier summed up their position. "We're still after that gold. To get it, we have to get the map first; unless one of you stumble across it. We watch Bates and Jones carefully."

"Maybe you scare them?" Hermando sounded hopeful.

"They won't scare easy," Perrine murmured.

"We could do that," Frazier said. "Well, let that point ride for the moment. Hungry Dog didn't have the map: neither did Broken Leg. I don't reckon Bates saw you at the trial, Pinto?"

"No, I no go to court-house. I wait over in town in Cowtrail; I listen to men's talk."

"Broken Leg is away until he gets his new trial. Then the sign points to Runnin' Deer."

"If she ain't got the map," Perrie said slowly, "she'll know where the gold is. If she's got the map we'll

make her produce it."

"She next then?" asked Pinto.

"We visit her," Jack Frazier said.

They talked of other things. Frazier had packed out some grub on his saddle for the two prospectors. He also had brought them some cartridges for their rifles. They would meet again, at this same cabin, inside of a week. But maybe by that time they'd have the gold, or know its location.

"We meet here then," Pinto said.

The two left, leaving Mike Perrine and Jack Frazier sitting by the cabin. Perrine listened to their mules leave and he said, with his words almost a whisper, "Those two poor fools."

Frazier ran a forefinger through the dust. The wind was moving and the wind was cold; it touched them and it had come off snow. Frazier got to his feet, sullen and strong and driven, and looked down at Mike Perrine.

"Simple fools," Perrine continued. "The most they could get out of it is a grave."

Jack Frazier said, "Let's ride back to Spotted Pony."

# Nine

Although he was only eleven years old, Jimmy Hungry Dog was wise beyond his years. When Skunk Ferguson had gone "squaw-man" and married Jimmy's mother, Jimmy had ceased to regard Hungry Dog's lodge as home. He slept wherever he could: some nights with young friends in their lodges; he slept in the haymow of the livery-barn, in the alleys, behind buildings, in doorways.

He had hated Skunk Ferguson. His mother had been glad to get a man again, especially a white man; to Jimmy, though, Skunk Ferguson had not been white—he had been just what his name had implied, a skunk. Jimmy had had a run-in with him the third day, and Jimmy had left his mother's lodge.

When Judge Bates and Tobacco Jones had brought Skunk Ferguson's body into Spotted Pony, Jimmy Hungry Dog had actually been glad. He didn't know whether Skunk had killed himself by accident or by purpose, or if somebody else had shot down his step-father—Skunk was dead and out of the picture and his mother was a fool to carry on like she had.

Now his mother was dead, also. Even though she had married Skunk Ferguson—and he knew they had been married, for the local Father had performed the ceremony—she had been his mother in blood. Some squaws just lived with white men, but his mother had made Skunk Ferguson go through the white-man's ceremony—but—but what difference did that make now? Both his mother and Ferguson were dead. And somebody had hanged his mother.

Who had done it, and why?

Who . . . and why?

These were the questions that tormented him as he sat on the back porch of the Willow House. Judge Bates and Tobacco Jones had retired for the night and the little buck would sleep under the judge's window. The ground was soft there for the owner of the Willow House had planted flowers there.

Jimmy knew something was wrong. His uncle, Broken Leg, had gone to jail, but first, Charley Peterson had tried to rob his uncle. Now Peterson was dead, and Ferguson was dead. Both had been friends.

Jimmy knew that, although neither Peterson or Ferguson had guessed that he knew. During daylight the two men had met and exchanged only greetings. But at night they had been friends, for Jimmy had trailed his step-father one night, and he had found his step-father and Ferguson talking in the hay-corral behind the livery-barn.

He had not got close enough to hear their conversation. But they had been friends by night and acquaintances by day, and in that was something amiss. But both were dead now, and his mother was dead, and his sister had gone to live in

the lodge of her grandmother, who would not take her grandson.

"I wouldn't go anyway," Jimmy told himself. Then he thought, I talked out loud, like old Red Beaver talks. I'm not an old man yet. That was an odd thought; it was even funny, and he chuckled.

Then he rememberd the noose that had broken his mother's neck; it had had a knot tied in it like the man ties when he hangs people; his mother had not known how to tie such a knot. Yet nobody had seen any man enter the jail; hadn't the Crow old men been around? Wouldn't they have seen?

But they argued a lot, and came close to fights; they were not good men to watch, he knew. But why had somebody hung his mother? Had the ghost of Skunk Ferguson come back and—?

No, there were no such things as ghosts; the white-man's school and white-man's books said no ghosts existed.

The hall door opened behind him, catching him unawares, and he got to his feet too late. The Willow House proprietor held a broom menacingly.

"I caught you, you dog-goned Injun. You been sleepin' in my flower beds, you have, until you've tromped them flat. Now git ye outa here, an' go to your wigwam, or wherever you redskins sleep. I'm not a-furnishin' you with a bed, 'cause the gover' ment give you money an' beddin'."

"They robbed our land," Jimmy said. "They stole our buffalo. They killed us and put us on reservations."

"No don't git no high-falutin' ideas, Injun."

Jimmy watched the broom. He wasn't afraid. The man swing the broom and he'd grab it and jerk him forward and— But he'd be in Agent Miller's office

then. No, none of that, Jimmy.

"Ten years ago, my father he'd get your hair."

"Your father's dead, an' you cain't lift my hair. Now beat it, fella, or I'll report ye come mornin' at the agency."

Jimmy formed a hard retort, then held it. He wandered up the alley, and when he looked back the proprietor was watching him, still holding his broom. Jimmy put his nose and thumb together and waggled his fingers. The white boy—the grocer's boy—had taught him that.

Old Red Beaver and another old buck were talking about scouting for Reno, or some other Army officer; Jimmy listened and gave the words small attention. Finally Red Beaver said, "Why not in your lodge in buffalo robes, son?"

Jimmy made no reply. He went away and Red Beaver looked at him and said, "That young Crow, he thinks too much."

"His mother, she dead."

"He sick," Red Beaver tapped his chest. He put his hands up to his gnarled, wrinkled head; he rocked at the hips. His head came down and touched the dust and came up. "My son."

"Your son, he come."

"How you know."

"White man, Bates, he say so."

Red Beaver made his sign-talk—his wrinkled claws moved, they crossed each other, he touched his lips, his chest, his ears. He said it in Crow and then said it in English. "White man, he lie to redskin, all time. All time, he lie."

There was no answer to that. He had not expected one, for the truth was self evident; he did not get one. He looked at Jimmy, who was almost out of sight,

despite the moonlight.

"Sioux kill my mother. Long years ago, down on river called Powder by white man. I know how he feels, friend."

"Sick at belly, Red Beaver."

Red Beaver's arm made a circular motion, taking in all the Spotted Pony. "Stink like dead buffalo. All stink. Soldiers, they come. Miller order them. Rotten like dead buffalo."

"What rotten, friend?"

"All rotten."

Jimmy Hungry Dog knew that the owner of the Willow House would come again to see he did not sleep on the flower beds. There was no use in going back there, unless he went through the window in Judge Bates' room. He could do that, too; the screen was loose.

He stood in the shadows, and finally Red Beaver got to his feet, aided by his old companion; they hobbled down the street, bent like dogs on the scent, and they went out of sight as they turned to their lodges. The Crow camp was quiet, the moonlight white and pale on the lodges. A boy is apt to notice things, and he thought. When I was a small boy, the lodges were made of buffalo hides; now they are from cows. He was going to school, when they caught him, but if things had gone right, he'd been out hunting his first buffalo, with other young braves. But the white man and his rifle had changed his life.

He stood with his back against a cottonwood and rolled a cigaret. He lit it and puffed, and he felt the deadly sickness enter his belly; he threw the cigaret away. He couldn't get used to them. White Cloud could smoke, and he was only nine; so could Half

Moon Face, but he was twelve. Judge Bates had told him smoking would keep him from growing; that would be his last cigaret. He got out his tobacco sack and his cigaret papers and he tore the papers in two and let the wind have them. He stomped the sack into the earth and left it there.

He went among the lodges, with the dogs barking. One came close—that was White Hand's cur—and he said, "Come, dog," in Crow. The dog came and nipped and he kicked him and the dog yipped and ran to his lodge, snarling with anger. Somewhere a buck yelled, "Quiet, dogs," and the barking stopped for a moment, only to come out again.

He pulled back the flap, feeling the stong hair of the hide, and inside the lodge was silence. The air was sticky with many lungs breathing it; he did not like its taste or odor. He kept the flap open. He heard a dog growl and a girlish voice asked, "Who is there?" in English.

"Me Jimmy."

"What do you want?" This time the girl spoke Crow. "There is a robe beyond you. My mother's robe."

"Your mother will need it, Broken Nose."

"My mother, she go."

He let the flap drop. He was on his knees, creeping down a narrow aisle, and a buffalo robe stirred. He said in Crow, "Sleep, Little Sister, sleep," and the girl-child moved and returned to deep sleep. He found Broken Nose lying on her robe, an agency-issue cotton blanket over her. She was eight, and she was the oldest of Running Deer's children.

"Your sisters they sleep. But still Running Deer is gone? She is at some lodge talking? No, they are all

dark."

"She is gone."

"Where?"

Broken Nose had his hand, and her fingers were pushing into his flesh. He had not know his girl-cousin had such strength.

"She is afraid, cousin. So she go, telling us she has to hide."

"What she afraid of ?"

They talked in Crow, voices guttural with their native tongue. The teacher said they should always talk in the White Man's tongue, but their own words were shorter and easier. The White Man took too many movements to say so little.

"They kill your mother. My mother, she afraid the same as—"Broken Nose halted. "She afraid of something."

"You are crying," Jimmy accused.

"She is my mother. I want her."

"My mother is dead. But I do not cry." He remembered crying in Judge Bates' room; Judge Bates would never tell. Judge Bates respected the dignity of a man. He had read that in a book, only the sentence had not had Judge Bates' name in it. He had substituted that for the name in the book.

"A woman, she is made of horse-hair. Like a horsehair rope, she bends easy. Your mother will be back."

"I—I hope so."

"She will be back. My mother will never be back."

The second girl—Willow Root—was weeping too. Jimmy said, "I came to talk to your mother, but she is gone so I go." He loosed Broken Nose's hand and crept outside again.

The air was good, cool and strong; it filled his

lungs. He heard them crying, and that sound was not good; it drew his boyish face into a scowl that marked him with a mannish appearance. The days had rushed on him and pushed him into adulthood before his boyhood had waned.

He decided he would sleep in the livery-barn. The hour was late; he would not disturb Judge Lemanuel Bates. The owner of the barn was asleep in a sideroom; he came awake instantly when Jimmy entered, although Jimmy tried to sneak in.

"Git outa here, injun."

"I want to sleep in your hay."

"You ain't sleepin' in my hay, injun." The man rubbed his eyes with his knuckles. "I've heard you've took to smokin'; I shore aint cottonin' to burnin' down my buildin's jes' cause some injun wants to puff a cigaret."

"I don't smoke."

"Half Moon Face says you smoke."

"Half Moon Face, he lie."

"Whether he lies or not, git out."

Jimmy left, swearing that when he met Half Moon Face again, that worthy would be packing the scars of a battle when they split company. The mainstreet, which was the only street of Spotted Pony, was quiet; not even a horse on it—only a dog trotting across the dust. The wind was cold and it was close to frost; Jimmy pulled his jacket up closer, but it did not cut the wind.

The clouds had absorbed the moon; they swept across the sky in a high wind. Snow was close and a lodge got cold in below-zero weather. Maybe he'd best make up with the cook at Agent Miller's; he'd let him sleep in the kitchen behind the big stove.

There had been more excitement when the

soldiers had been stationed here; now a few of them, he'd heard, were coming back. He was walking in the shadows when he saw the two riders come into Spotted Pony.

They did not ride down the mainstreet as honest men ride; they came in from behind, heading toward the livery-barn behind the pool-hall. Jimmy moved in between that building and the next; hidden there he watched Jack Frazier and Mike Perrine come to the barn.

The two dismounted, led their broncs into the barn; later Jimmy saw them come out and go to the hotel. He was curious—why had these two been out this late; where had they been?—and he went into the barn. He felt of their horses; they were warm yet, and he found sweat on them—they had come a long distance. They were still breathing heavily.

He stood beside the roan, and the bronc put his velvet nose against the little buck's hand; the horse's nose was soft and inquisitive.

Jimmy said to the horse, "Wonder where you've been?"

The horse nuzzled him.

"Why don't you talk, horse?"

The horse, seeing he was going to get no sugar, stuck his head in the manger and went to feeding. Jimmy thought, I might bed down here, but Jack Frazier had once caught him loitering around the barn. Frazier had run him off. If Frazier found him sleeping in the barn—

He went to the hotel. He came in from the back, came to Judge Bates' window, and he heard the move of the jurist inside. He heard the squeak of the bed-springs, and he knew Judge Bates was aware of him.

"Jimmy, Your Honor."

Judge Bates said, "Come in, child."

Jimmy got the screen up and slid inside, and fastened the screen behind him when he was in the room. Judge Bates had gone back to bed; Jimmy heard his deep sigh and heavy breath.

"I sleep on floor."

"In the bed, beside me."

"No, floor."

Judge Bates said, "You ain't got lice or fleas. Come on in this bed, and make it pronto."

Jimmy liked the authority in Judge Lemanuel Bates' voice. Judge Bates had made him take a bath in the big tub in the barber-shop; the barber had put some strong smelling stuff in his hair—he liked the smell of it, though. And the barber had put some of the stuff in the water, too. When he'd been washed he'd felt clean and strong, more like a white man than an Indian.

"All right, if you want me."

He got next to the wall. Judge Bates had the window open and the window over the door—he searched for the name of the window in English and gave up—was open too. The room did not smell like the lodges of the Crows.

"Where you been?"

"First, I talk with Red Beaver. Or he talk with me, sir."

"About what?"

Judge Bates was always inquisitive. He had told him that a man learns by asking questions.

"About nothing."

"Not much of a talk then?"

"Well," Jimmy searched for words. "I do not like it, sir. Red Beaver sits and looks at jail yet my mother is

hanged."

"Maybe your mother hanged herself."

"That I do not believe. For my mother many times say life was good and she would hate to leave."

"People change their minds when they lose a person they love."

"Yes, true."

"Where else were you?"

"To the lodge of Running Deer. She has four girls—bah; they are alone now. All alone."

He felt Judge Bates stiffen, the mattress telegraphing this information. "What do you mean by that, Jimmy."

"Runnin' Deer, she leave."

"Where did she go?"

Jimmy explained. Running Deer figured that her sister, Hungry Dog, had been hanged; she'd fled to save her own life. None of her daughters knew where she had gone, but she had left that evening.

"I don't savvy that, Jimmy."

"Neither do I."

He also told about seeing Jack Frazier and Mike Perrine ride into Spotted Pony. He told about visiting their horses and how it looked like they had been ridden hard for some distance.

"Wonder where they were, Your Honor."

The judge said, "I have no idea." He kept asking questions about Frazier and Perrine: how long had they been in Spotted Pony? what did they do for a living? did they always seem to have money? who were their friends?

"Charley Peterson, he friend to Skunk Ferguson." He told about the meeting he had witnessed when Peterson and Skunk had talked behind the barn. "Skunk, he friend of them, at night only."

"At night only, huh?"

"Daytime, they not friends; one night they meet in barn, too. They talk an' talk—I sleep there then, that before man run me away. I no hear what they say, though."

"But Skunk was their friend, huh?"

"I think so."

They lay in silence and listened to the wind. Jimmy heard the deep respirations of the jurist, but he could tell by Judge Bates' breathing that he was not asleep yet. Chill crept into the room—the chill of frost. Jimmy was thankful for the thick blankets and sougans.

"You think of something, judge? That why you no sleep?"

"Maybe you're right, Jimmy."

# Ten

The first hard frost had crept in toward morning, cutting through the living fabric of leaves and vines, repeating its century-old warning of winter. Tobacco Jones said, "Soon snowballs'll be hittin' us on our under end, Bates. Time we got out of this stinkin' camp, ain't it?"

"Our job isn't through, partner."

Tobacco shook his hangdog head and rolled his cud in exasperation. "Bates, I swah, but you are a stubborn man. You hol' down a soft job that lets you set close to a hot stove, yet a strange sense of justice keeps drivin' you."

"Would you like to see an innocent man hanged?"

"No, but is Broken Leg innercent?"

"I think he is."

"But proof counts."

"We're after that proof."

They went to the Cafe, both braced against the cold wind. Icy fingers plucked at their clothing; stormclouds scuttled across the north; overhead a wide V of geese, barely discernible because of height, flew to the southeast, their honking sounding like the breaking of cold twigs in a vacuum.

Tobacco blew his nose and said, "Winter's here." They came into the Spotted Pony Cafe and its warmth. Emma said, "Good morning, men," and she was cheery. Her housedress accentuated her form in the right spots.

"The answer to a man's dream," Judge Bates murmured.

She flushed, but she was pleased; she was a woman. She said, "Ah, shaw now, Mr. Bates," and moved a salt-cellar aimlessly. Tobacco said, "Winter is here, miss." and he added, "I love summer and hate winter."

"Winter is good, Mr. Jones. There are bobsled rides, skating, and a warm, good fire."

"Just now," said the judge, "I'll settle for coffee, bacon, and a pile of hotcakes."

"Make mine the same," Tobacco said; he smiled at her and she smiled back. Bates was right, for once; the world was already better, just for seeing Emma. Maybe a man should have married, at that. By this time, had he married in his early twenties, he might have had a daughter as old as Emma.

Whoa, Tobacco Jones, whoa up.

Emma called back their orders and Jimmy Hungry Dog stuck his head under the swinging door, standing on his hands and knees in the kitchen so he would be low enough to see under.

"Mornin', men."

Emma said, "Our new helper, fellows. He came here about an hour ago and applied and he's washing dishes for an hour morning and evenings."

"I get my chuck," Jimmy said.

They heard the cook growl, "Git on them dirty dishes, son," and Jimmy's head disappeared. Judge Bates said, "If he needs a little nicknack or two—like

some candy—give him some in proportion—and I'll pay you for it."

"He's had a rough time," Emma said. "He's a tough kid, though. He's smilin' now, but I can tell he's sick underneath."

Their orders came and they fell to. Judge Bates found himself remembering what Jimmy had told him: how he had seen Mike Perrine and Jack Frazier ride into town, how Running Deer had left her lodge. There was significance in both of these truths, but so far the nature of it was not too clear.

He wished he could find something solid, something concrete; these Crows, though, were short of tongue. Even Broken Leg, hobbling into his cell with the death penalty on him, had no comment; he had shrugged off the judge's questions, maintaining he had not killed Charley Peterson, yet volunteering no additional information, even though Judge Bates and Tobacco had tried to trip him up with questions. He had knifed Peterson, sure; but he had not killed him. You cannot kill a man by stabbing him in the shoulder, can you?

"The knife, he hit bone—shoulder. He make small hole. I know; I heard blade hit bone."

"Then who killed him?"

"I no know."

"Do you have any idea who killed him, at all?"

About this time Broken Leg seemed to lose all ability to understand or to talk English. He would begin mumbling under his breath in a combination of Sioux and Crow, maybe throwing in a few words of Cheyenne to further mystify the partners.

But Judge Lemanuel Bates and Postmaster Tobacco Jones agreed on one thing: Broken Leg had some ideas of his own and intended to keep them.

Now, sitting in the Spotted Pony Cafe, Judge Bates realized that Broken Leg, despite his woe-begone, tattered appearance, was indeed a proud man.

Maybe he knew who had killed Charley Peterson; maybe he didn't—but chances were he knew, the partners had guessed. Anyway, he was saving that killer, or the killers—whichever the case might be—for none other than the Crow buck named Broken Leg.

Pride demanded that he revenge himself on the men or the man who put him behind bars under a death sentence. Though how he intended to do it was beyond Judge Lem Bates; Broken Leg was in the Cowtrail jail and the Cowtrail jail was hard to break out of. Better prisoners than Broken Leg had tried and failed. But still, even with this confronting him like a high stone wall, Broken Leg would not concede. Maybe it wasn't pride; maybe it was sheer bullheadedness and stupidity.

The entrance of Jack Frazier and Mike Perrine broke up the judge's train of thought. Both men, he noticed, were unshaven; Perrine's black whiskers were black wire on his jowls. Perrine's eyes were a little bloodshot, too; Judge Bates laid this to the night-ride and a little too much of John Barleycorn.

The two exchanged greetings with the Cowtrail partners, and then ordered. Judge Bates and Tobacco Jones finished, paid for their meal, and went out into the wind.

Tobacco said, "Winter's here, Bates. Today our rent is up on our rooms. Do we stay?"

"What is your opinion?"

"I'll—I'll stick aroun', if you do."

"Get the rooms on a day to day basis, then."

"Where you goin'?"

The judge was going to the livery-barn to check on their mules. Tobacco went with the wind; Judge Bates went into it. Their mules looked up as he came into the warmth of the barn, smelling the good odors of sweet Montana hay, the sharp odors of manure.

"How's our mounts, hostler?"

"Good, Your Honor. You want them right now?"

The judge inspected the hay in the manger. Good bluestem hay, and a mule could make muscles on himself with hay like that. He seemed satisfied, for a man was only as good on the prairie as his mount was strong, and he stood in the doorway and watched Agent John Miller coming toward him.

Miller ducked into the doorway with, "That wind sure is sharp, Judge Bates. Winter's right around the corner."

"So's prosperity," the jurist reminded. "Only nobody's ever found the corner yet. Do you think the advocates of free silver will win out, sir?"

Miller didn't know. He expressed the opinion that he didn't care much, just so he and his wife had a job and a roof over their heads. The judge paid little attention to the agent's monetary philosophy. He had his own ideas concerning free silver; he'd just mentioned the subject to Miller to have some core around which to wrap conversation.

Miller was the type of man who wanted nothing to come in and break into his routine. The hanging of the squaw, Hungry Dog, had shattered his routine in a dozen pieces. Because of this, his mind came back to the cell wherein he and Judge Bates had found the hanged squaw.

"Sir, I'm afraid that squaw hanged herself. She's had a rope somewhere on her person for just such a

purpose."

"The hangman's knot," the judge murmured.

Miller had an evasion for this, also. He claimed he had talked with various Crows and two had admitted that Hungry Dog had been capable of making just such a knot.

The judge nodded, seemingly only mildly interested, but inwardly wondering just what had happened to a man to make him such a coward. Miller was deliberately making up pseudo-evidence in order to salve his conscience—if he had one—; to restore his routine, and to hang onto his measly little job.

Judge Bates felt the pull of anger, but kept it from showing on his massive, good-natured face.

"Your logic sounds well-based, sir."

Miller said, "These Crows are surly, Judge Bates. I wish that beef consignment would arrive. It should be here today, along with soldiers from the fort. They are only sending me ten soldiers, though."

"That should be enough."

"You think so."

Personally, the judge would not have called on the army at all; the Crows were peaceful, had long been peaceful, and soldiers in his estimation, were not necessary. Crows had even guided Custer against the Sioux.

"In fact, I hate to see soldiers come."

"Are you a pacifist, sir?"

"A realist."

The judge moved away, feeling a strong coating of distaste. Tobacco Jones came along and said, "I rented them for two days. Looks to me like maybe we might have snow, an' if we do the trail will be closed a day or so."

Leaves came from the cottonwoods—green and scarlet and gray—and swept with the wind. They swirled across the street and built a pyramid in the doorway of the store.

Jack Frazier and Mike Perrine came out of the Spotted Pony. Frazier said, "Well, how about a game today, Your Honor?"

"Later. In the pool hall."

The toothpick bobbed in Frazier's mouth. "See you there." He and Perrine went with the wind toward the pool-hall.

Tobacco said, "Where to, Bates?"

"Have you seen Red Beaver this morning?"

Tobacco gave his partner a slanted glance. "No, I ain't. Now what would you be seein' that ol' brave about? Don't git down wind on him."

"Just a hunch."

Tobacco shrugged and looked away. "I've seen your hunches get us knee-deep in trouble," he finally said.

They went back of the cafe and the judge called Jimmy Hungry Dog to the door. He asked where they could find Red Beaver. Jimmy said maybe Red Beaver was at his lodge. He came out in the alley and pointed out the lodge belonging to his grandfather.

"He's got red rocks on the ground to hol' down the hide," the boy said.

The cook stuck his head out. "Come on back here, you injun, an' git to work. You earn your keep here, believe you me."

"I believe you," Jimmy replied.

# Eleven

Red Beaver was alone in his lodge. From what Judge Bates had heard, the old buck had worn out about five wives in his long lifetime. Red Beaver had a fire in the middle of the circle and the smoke was supposed to go out the top where the lodge-poles joined and were trussed with buffalo-hide thongs.

But despite the wind outside, the smoke did not rise—it hung in the tent, seeping out its seams. At first the partners had thought the wigwam on fire but a boy had told them, "All time, it smoke. He burn wet wood."

Judge Bates had hollered, "Two friends want to see you," but had got no response and Tobacco had said, "Mebbee the ol' skunk has smoked hisself to death."

"No such luck. Two friends want in, Red Beaver."

"Jus' go in," the boy said.

So they had just entered, letting the flap fall behind them. Inside it was a smoky-gray color and there was the stink of burning wood. Red Beaver sat cross-legged beside the fire and looked at them. His gnarled, walnut-colored hand held a huge pipe made of wood and encrusted with brown crust.

"What the heck's he puffin'?" Tobacco murmured.

The judge said, from the corner of his mouth, "Kinikinick, I'd say."

"I'd say it was buffaler droppin's in thet pipe."

Red Beaver took the pipe from his thin lips and made a gesture, flat and meaningful. Judge Bates and Tobacco Jones sat on the ground. Red Beaver put the pipe back between his scraggly teeth.

He sucked on it, bit it; he studied them. He had small eyes that peered from beneath hairless brows and they reminded the judge of a set of marbles placed far back in two holes burned in wood. The jurist found himself wishing he had seen as much life as those eyes had seen.

"We come as friends, Red Beaver."

Red Beaver grunted around the pipe.

Tobacco had decided to leave all the talking to the judge. The postmaster found himself glancing around the lodge. Yonder was Red Beaver's bed, a buffalo-robe thrown on the ground; there was no pillow. Here and there were sacks of supplies—some spuds and some coffee and some sugar and salt—and he judged they were government issue from the agency.

Beside having the stern smell of the smoke, the lodge also had the stink of a place long unaired—the smell of unwashed bodies and personal clothing, long dirty. He thought, I wouldn't be a bit su'prised to see a scalp hangin' from a lodge-pole, and then he stiffened visibly when he noticed the four scalps hanging from the far pole.

They were old, dried-up, and curled; still, hair hung from them. Red Beaver had watched the postmaster while he had been making his scrutiny. He took his pipe free and his few teeth clacked.

Tobacco jerked his gaze from the scalps. His eyes met Red Beaver's, and the old buck's eyes were suddenly hard and without give. Tobacco said to his partner, "Well, Bates, start."

But now and then, against his will, he had to glance up at the scalps.

Judge Bates went through the preliminaries. "You Broken Leg's father? You know Broken Leg fight white man, Peterson? You know I judge in Broken Leg's trial?"

Old Red Beaver did not speak, he merely nodded.

"Broken Leg, he kill Peterson?"

"No know."

"Broken Leg, he fight Peterson?"

"No know."

The judge asked, "Where daughter-in-law, Running Deer? Where she go?"

"No know."

Tobacco peeled the tinfoil off a new plug of Horseshoe he had bought at the agency store. He cut off a hunk without looking, balanced it on his knife, stored it in his cheek with the blade of the knife.

Red Beaver watched him.

"You want tobacco."

Red Beaver put out his hand. He did not bite a chew off, though; he lifted the edge of his bed-robe, put the entire plug under it. Evidently he considered it a gift. He made some signs, but said nothing.

Judge Bates interpreted with, "He says thanks, Jones."

Tobacco growled something, but held his temper. He knew darned well that Red Beaver had known all the time he was only lending him a chew. The old buck was taking advantage of the situation.

Judge Bates went back to his questioning: "Why Broken Leg fight Peterson? Why Peterson try to rob your son?"

"No know."

Tobacco murmured, "Interesting conversation, Bates."

But Judge Bates kept on trying. He knew full well that Red Beaver had some opinions, maybe even some evidence, pointing to the source of this trouble. He kept emphasizing he was a judge—a judge for the White Father in Washington—and he could help Broken Leg, if only Red Beaver would talk and tell him what he knew.

But it was like talking to a waterfall; the water still kept on falling. It was like hollering against rock; the rock returned the echo and made no answers. It was like spitting tobacco juice against a hard wind. It came back and sprinkled itself all over your own face.

"You tell us, Red Beaver; we help son, Broken Leg."

"No know."

Tobacco found himself thinking, "I don't blame the ol' buck too much. If the Injuns would have won an' have treated me like my race treated them I'd've gone tongue-tied on 'em too."

When they got a beef issue, it was always of the poorest beef. Old cows, too old to calf, being got rid of by some big cow-outfit. And many times it went down on government requisitions as A-1 top beef. Anyway, that's what the agency officer drew pay for, and that's what the cow-outfits got for pay. Sometimes the agency officer kept the difference for himself; sometimes he cut in the cow-outfit. Usually he had to cut in the cow-outfit that furnished

the old beef.

But the Indian got old meat, tough and stringy; ten years before and less he had dined on tender young buffalo calf. He had downed buffalos and used only livers, but that had been no waste compared with government hunters who had been hired by the White Father in Washington to wantonly kill millions of buffalo. Kill them in herds, and leave their flesh for the wolves and coyotes and buzzards, using not a pound of it.

For to the Indian, the buffalo was life. His flesh filled the redskin's belly, his hides made robes for sleep, pelts for lodges; his guts made lines to fish with, and his horns made decorations for medicine dances and war parties. But the Great White Father had ordered the buffalo killed.

Tobacco thought, not a nice deal for them, the poor devils.

Now every iota of hate, of fear, of loathing he held for the white man came into Red Beaver's face, giving the deep lines a greater depth, adding degree by degree to the stoniness. And all he could say was, "No know."

"You sit by jail yesterday?"

Red Beaver did not answer that. His small eyes were on Judge Bates; he nodded, and the pipe sent up more smoke.

"You figure Hungry Dog, she hang herself?"

"No know."

It seemed to Judge Bates that the old buck was more reluctant to say his two words this time. But afterwards the jurist wondered if he had heard correctly. Afterwards he was not sure.

But the judge was persistent. "Hungry Dog, hang herself?"

"No know."

The judge went into detail. He got on his knees and stood like a dog on all fours and scratched a map in the dust of the lodge. Red Beaver leaned forward and watched and Tobacco watched the old Crow. He saw not a looseness of a facial muscle, not a trace of interest; the old man watched like a man made of stone.

He made only one movement while the judge talked and sketched. And that was to take the pipe from his mouth and hold it in one hand the color of tanned buckskin, but without buckskin's suppleness.

"Now here is the jail, Red Beaver." Judge Bates' stubby forefinger sketched in the jail: four movements and the jail was there. "Now here is this building, right opposite the jail door. The front door, too. Remember, the back door was locked, then."

Red Beaver did not even look up. He kept staring at the drawing. His gaze slanted down and seemed to inspecting the drawing for flaws he never did find; if he did find them, he did not voice his decisions.

"Whoever hanged Hungry Dog went in this front door and came out the back door. You were sitting here." The jurist's finger made a dent to show the location of Red Beaver. "By rights, you should have seen the men—or man—enter."

The judge rocked back on his thighs, still on his knees. Red Beaver's head came up. His head was but a short distance—maybe two feet—from the heavy jowls of Judge Bates.

They looked at each other—white man and red man—and Judge Bates could read not an iota of anything in Red Beaver's eyes. They looked at each other, eye to eye, for a long moment; they measured

each other, trying to find the limits of the other's strength. They were bound into this, white man and red man, but the red man would not give.

"No know."

Judge Bates said, "Ah," and settled back, still on his knees. He reached down and took dust in his right hand and he pounded it savagely, making it geyser through his fist. It was the Crow way of saying one man had violated the friendship of the other.

"No."

Judge Bates got to his feet. He said, "Come, Tobacco, there's nothing here." And to Red Beaver, "So long."

Red Beaver had no answer.

The partners went outside. They had spent more time than they had figured in the lodge of Red Beaver. Tobacco Jones had a slight headache from the smoke and stink; he rubbed his forehead.

"Feel sick partner."

"That stink an' smoke."

Judge Bates pulled air into his lungs. "It feels good." He was feeling his defeat; he had played his cards. Yet each card he had had proved worthless. A man had looked at him—a red man—and he had only said, "No know."

"He's got a scheme," Tobacco said. "I know redskins. I know that. But what is it, Bates?"

The judge said, "Quite a conversation."

"Very enlightnin'," Tobacco said, smiling wryly. "Very touchin', an' straight to the point, huh?"

"No know," the judge said.

# Twelve

They met Jimmy Hungry Dog coming toward the Crow encampment. He said, "You talk with him?"

"We talked with him," the judge said.

Jimmy said, "He know two words: No Know. He that way." His hands made motions: Red Beaver was an old man, stubborn. "Hungry Dog, he say she is loco."

"You get your pronouns mixed," the judge murmured.

Evidently Jimmy did not know what a pronoun was; if he did, he seemed not to understand the jurist's statement.

"Me get hair chop," the young buck said. "Like China boy, down the street. One braid, then."

Tobacco said, "Dang it, Bates, is we nuts, both of us? Here we stan' talkin' like two idiots to a young un who wants a 'hair chop.' This wind is col', friend, an' there's a hot fire in the lobby."

"Where's Running Deer's lodge?" the judge asked.

Jimmy made another motion. "Me, I through wash dishes, for today until tonight. Come, friends."

They went between lodges. Dogs barked and

one nipped at the judge but Jimmy got the cur and lifted him and flung him back. The judge was afraid the dog had bit the youth but he did not say anything. After a while, he got a good look at Jimmy's hand; it had not been bit.

The boy had acted so quickly the jurist had not even had time to start a kick at the dog. He realized he meant a lot to this boy. Well, at least one Crow trusted him. He was surprised how quickly Jimmy had seemingly forgotten the death of his mother. But he had been trained in a hard school, the judge realized; the boy was seemingly without grief, but the jurist was willing to wager there was plenty of grief inside the youth.

"Here, judge."

The boy lifted the flap to Running Deer's lodge and then followed Judge Bates and Tobacco Jones inside. The oldest girl, who turned out to be Broken Nose, was cooking something for her sisters; it had a sweet, good smell. At the entrance of Judge Bates and Tobacco Jones the youngest girl, Little Sister, began to cry. Broken Nose said something in Crow and a girl went to Little Sister and talked to her.

Jimmy introduced the judge and postmaster. Broken Nose did the talking for herself and her sisters. She was a small, pretty little girl, quick with her hands and her tongue; her dark eyes darted around the lodge—she could sparkle and glisten, she could show sincerity and puzzlement.

"They no talk much white man," Jimmy said, "You talk me, I tell them in Crow."

The judge had some candy and he gave it to the girls. Little Sister unwrapped her piece gleefully. Evidently a stick of candy in this lodge was a real treat. The other two girls—Owl's Hair and Long

Woman—also unwrapped their sweets. But Broken Nose, being the mistress of the lodge, was more reserved—she put hers under her sleeping robe.

But the ice had been broken by the gifts. While her three sisters sat and sucked their hard candies, Broken Nose and Jimmy kept up quite a conversation, with the judge stating his questions and with Jimmy reciting them in Crow to his cousin.

Where had Running Deer gone to? Broken Nose did not have to answer that; she shrugged in typical Indian fashion—she did not know. Why had she gone? That drew a quick, fast answer. Her mother was afraid she would be killed. It was common knowledge that her sister, Running Dog, had been killed.

Why would anybody want to kill your mother?

Jimmy put the question into Crow. Broken Nose gave it some thought, her small, dark face showing her sincerity. She talked in slow Crow, and Judge Bates caught some of it; he was not proficient at the tongue, though, and many words escaped him.

Running Deer had, for some reason, been afraid she'd suffer the same death as her sister had suffered. She had left for some unknown hiding place. She had not told her daughters where she would be hiding. She had packed supplies with her. Broken Nose did not know who had hanged Hungry Dog. She did not know who her mother was running from.

"But her father, he have something to do with it," Jimmy said. "She does not know."

"My father?" Broken Nose said in broken English. "He come back, sir?" She addressed her question to Judge Lemanuel Bates.

This was a question the jurist had dreaded. He

was sure Broken Leg would get an appeal and a new trial; but would he be acquitted at his second trial? He hated to lie to this earnest little girl. But he had to, for the same reason he had had to lie to her mother, Running Deer.

"Your father will come home again."

"That good. Hope he come soon."

Long Woman said, "My father already back, Broken Nose."

Broken Nose turned, face lighted. "Who tell you?"

"Big Foot, he tell me."

Broken Nose let the light die out of her face and eyes. "Big Foot, he big liar."

"He like Red Beaver," Owl's Hair said.

The judge could understand that much of their conversation. They jabbered on, and he lost meaning in the rapid shuffle of their words. He had asked his questions; he had found out nothing.

"Tell them they find out where their mother went, Jimmy, and I'll give them a sack of candy."

"What'd you want Runnin' Deer for?" the boy asked brazenly.

The judge growled, "None of your smart lip, young man. I gave you an order; now carry it out."

Jimmy did as ordered. Already Tobacco Jones had left the tepee. The judge slid from under the flap and straightened, Jimmy behind him.

Tobacco asked, "Where to now, Bates?"

"Hotel, I guess. As good as any place."

Tobacco chewed, and seams gathered around his eyes and built small dikes. "That squaw sure pulled her picket pins an' drifted. But what gits me, Bates, is this: What do you want her for?"

"She knows why Hungry Dog got hanged. She knows why Charley Peterson tried to rob her wig-

warn that night."

"How do you know she does?"

"I'm sure she does. That's why she fled for her life. She knows something and somebody here wants that information. They did not get it from Hungry Dog. They intend to get that information from Running Deer."

"What information?"

"You've got me there," the judge had to admit.

Tobacco chewed and spat, missing Jimmy's bare feet by a straw. Jimmy pulled back his foot and Tobacco winked at Judge Lemanuel Bates. Jimmy did not see the wink.

"Anyway," Tobacco said, "she lived up to her handle, Bates. She's run like a deer. But usually a deer don't run far." He added, "That one girl claimed her father was back on the reservation."

Judge Bates said, "Jimmy, run over town," and the boy left. Then to Tobacco, "Her father is in the Cowtrail jail."

"I hope so, Bates."

The postmaster went to their hotel room and Judge Lemanuel Bates went to the poolroom where he got into a card game with Jack Frazier and Mike Perrine. They played for small stakes, mostly to pass away the time, and the game was dealer's choice.

The jurist did not like poker any too well. But they were the only white men in this locality outside of the few townsmen and Tobacco Jones; he wondered why they were here in this reservation town, and he wondered what their purposes were here on this range soon to be covered with winter snow.

But he found out exactly nothing relating to these two questions. Both men were close-mouthed; when

they did talk, it was of irrelevant points. The judge tried to swing the conversation over to the killing of Charley Peterson and the supposedly mysterious death of Skunk Ferguson—he got only grunts and nothing in the way of comment.

He deliberately lost a few dollars, hoping good luck would help open the conversation; here he was wrong, too. Two Crows shot pool, hour after hour; the pool balls clicked, spun, found pockets and rails. Four other old bucks sat in a card-game, playing with hardly any talk.

There was a fire in the pot-bellied heater, and it felt good. Judge Bates experienced a feeling of futility. Here he wanted to get some information out of Mike Perrine and Jack Frazier and he didn't got an iota; instead, it seemed they were feeling him out for some reason.

And why?

He was convinced, by now, that these two were involved in this trouble, but still he did not know the core of this trouble. That was the damnable truth; and it didn't make sense. But so far he had got nothing out of Broken Leg, or out of Red Beaver; Running Deer had left, and where had she gone?

"Your play, sir," Mike Perrine said.

The judge lost another pot, not due to bad playing but due to lack of cards. Perrine pulled in the chips.

"Tough luck, Your Honor."

Tobacco came in about five and perched on the rim of a pooltable. Finally he said, "We'd best get on our way, Bates; it's that time."

The judge stood up and cashed in his chips. He had lost over five bucks. Jack Frazier looked up, one eyebrow higher than the other in interest. And the judge said, "Us for chuck with Agent John Miller."

"Gettin' up into high company, eh?"

"The top of the social ladder, Frazier."

They went outside and Tobacco said into the wind, "Bates, why does a man of your mental standin' argue an' gamble with men of such low standin'?"

"They're the only white men here that are strangers."

"We're strangers," Tobacco corrected.

"Yes, but everybody knows our backgrounds. The backgrounds of those two are unknown. Mind how Jimmy told how they had made a midnight ride?"

"Well, is there anythin' really suspicious in thet, Bates? Mebbe they was just down to Garryowen for some gamblin'?"

"Garryowen is not too far away. Jimmy said their cayuses were sweaty and tired."

"Jimmy might've been wrong."

They met Jimmy in back of the cafe, where the young Crow was emptying the garbage. He said to Judge Bates, "Tobacco's been in the cafe all afternoon, makin' eyes at Miss Emma."

Tobacco said, "I was drinkin' coffee, Bates."

"No excuses, Jones."

Jimmy pounded his pail against the garbage can. "Danged Crow dogs raid this can. They tip it over an' fight an' snarl. Hey, they tell me Red Beaver has pulled his tepee pins."

"You mean," Judge Bates asked, "that he has left his lodge?"

"Red Beaver's gone."

Jimmy rattled the pail again, mostly for the cook's benefit, and then returned to his job. The partners went down the alley toward the home of John Miller.

"Red Beaver—gone?" Tobacco grunted. "I don't savvy that, Bates. With gover'ment issue comin' in, he run out; he won't git no beef unless he butchers it hisself, an' where did he go an' why? He's an ol' man?"

"Maybe somebody killed him."

"Kilt him? Why?"

"He sat there and watched that jail door and I still believe the ol' fool saw who entered an' if he did he knows who hanged Hungry Dog. An' knowing that, his life would be in danger."

"So's he's left, huh? For the same reason Runnin' Deer pulled out, you figger?"

"I do."

"But who hung Hungry Dog?"

"Now," said the judge, "we're going around the same old racetrack. Well, here's Agent Miller's home, an' we're in what I hope is not an unpleasant evening."

"Bates, you're an optimist."

# Thirteen

Mrs. Miller was the lioness of the evening. She was the type of woman, who, because of a few more years of schooling than her husband, never let him forget this fact, and she impressed her company with the fact, too.

Tobacco Jones, his supper over, chewed tobacco and spat covertly in his bandanna, wishing the clock would move faster, yet too polite to run out on their host and hostess. When questioned too closely, he answered; when the question was not too pressing, he merely nodded.

Once he caught Mrs. Miller slanting a glance at him, but when he detected her scrutiny she continued her rapid conversation with Judge Bates. Tobacco realized that, for the first time, she had caught him chewing tobacco. Mrs. Miller, he had heard, was an ardent foe to the weed.

I oughta spit on her rug, the postmaster thought in malicious glee. But he didn't.

Tobacco leaned back in the rocking-chair. The meal had been excellent; he had to give the devil—or the lioness—her dues. Mrs. Miller was a good cook and knew what constituted a good meal. Out

in the kitchen they could hear the scrape of a knife against plates as the Crow girl washed dishes.

John Miller sat opposite Tobacco, also reclining in his chair; they let Judge Bates and Mrs. Miller carry the conversation. Tobacco fought off lassitude by thinking of Red Beaver. Now where had that old fool gone?

The postmaster gave this earnest thought, bringing in Broken Leg, Hungry Dog, and Running Deer. But, as usual, he added the digits, and got no answer; the bottom line was all zeroes. He decided maybe Judge Bates could think this through. But still his mind grappled with its problem.

"Looks like an early winter, Mr. Jones."

Tobacco realized that Agent John Miller was addressing him. He agreed, listening to the sounds of the wind in the eaves; it sounded awesome and cold and snowy. He and Miller talked about winters for a while: which was the hardest one, which winter was an easy one, and Tobacco came out with one conclusion: everybody had different evaluations of winters. To one man a winter would be hard; to another the same winter would seem an easy one.

He heard Judge Bates say, "Madam, as a president, may I be permitted to say General Grant was of small moment, but as a general he was a fine officer. He could give instant decisions on the battlefield but in presidential office he wavered badly."

"I think he was too consistent with his friends," Mrs. Miller maintained. "He was an army man and he gathered only army men around him in important posts. Now I think—"

"Politics," Miller said.

Tobacco said, "Politics."

Miller said, "You might just as well try to argue about religion or philosophy. The only thing I'm sure of is that this country is getting too much from its people through taxations. Taxes are robbing us blind, Mr. Jones."

Tobacco was not in an argumentive mood, he was in a sleepy frame of body. "You are right, sir. One hundred per cent right."

Miller beamed, and talked some more. Tobacco listened with one ear on Miller, the other on the wind; he nodded occasionally. The talk switched to Sitting Bull, then to General Nelson A. Miles, then back to Washington. Finally the big hall clock tolled ten.

"Time we was headin' home, judge."

The judge consulted his pocket-watch in a surprise that Tobacco, because he knew the man so well, knew was feigned.

"Why, so it is, ten o'clock! My, we must again thank you folks for a wonderful dinner and wonderful conversation."

Miller stood up, rather sleepily, and they shook hands. Mrs. Miller was liquid softness.

"Indeed, Your Honor, it was delightful to talk to you. It is not often that one gets to converse with a person of your great mental stature."

Miller shook hands again.

"Do come again, gentlemen."

They accompanied the judge and postmaster out to the porch. Judge Bates said, "You'd best stay in the house, madam; this wind is cold."

"How I hate to see winter come."

"I hate it, too," Tobacco said.

The stars were windswept and high, now and then hidden by scurrying clouds. Judge Bates

pulled his collar up.

"That gal sure was ready to cry on your shoulder," Tobacco said. "She sure can lard on the act, huh?"

"She should be on the stage."

"Yeah," Tobacco said. "A Concord Stage."

They took the short-cut. By this hour Spotted Pony had no lights on its mainstreet. One or two tepees of the Crows' showed a faint tinge of candle-glow through the lodge skins.

Tobacco murmured, "A wasted evenin'."

To this summation, the judge had no answer. The wind held the same chill, but so far it had spit no snow. The judge found himself hoping this matter would be solved soon, so he could head back for his home in Cowtrail.

"Let's go in the back door," Tobacco said. "We kin head through this alley, Bates. Wonder if Jimmy's in your bed? Tough on a kid to be out on a night like this."

"He knows where my room is."

The alley was very dark. It had the smell of garbage from the Spotted Pony Cafe, and a pile of tin-cans were across the alley from the restaurant. A dog yelped and ran away. He was a Crow cur and he was afraid of a white man.

"Guess he can tell a white man from an Injun by his smell," Tobacco said. "Wonder which one—"

He never got to finish the sentence. They were walking past a building, dark and almost invisible in the night; something hit him across the back, right across the shoulders. The blow finished his sentence and knocked him ahead at a lurching gait, his breath smashed out of him and wonder inside of him. His first thought was, Did a hoss run into me? Then he thought, But I'd've heard him runnin' an'

I'd've got outa his way.

He found himself on his knees. He grunted, "Bates, what the—!" and he felt the blow again, this time across an outflung arm. He realized a club had hit him. A man had clubbed him, knocked him down, and had swung again. Only he had missed his body and hit him on the left arm.

He plunged ahead, seeing the outline of a man. Somehow he got his arms around the man's knees and the tackle downed his assailant. By this time he had his wind back partially; still, his lungs ached and his back was very sore. He and his assailant went down.

He didn't know whom he was fighting. But he realized he had to whip the man, or the man would whip him; this was part of this trouble, he thought. He fought as if his life depended on his whipping his foe.

Then fear ran through him. He called, "Bates," and he heard the judge grunt, "I got my hands full." There were two of them then; each of them had been jumped. Now who was he fighting?

Because of the darkness, he could not clearly see his opponent. They were down, and he was on the bottom. The man had lost his club and Tobacco could feel it under his back. The man was clubbing him with both fists.

Tobacco got his knees up, put them against the man's belly; he lifted and kicked. The man hung on momentarily and the postmaster heard his shirt rip. This angered him more, for it was a new dress shirt he had just bought for the dinner at Agent John Miller's. His kick ripped the man back; he took a part of the shirt with him.

The shirt was white, and it made a patch in the man's hand. He threw it from him and hollered,

"Run, pard, run." He spoke broken English. This registered immediately on Tobacco Jones.

The words were not spoken with the broken tongue of a Sioux. They were broken, yes; they sounded as though they had been spoken by somebody who usually spoke a Latin tongue.

The man lit out on the run down the alley. Tobacco followed him, wishing he had his pistol: but who packs a gun to a dinner at a friendly house? The postmaster gained on the man. Suddenly, for the second time, Tobacco Jones fell. This time, though, he fell over a wheelbarrow somebody had placed in the alley way.

His shins hollering, the postmaster plunged ahead, skidding on his chest and belly. When he got up he was as badly shaken as when he'd been slugged. He hobbled, then stopped; he returned to the scene up the alley.

"Bates?"

"I got him, Tobacco."

Hobbling painfully, Tobacco went toward the jurist's voice. "My man got away, Bates. He shoved out a wheelbarrow in front of me. I'm danged sure he did that, or else some iggnerant son left the wheelbarrow there. You got the hellion what jumped you, huh?"

"I sure have."

Judge Bates was sitting on the man. The fellow lay on his back, either groaning from the jurist's tremendous weight or the weight of the judge's fists. Tobacco could not make out the man's face. He kept making sounds like a whipped puppy, whining and sharp.

"Light a match, Jones."

Tobacco knelt and said, "You got hold of his fists? I

don't want the son to belt me in the mug." He was stiff and sick inside from his fall and the fight. A man gets the wind knocked out of him and it takes some time to get it back. Until he does he's plenty sick in the stomach.

"I got his fists."

Tobacco found a match in his pocket. He lit it and the wind snuffed it out before it had a start. He got around, still on his knees, and put his back to the wind.

Judge Bates panted, "Hurry up."

Tobacco Jones lit another match. This flared, flickered, almost died, and then it caught. He shielded it between his bony palms. The light showed into eerie, terrified dark eyes. The man was not much more than five feet and six inches, if any over that mark; hard to tell a man's height with the jurist astraddle him.

The match lasted only a second or two, then the wind killed it. But it showed a swarthy, long face, and hair that, in the midst of its dark hue, had a big white spot in it. The mouth formed curses.

"Well," said Tobacco, standing up, "who is he?"

"I don't know. Do you?"

"If I knowed him, would I jaw you as to who he is?"

"Easy, pard," Judge Lemanuel Bates said quietly. "I got bunged up, too. I caught a glimpse of him an' his club missed. But as he went down, he belted me across my left shoulder."

"My shins," Tobacco mourned.

Judge Bates hammered a fist down at the man. The man moved his head; some of the blows missed, others connected. The judge stopped.

"Who are you, fellow?"

"None of your bizness."

"I'll make it my business," the jurist prophesied grimly. "What do you mean by jumping two law-abiding citizens under cover of night? You could have killed one of us, or both."

"T'hell with you."

Judge Bates said, "Too bad you didn't get the other one, Jones. Between the two of them, we'd have a better chance to find out what's behind all this, and who they are, and why they jumped us—strangers."

"Ever try runnin' with both legs busted?"

The judge overlooked that and said, "Well, let's tie this gent's hands, then take him over to Miller's and the agency jail."

"What'll we tie him with? You got a hundred feet of spotcord rope on you, Bates?" Tobacco was cynical. His shins hurt.

Judge Bates reminded the postmaster that he had on suspenders. Tobacco jerked them off and handed them to the judge.

"We got to get him on his belly, so I can truss his hands behind him. You hang onto his feet while I turn him."

Tobacco sat down and anchored himself to the man's ankles. "He's a-wearin' ridin' boots, Bates. Must be a hossman."

Despite the wiry man's protests, the thick judge got him on his belly.

Tobacco kept his grip on the man's boots. Judge Bates knotted the suspenders around the man's thin wrists, puffing and grunting as he tied the secure knots. He said, "There, that's done, Jones. Now get me a rope, please."

"Shore, I'll git you one. Pick it right off yonder star. What do you crave, judge: a maguey, a spotcord, or

jus' plain Manila?"

"There's a barn behind you. Get a rope off a saddle in it."

Tobacco went to the barn, lit a match, saw a saddle hanging from its right stirrup from a spike in a log. He untied the catch-rope at its fork and took it back to the judge who tied one end of it to the man's wrists over the knotted suspenders.

"Them braces sure are goners now," Tobacco mourned. "An' they cost me twenty-three cents at this highway-robbery store here."

"You'll live to buy another set."

Tobacco felt of his shins, then jerked his hands back; his shins were as sore as boils. They started up the alley, back toward the Agency buildings, the gent ahead. Once he started to run but the judge braced himself, like a cowpony braced to throw a calf.

And throw the fellow he did. The man hit the ground with, "Come an' help me, pard!" Then dirt finished whatever more he had hoped to say, if anything. The night was late and the merchant opened his window in his quarters over his store.

"Get outa that alley, you danged drunks!"

"Come down an' make us," Tobacco challenged.

"I'll come down with my scattergun." The window made a bang as it closed. But already the judge and postmaster and their captive were around the corner.

"He'll search that alley," the judge said, smiling.

"Do him good. Only work he'll have done for months. He sets by that cracker barrel an' doles out hot air."

The judge spoke almost shyly. "He's postmaster, too. And that's a hard job—you've told me that a

dozen times."

"Ever watch him, Bates? He's some postmaster. He doesn't even know Regulation 8 in Book 3."

The judge didn't know the regulation either; nor did he care to learn. His bottom lip was swelling from the impact of his assailant's fist. He had no interest in postal regulations. He was interested in one thing only: Why had these two tried to beat him and Tobacco?

At first, he could see no rhyme or reason for the attack. Then he realized that possibly two motivations had made the men jump them. One, they wanted to rob them; two, they didn't want them in Spotted Pony and were trying to scare them off this wind-crazy range.

The first summation seemed the more logical, His Honor decided. He mentioned this to Tobacco Jones.

"They'd never git away with their loot," the postmaster said. "We'd've had riders out an' by mornin' these two would have been picked up. Crows would track them down on solid rock. Only a crazy man would try such a thing."

"Maybe these two are crazy."

Their prisoner made the wrong turn. Tobacco pushed him, almost knocked him down; the man was spent. Judge Lemanuel Bates offered his second solution. Tobacco was in accordance with this immediately.

"Yep, Bates, you got a idea there, pard. But I don't figger they aimed to kill us. That'd been risky for them. 'Cause I'm a federal worker—the postmaster general'd've stepped into the case hisself had I been kilt—and you're a judge, and that would bring the governor an' militia into the search. Our

killers wouldn't have lasted long."

The judge admitted his partner spoke logic. "But I'm not sure, myself. Still, I figure somebody doesn't want us on this grass, Jones."

"For once, Bates, you figure rightly."

# Fourteen

Agent John Miller came to the door wearing a long red nightgown and with a blue nightcap on his head. He held a lighted lamp but he did not get to speak first, for his wife's voice, squeaking with excitement, said, "Well, Judge Bates and Mr. Jones! What in heaven's name happened?"

The judge disregarded the domineering female and asked, "Mr. Miller, do you know this fellow?"

Miller peered at the man. Finally he said, "No, I don't. He's a stranger to me."

"What happened?" Mrs. Miller was adamant.

The judge gave a sketchy account of the fight, and this seemed to satisfy the woman, who said ah and oh and gaped. She did not know the prisoner, either. "And I'm sure, if I'd seen him before, I'd have known him."

"I'm sure of that," the judge said.

They got the prisoner to the jail after Miller had slipped into house-slippers and had donned an overcoat. Hungry Woman had been the only prisoner—and now she was dead—and the place was dark. Miller found the lamp and lit it and the feeble rays showed up the gloomy interior. Miller

kept repeating, "More trouble, more trouble," and occasionally he broke in with, "But why would they try to waylay you two?" He did not wait for an answer but continued with, "And how I do wish you had captured the other man."

"Where's your jailer?" the judge asked.

"He's in his tepee. No use having him here when we had no prisoners. The keys are on yonder hook. I'll go awaken him."

Miller hustled out and Tobacco unlocked a cell and the judge gave the silent prisoner a push that propelled him into the cell. The jurist went in with him, threw him down, and searched him. He found a short pistol and a knife and he handed these back to Tobacco.

"Nice friendly chap, Bates."

"Slam shut the door."

The cell-door clanged. Tobacco knelt and pulled up his right pant's leg, for that shin hurt the most, and he inspected his leg. The skin was only broken a little, and the shin looked not too bad; it sure hurt, though. Just about that time the prisoner, hands untied, smacked the floor.

Tobacco watched, grinning.

The prisoner got up, wiping blood from his mouth. The judge stood in a stance, fists up. The prisoner moved back; the judge followed. The prisoner squealed, "You want a fight?"

The question was sort of ludicrous, for it was plain the judge was going to do some fighting. The prisoner ducked, came up; he put both fists into Judge Bates' ample paunch. Then he was flying back, and he hit the wall. He was stunned, not so much from the single blow, but because he had not seen it coming.

"He hurt your belly, Bates?"

Judge Lemanuel Bates had no answer to Tobacco's question. He was shuffling in a circle, following his opponent who circled him. Judge Bates grunted, "Why did you try to slug me, you devil?"

"No tell."

"Then I'll make you tell!"

This time, though, the judge was the one to backstep. Tobacco saw that this lithe man with the pinto spot in his hair was a tough hombre. They fought in the middle of the cell, and the judge finally knocked the man down.

"Get up and fight, man!"

"I got—enough."

"If you have, why did you try to slug me back in that alley? Hurry up, now, and talk!"

"You go—"

Tobacco watched, mouth opened slightly. He saw that the match was fair enough, at that; what the judge had in weight was offset by the youth and greater agility of the younger man.

But the thing that really surprised him was to see Judge Lemanuel Bates so angry. He had seen the judge work over prisoners before and he had seen the judge pound them into confession. But usually the judge worked with a sort of mechanical efficiency, entirely untouched by anger. But this time Judge Bates was angry, and Tobacco did not blame his partner.

It was one thing to hold back a confession from the law. It was entirely another item when a thug knocked down a judge in an alley.

"Come on, fellow; fight!"

The gent had made his fourth trip to the floor. The

bed, a steel cot, was on its side, bedding on the floor. Judge Bates, shirt out, a little blood around his mouth, breathed a trifle heavy, but his eyes were slitted and ready, and his huge fists were up in defense.

"Come on, fellow——"

The man made a sprawling tackle, hitting the judge below the knees. Tobacco unwittingly winced, remembering the wheelbarrow and his sore shins. The pair went down, the judge on the bottom.

A wild sort of ambition seemed to be firing the man with the white splotch in his hair. He sat on the jurist, beating him in the face, and Tobacco, for the first time, felt the strong pull of uncertainty. Maybe the judge had spotted the younger man too many days.

But then the man was flying backwards against the far wall, propelled there by the judge's boots. He looked like he was trying to grab air to steady himself. His mouth was open, his arms flailed, and he gasped something. He hit the wall, cracked his head against the partition, and when the judge lumbered over the man had slid down the wall to sit in a stupid-looking position.

His legs were out in front of him, his arms hung limply at his sides, his head lay on his chest. Tobacco moved close to the bars to watch as the jurist lifted the man's head by his hair.

The man's ox-like eyes rolled, settled. His mouth flapped at the jaw-pins and the man's tongue eased out.

"Knocked him cold, Bates."

That presented a new problem. "Unconscious is right. He must've hit his skull hard against that wall."

"Well, hades, Bates. He hit his jaw hard ag'in your fist!"

"We'll wait until he comes to."

Tobacco said, "Hades with that, Bates, I'm tired, I need some iodine on my leg, an' he'll keep to mornin'. Besides, let him think it over a spell, an' maybe you won't have to persuade him come daylight."

"Here comes Agent Miller."

Miller was puffing like a U.P. wood-burner on a steep grade. His Crow jailer had got drunk and he couldn't wake him up. "Now where do you suppose he got the whiskey, Bates? No whiskey on this reservation."

"Maybe he's got a coil, a mash-kettle, an' some mash."

"I'll have to investigate," Miller puffed. He looked at the prisoner. "What happened to him?"

"Fell down an' cracked his head on the wall," the judge intoned seriously. "Well, what's going to happen, sir?"

Miller said he would sit as jailer. The partners read his open distaste for the job and realized the agent did not want the job, but was just doing it to make it look good to a federal judge. For, after all, Miller held a federal job, and he had to please a federal judge.

Judge Bates said, "If you want to, Mr. Miller, you can hang him for me. He's treated me kind of rough."

The joke was wasted on John Miller. Life to him was a serious business that did not end in a useless grave.

"I'll watch him closely, gentlemen. Will one of you stop by and tell Mrs. Miller where I am for the rest of

the night?"

The partners promised and left. Time had gone by rapidly and it was almost two o'clock after they had doctored Tobacco's skinned shins. The postmaster had winced when the iodine hit the raw flash. He hopped on one skinny leg, then transferred to the other.

Jimmy Hungry Dog blinked in the lamp-light. "What—what happened?"

"We were out bear-hunting," the judge said solemnly. "We found a bear and a cougar fighting and we separated them."

"What with?"

"Our hands."

Jimmy said, "Blahhh . . ." and watched. The postmaster then doctored the judge's cuts. Iodine on his lip, on his skinned knuckles. Now it was Judge Lemanuel Bates' turn to wince.

"We sure found out a lot," Tobacco admitted grudgingly.

The judge had to concur with his partner. Jimmy watched, deep in the covers, and was silent. Finally, he said, "Red Beaver, he gone."

"You told us that before," the judge reminded.

"Nobody knew where he go, either."

"Forget him," the judge murmured. He was stiff, sore; he'd gone through two fights—one in the alley and the other in the cell. Tobacco went to his room and the judge heard the key turn. He blew out the light and the springs sagged as the mattress settled.

Sleep did not come quickly, but it came. Jimmy awoke the jurist as the Crow boy dressed to go to work at the Spotted Pony Cafe.

"Late," Jimmy grunted, pulling on his moccasins.

The judge asked him to hand him his watch from

his pants. Jimmy held it up and the jurist saw it was six o'clock and swung gingerly out of bed. Even at that, he wasn't as stiff as he had expected; his lip, though, was swollen rather bad. But it would eventually go down.

"I wake Jones."

"Do that, Jimmy."

Jimmy pounded and finally got response from Tobacco's room. The judge dressed and went into the hall and said, "Ready, Tobacco."

He got a sleepy, "In a minute, Bates."

He was in the lobby when his partner came down the hall, grumbling as he pulled tight his belt. "I sure wish I had some new suspenders. This belt is like a cinch, Bates, it like to cut me in two."

The judge assured him the store would open at eight and he had seen a display of suspenders in the showcase. They headed for the Spotted Pony Cafe. The wind had died before the dawn, and the sun was just tipping the far hills. The air had a spicy chill.

"Bet the trout are rising," the jurist said. "So far, no fishing, and the Little Big Horn has fine rainbows."

"Yeah, an' I've caught cut-throats there, too."

The judge said, "Before we eat, let's check on our prisoner."

Tobacco wrestled with his appetite against his curiosity, and the latter won. They went into the jail without knocking and they found Miller sitting in the chair. He was sound asleep. He did not awaken.

They looked at him, listening to his snores. The judge said, "Somebody could pry off the jail-doors and tote them past him and auction them off outside, and he'd never know the difference."

"Maybe it's the only chance he's had to sleep for

some time, Bates. Who knows? Maybe his wife even keeps her jaw workin' in her sleep an' keeps him awake?"

Judge Bates shook Miller. He came awake with a jerk, reaching for the gun that had lain in his lap—but Tobacco had the gun a few inches away from the agent's whiskery face.

"Jones, please—put that down!"

Judge Bates said, "See how easy it would be to make a jailbreak with you as guard, Miller? That man who jumped Tobacco could have come back and got the keys and let his partner out and you'd never have known the difference."

"But he didn't come back," Miller said, awake now.

Tobacco said, "Are you sure?" and alarm sent him scurrying down the cell-corridor, Miller's six-shooter in his hand. Judge Bates saw his partner come to a sudden stop, and then Tobacco stood there, gazing into the cell.

"Tobacco, anything wrong?"

"Bates, come here!"

The postmaster's voice was high-pitched, little more than a croak. The squeakiness of it brought the judge down the corridor, with Miller tramping on his heels.

"What is it, Jones?"

"Look!"

The judge stopped. Miller stopped, too. The judge's eyes turned tight and hard, black as obsidian, and his mouth came shut. But Miller's eyes were loose and his jaw open, showing his teeth.

"How did that—happen?"

"When you slept," Tobacco growled.

The judge didn't say anything for some time. The

prisoner hung from a beam, the suspenders around his neck. His face was bloated and already blue.

Tobacco said, "We forgot them suspenders in his cell, Bates."

"Sure looks like it, partner."

# Fifteen

There was an occasional snowflake, driving with the wind from the northwest. The two riders were small ants moving across the vastness of this land wherein General George Armstrong Custer and his men had fought and died. They came closer, moving slant-wise with the wind, and finally they came to the old cabin.

Jack Frazier said, "Winter's close."

"Too danged close for comfort." Mike Perrine blew on his numbed hands. "Summer's a short affair."

"Like life."

But Mike Perrine had no desire to delve into philosophy. Years before his limited intelligence had put a strict fence around his philosophy. You were born, you went through life doing as little work as possible—even if it meant lifting the other fellow's gold—you loved, lived, and some day you died. Beyond that, no man alive could tell you what awaited you, if anything.

"I can't git over it, Jack. Pinto done hung hisself."

Jack Frazier's smile was abrupt. "One less to divide this gold among. He sure must've been scairt

of us an' what we'd do with him for bunglin' this beatin' up of Jones an' Bates."

Mike Perrine agreed with that logic. For neither he nor his partner had hanged Pinto in the agency jail. That task had been performed exclusively by Pinto. But there was one point that did bother Mike Perrine.

"Wonder if he done tol' Jones an' Bates he was workin' for us, an' that we hired him an' Hermando to jump on them?"

Frazier shook his head.

"How do you know?"

"Have Bates or Jones said anything about it?" He answered his own question. "No, they haven't. Yesterday, after they'd found Pinto hung, Bates played a afternoon of poker with us, didn't he?"

"Yeah, but—"

"Lemme finish, fella. I talked with Miller, too. He claims that Pinto held a tight set of lips, an' Pinto tol' the judge an' Tobacco exactly nothin'. But he sure must've bin afraid we'd come in thet jail an' kill him for bunglin' that set-to with Bates in that alley."

"You figure Hermando'll be at the Cabin?"

"I figure so."

"He might run out, too. He might figure like Pinto did—thet we'd be mad at him—an' he might've lit out."

"I doubt that."

"What meks you say that?"

"Well, Hermando knows they got Pinto. But he'll figure we got Pinto free an' Pinto'll ride out with us today."

"Maybe. . . ."

Jack Frazier turned in saddle, weight on his near stirrup, and looked at the dark Mike Perrine.

"Mike, use your brains, fella. Put yourself in Hermando's boots for a minute. Hermando's no fool; he knows we're after big stakes. He still remembers that poke of nuggets that Broken Leg lugged into Spotted Pony. He wants to find out where them nuggets come from, an' he wants some of them."

Mike Perrine showed a slow smile. "So do I. I wonder where thet map is, Jack. If we could only git that map—"

"I think Red Beaver's got that map. That's why the ol' buck lit out without even gittin' his gover'ment issue beef for this winter. He was afraid you an' me'd call on him next, jes' like we called on Hungry Dog."

"Wonder where he is?"

"I got a hunch, Mike, that Hermando knows where he is. Wait till we talk with him."

Mike Perrine spoke so quietly he might have been talking to himself. "Onct there was six of us—there was you an' me an' Pinto an' Hermando an' Peterson an' Ferguson. We come together by accident—all lured by gold. Broken Leg hid them nuggets, us six was headin' through to the Black Hills for the winter—an' from a butte we watched Broken Leg make his cache. We lifted it, then decided to stick around, an' then Runnin' Deer mentioned somethin' about a map, how she had made a copy for Hungry Dog."

"Why rehash that?"

"I'm jes' thinkin'. We stuck aroun' because of gol', with Pinto an' Hermando in the hills. Heck, Skunk even hooked up with a squaw, tryin' to git that map. Well, they was six; jus' one-half of us are dead."

"We all have to die."

"But we don't have to die in violence. We had to kill Peterson—we had to get him out of the way—an'

that got Broken Leg out. One gone."

"For hell's sake, close your mug!"

Perrine gave no evidence he had heard. "Then Bates an' Jones came in with Skunk dead, shot to death. Heck, they kilt him, before he could get to them. Two gone."

"Perrine, shut up!"

Mike Perrine sent Jack Frazier a slow, slanting glance. "Am I hurting your ear-drums, my purty friend?" He got no answer and he continued with, "Now Pinto's gone. Three gone. One-half of us."

Jack Frazier had his pistol out, the barrel across his saddle and on Mike Perrine.

"Mike," he said.

Perrine looked at the gun. "Your nerves are touchy." He shrugged and looked ahead, seemingly interested in the sweep of the distance. Frazier finally holstered his gun. Frazier's hands trembled and he thought, My hands are cold.

They got their broncs in the high brush and went down. Here they were out of the wind and the sun was almost warm. Frazier said, "Look for his bronc," and Perrine went into the brush. Frazier waited, rubbing his hands together to warm them; Perrine came back.

"No horse tied in the brush, Jack."

Frazier jerked his head toward the cabin. "We'll wait inside. He'll come along. There's a deck of cards in there."

But when they came into the warm cabin, the deck of cards was already in use. Hermando had a game of solitaire going. He had a cut across his right cheek, and his eye was very black.

Perrine said, "I looked for your bronc, but couldn't find him in the brush."

Hermando jerked a thumb over his shoulder. "I tied him up on the ridge, in the rocks. Where's Pinto?"

Jack Frazier said, "Pinto's dead," and he told about it, watching Hermando. He saw the man's dark eyes mirror something: was it fear, or was it disbelief? Frazier did not know.

"Pinto, he hang himself?"

"He did," Perrine stated.

Hermando looked from Frazier to Perrine. Then he lowered his eyes to his cards. "He would do that," he finally said slowly. "In his heart—" he pointed to his chest "—he was the coward."

"He had guts enough to hang himself," Frazier reminded.

Hermando swept a dark, skinned hand out and collected the cards. He riffled them into the desk. Jack Frazier noticed the slight unsteadiness of Hermando's hand and Hermando did not see the look he sent Mike Perrine.

"Well," Frazier said grimly, "you bungled it."

Hermando looked up, eyes savage. "Don't rub me wrong, Frazier. We did our best. How could Pinto know he was going to be caught?"

Mike Perrine watched, holding his tongue. Although Hermando seemed simple, Perrine did not underestimate the dark man one bit; he had seen Hermando handle a gun.

Frazier said, soothingly, "Let's forget all about Pinto, huh? He's dead, he told nothing to Bates an' Jones, and it's best we don't mention him, eh?"

Hermando said, "He was my partner. For many years, he ride by me."

Frazier snagged a chair and settled down. Perrine moved over to the corner and licked a cigaret into

shape, never taking his eyes from the others. He lit his sulphur and looked over the cone of red as he lit his smoke.

Perrine said, "Let's get down to brass tacks. There's gold in Big Horn Canyon. We've got some of it when we robbed Broken Leg. We want more of it. Those Crows know where it is. We get that gold, and then we leave this section. We know it's pocket-gold. We sluice it out and leave."

"How we find it?" Hermando asked sarcastically. "Pinto an' me, we watch. We watch good. We no see Crow come to gold, wherever it is. We no find gold. We know where gold can be found, too." He looked back at Jack Frazier. "Red Beaver, he know."

"Red Beaver is gone."

"No? Him dead, too?"

Frazier smiled unpleasantly. He told about Red Beaver leaving the Crow camp. "We was goin' to call on the ol' devil, too. But he left afore we could pay him a visit. Runnin' Deer is gone, too."

Hermando gave himself to thought. "That was him I see yesterday," he said. "I see Red Beaver yesterday."

He had seen a rider over at the mouth of Big Horn Canyon. His glasses had identified the rider as a redskin; but distance had not allowed identification concise enough to recognize who the rider was.

"He meet man, back in rocks, men. That man, I see clearer; I think he was Broken Leg."

Jack Frazier spat in disgust. Mike Perrine's eyes showed nothing. Frazier said, "It couldn't be Broken Leg. He's in jail down in Cowtrail."

"You sure of that?"

"He might've busted out," Perrine put in.

"I could be wrong," Hermando said.

Frazier put his head down and stroked his whiskery jaw, eyes hidden from Perrine and Hermando. He seemed to be talking to himself. "Runnin' Deer is in hidin'; so is Red Beaver. One of them has that map. One thing is certain: they ain't far from that gold. They'll stick around its vicinity to make sure none of us find it."

Perrine nodded.

Hermando was silent.

Frazier continued with, "We tried to scare Judge Bates an' Tobacco Jones out of this country. You tried, Hermando; so did Skunk Ferguson. None of the tries worked."

Perrine ground his cigaret dead on the dirty floor. "You cain't scare them two, Frazier. I said it then an' I say it now. If you'd've listened to me, you'd've killed them afore they reached Spotted Pony. Shot them down from the brush."

"There'd been a hell of a stink," Frazier said. "They both hold federal jobs." He was silent, and the wind spoke through the eaves. "Wonder how much them two know?"

Hermando shrugged, seemingly without tongue.

"I don't know how much they know," Mike Perrine said, "but I do know they are suspicious of us. We're the only whites on this reservation that are strangers. Them two is bound to suspicion us."

"That right," Hermando agreed.

Frazier stood up. He had the expression of a man who had weighed circumstances, had matched one item against another, and had thereby come to his decision. And now, that decision made, he would fight to attain it.

Mike Perrine and Hermando watched him. Perrine's dark, ugly eyes were sharp, and Hermando

watched with a wary dullness.

Frazier said, "You an' me is done in Spotted Pony, Perrine."

"I've known that for some time," Perrine murmured.

Frazier sent him that hard, piercing look. "Wait until I get done talking. We stuck around there trying to git thet map. We didn't git it. Now we pack a pack-horse, get our critters, an' head into the Canyon. We watch there. Red Beaver is in these rocks; so is Runnin' Deer. Somewhere they've got a camp. We get them an' we fin' out where that free gold is."

Perrine said, "Good plan."

Hermando got to his feet and crossed the room and put the deck of cards on the shelf. He turned, back to the wall, hands on the wall behind him, and he looked from one to the other; they waited for him to speak.

All he said was, "Good."

Frazier continued with, "Hermando, make camp in the Canyon. Mind them red standstones on the right flank? We'll meet you there with grub an' bullets."

"When we meet?"

"Tomorrow."

"I be there."

"Meanwhile, you watch. Get on a crag with your glasses an' watch. We'll be out there sometime in the afternoon."

"I watch."

They went outside, and the wind reached with cold fingers. Hermando said, "I go now," and he climbed to his horse. Perrine and Frazier found saddles. Perrine said, "Snow might catch us. Then

what good would a gold mine be? You can't work gold in the winter."

"Anyway, we'll know where the pocket is."

Mike Perrine tasted that and found it sweet. "Then we can work the pocket when spring comes." Something bitter came in. "But what if it's a small pocket, and it's worked out already?"

"We'll have to chance that."

# Sixteen

Agent John Miller said, "I can't understand it. Beef issue finally comes, an' ol' Red Beaver is gone. Usually he hollers for the fattest steers and usually he gets what he wants."

"There are no fat steers in this bunch," Judge Bates said dryly.

They were standing outside the agency corral and looking at the cattle being driven in by the cowboys. Dust rose and the cold wind broke it and took it away; through dust they could see the cattle comprising the beef issue. And the sight was not a cheering one.

For the cows were poor. And cows they were, not steers. They were old cows, unable to throw calves because of their age; they were poor and they would make stringy beef.

"No wonder Sittin' Bull led his warriors on the warpath," Tobacco grunted.

Miller asked, "What was that?"

Tobacco looked at Judge Bates, who shook his head. Tobacco said, "Nothin' much, just a remark about these cows."

Miller looked from the postmaster to the judge,

then looked back at the cows in the corral. The Crows were lined along the corral, the bucks sitting on the top rail, the squaws and children on the ground. They were deriding the cowboys who were putting the cows into the corral.

The cowboys didn't know it, though, for the Crows did not use English. Jimmy translated for the judge and postmaster.

"Crow ask how they can drive a cow that is dyin' so far. Crow say cowboy is Manitou to keep cow alive when she should be dead. Another Crow say he can chew rock as well as jerky from these cows."

"I agree with him," Judge Bates said. Miller had gone away to talk with the boss of the cowboys and to compare tallies with him, for the last cow was in the corral.

The squaws were grumbling, some screeching, some just mumbling. Occasionally a dirty glance was sent toward Judge Lemanuel Bates and Tobacco Jones. The judge seemed not to notice them, but Tobacco was none too easy. For some reason he kept remembering those dried-up scalps in Red Beaver's lodge.

"Heck, we ain't to blame for these skinny ol' cows, Bates."

"They don't know that," the judge said. "We're white men, we're here, an' this is a dirty deal."

Miller came back, a man on horseback beside him. The partners recognized him as the trail-boss. Miller introduced him as Joe Carson, and introduced the partners as Lemanuel Bates and Tobacco Jones, not using the **judge** in front of Bates' name. And evidently Carson had never heard of Judge Bates.

"Sir," the judge asked, "are those the worst beef

you had on your range?"

You could see Joe Carson stiffen. He had the habit of rubbing his long nose and he did this now.

"I don't follow you, fella."

The judge pointed out that usually a beef contract called for fat steers. And a man could hang his Stetson on the hips of any of these old cows. Carson kept getting stiffer and stiffer.

"And what bizness is it of yours, fellow?"

Miller was silent, face slightly pale, and not from the wind. Tobacco chewed and grinned, anticipating agreeably what was ahead.

"When Mr. Miller introduced me, Mr. Carson, he forgot to point out that I am **Judge** Lemanuel Bates, presiding judge of Cowtrail, Wyoming, district, also a federal judge. I just presided at the trial of a Crow Indian, one Broken Leg. Now, I hope, you understand my qualifications?"

Carson mumbled something, the starch out of his spine. "Best beef we had," he said. He sent a glance at Miller and it was not pleasant. "Fattest beef we had." He turned his horse and rode away.

Miller sent a desperate glance at Carson's back, then said, "I'm sorry you do not approve of these cows, Your Honor."

"Best beef he had," Tobacco repeated cynically.

"Sure," the judge said. "Best beef he had **after** he'd shipped out his top stuff from the closest Northern Pacific corral."

Miller said, "I'll argue him down on the price per pound," and walked away, thoroughly miserable.

Jimmy had gleefully listened to the conversation. Now he interpreted it to another Crow boy.

Judge Bates snapped, "None of that, Jimmy."

Jimmy stopped in the middle of a sentence. He

looked at the judge. "All right, Mr. Bates. You go away, Charley."

The whole town, such as it was, had turned out to see the beef issue. Jack Frazier and Mike Perrine came up and Frazier said, "Sure, poor cows, Mr. Bates. Not much meat on them."

The judge agreed with them. The pair talked a while, then went around to the other side of the corral. Carson and his cowboys left in a cloud of dust, hats up and yipping. The Crows hurled curses at them, according to Jimmy; the cowboys thought the redskins were cheering them, and their hats went higher, their yips sharper. They headed toward their mess-wagon, which had stopped a few miles out of town; they were heading north again.

Jimmy said, "Them two, they leave soon, Bates."

"What two?"

"Frazier an' Perrine."

"How do you know?"

Jimmy said he had been in the general store and the pair had come in and he had heard them order grub. "They bought some bullets, too."

The judge had seen the pair in the store, but of course he had not gone in, for he had not wanted them to get suspicious of him.

"They buy a pan, too."

"A pan?"

"Yes, a pan. What they do with it?"

That seemed odd. A pan? Now what could a man do with a pan? Boil coffee in it? Yes. Maybe that's why they had purchased a pan.

"A flat pan," Jimmy said.

The judge said, "Jimmy, watch their barn. Get in the haymow. Watch it, savvy?"

But Jimmy protested. He wanted to see the bucks

kill the meat issue. The judge realized this was always a big event in an agency. The bucks selected the beef they wanted. That beef was then run out of the corral and the buck, mounted on his top horse, would then ride in close and send an arrow through the beef.

His job was then through. He, the boss of the tepee, had killed his winter's meat; his squaw would then bleed the beef, skin it, and quarter it. The buck was through. The squaw and his children would lug the beef to his tepee while he sat and smoked and made talk with his masculine neighbors.

"I want to see them down beef, judge."

The judge and Jimmy made an agreement. Jimmy would keep his eye on Frazier and Perrine, and he would trail them when they left. That suited both parties, and Jimmy moved away.

"You put a lot of faith in that young one," Tobacco said.

"You're wrong there," the judge corrected. "He puts a lot of faith in me, Tobacco."

Tobacco stayed there and the judge moved away, intending to listen to the reactions of the Crows to these skinny cows. But whenever he came close to a group of bucks talking, they immediately stopped talking. He circled the big corral and stopped beside Frazier and Perrine.

"They don't cotton to these skinny cows," Frazier said.

The judge nodded. He didn't tell the pair, but there'd be an investigation into this, and his influence would bear heavily against Miller. Miller was getting a good salary from the government: he didn't need another by buying poor beef. "They aren't too fat," he admitted.

Perrine looked at the sky, his face dark and thoughtful. "Looks like snow. It'll come any day now. I reckon it's me for Deadwood and a hotel for the winter. Sit in the lobby, roast my shins, and spread the hot air with the other boys who get snowed-in."

"Good idea," Frazier said.

Judge Lemanuel Bates got the impression, from somewhere, that they were feeling him out. They were discussing their future plans in an attempt to get him to disclose his.

"Well, our fishin' trip is over," he said. "Come tomorrow, Jones and I are heading back for Cowtrail, and a warm stove."

"Any luck?" Frazier asked.

The judge said, "Had some luck. Got some nice rainbows in the Little Big Horn. Never got to fish the Big Horn, though. Maybe next time when we come up we'll fish the Canyon."

"I've fished it," Frazier said. "Never got a rise. Water too fast, Mr. Bates. Muddy most of the time, too."

"Well, thanks. That'll save me and Tobacco a useless trip, I reckon." The judge went back to where Tobacco stood. "Those two are talking about heading out, Jones."

"Good riddance of bad rubbish. Where do they aim to go to put their curse on another area?"

Judge Bates smiled thinly. Apparently Tobacco did not hold Jack Frazier and Mike Perrine in high esteem.

"Deadwood, Perrine said."

"An' Frazier?"

"He didn't say."

"Good riddance," Tobacco repeated.

All of a sudden, the Crows sent up a wild shout.

Squaws hollered, kids screeched; even old blanket bucks let smiles break their wrinkled, cold faces. They had all converged around the gate of the corral.

"Must've turned loose a beef," Tobacco said, and climbed the corral to the top rail, the jurist climbing beside him. Dust was thick for a moment, and then the wind ran it away with a silent club.

Two Crow bucks were in the corral. They had cut out a cow and had hazed her into the open area. A rail fence ran along here—really wings of the corral used to make it easier to drive cattle into it—and back of this and along the top perched the Crows. They were gaudy in blankets and some of the bucks wore head-dresses.

Then they saw the cow. She was wild with fury and she charged the fence, smashing into it, but was repelled. Tobacco scowled and admitted the cow should not have been that wild. Hadn't she just finished a long, tiresome trek from the northernmost edge of Montana Territory?

"They've doctored her," the judge said.

"Wonder what with?"

"Some Crow hocus-pocus, I guess. They cut them a little on the belly, pour some of this solution on them, and then run like hades. Look at her charge that rider!"

Head down, the cow charged, digging in. She was a roan beast, bony and quick, and she intended to make short work of a certain Crow buck and his pony. But both the Crow and his mount had different ideas.

The pony turned sharply, the buck low on him. Judge Bates saw the tip of one sharp horn miss the pony's shoulder by mere inches. The cow turned,

too, but too late; she slammed into the wing of the corral, and knocked herself down, and she landed sprawling in the dust.

The Crow was crowding his horse on her, riding her to her feet. He was grinning and shouting, brandishing his bow high. The cow charged again, and this time the pony was not quick enough; the cow upset him.

It was a tricky moment. There was dust, and through this the partners saw the shadowy outlines of the bronc on the ground, the Crow on his feet. Then, out of this dust came the wild cow on the run. She had an arrow in her back, slantwise through her high ribs; the Crow had put it there. The Crow ran out of the dust and up came his bow. But, before he sent in another arrow, the cow had gone down.

She went down suddenly, rolling in the dust. One moment she had been running, the arrow bobbing; the next her four legs had run out, letting momentum make her roll. And she didn't move.

"One cow gone," Judge Bates murmured.

By now the wind had moved the dust. The pony was on his feet, his right front leg limp. The Crow came back to him, grinning to the hollering of the crowd; he looked quickly at his horse's shoulder, then mounted and rode away. One buck called something in a loud voice.

"Wonder what he said?" Tobacco pondered.

Jimmy had climbed up beside them. "He say, Go get a jackrabbit to ride," the boy reported.

The buck's squaw had cut the dead cow's throat. The buck, despite the fact his bronc limped, threw down a rope and the squaw tied it around the cow's hind legs.

The buck, of course, rode bareback. He made a

signal with his arm and an agency worker, a white man, came out driving two work-horses, one of them dragging a double-tree from one tug. The horses snorted, afraid of the smell of blood, but he got them close and hitched them to the double-tree.

The Crows were hollering for them to get out of the way, for already another cow had been hocus-pocused in the corral, and already a buck waited outside the gate, mounted and with his bow and arrow ready.

But the squaw and the agency worker took their time. Finally the end of the rope had been tied to the clevis-pin. The worker clucked to his team and they dragged the dead cow away, hind feet first. They dragged her into another corral and got her carcass under a tripod made of green cottonwood poles.

"Good," the squaw grunted.

From now on, it was all up to the squaw to hang up the animal, peel the hide from it, gut it and quarter it. Tobacco noticed that the buck's bronc had been cut rather severely on the shoulder.

"Thet cow sure had sharp horns, Bates."

The judge and postmaster watched the butchering all afternoon. Agent John Miller flitted around like a fly, travelling from one carcass to the other as they dragged off the recently-killed cattle for quartering. Buck after buck rode out, dust boiling between him and his beef, and a brown arm would come back, the arrow between thumb and forefinger.

There would be a dull **whang**, many times audible above the cries and pounding of hoofs. One buck shot an arrow right through the deep chest of a big, bony cow. Evidently it had pierced

the heart. The cow came to a crumpled, headlong stop.

"Sure hate to have them send one of them things into me, Bates."

"I've seen them shoot one through a bull buffalo. That was over in Custer, over in the Black Hills."

Tobacco was looking toward the butchering-corral. "Them squaws sure don't seem to cotton to them skinny beeves."

The squaws were gabbling and hissing, sounding like a bunch of mad geese that could talk. One buck sat and ate the raw liver of a beef. Knives flashed, dust rose, and there was the smell of fresh manure.

"They'll git thet beef all dirty, Bates."

"They aren't hollering about that," the judge corrected. "A little dirt means nothing to a redskin, as well you know. They're belly-achin' about the quality of the meat, not the dirt."

"Make good pemmican an' jerky."

The judge agreed with that. The meat would make tough pemmican, at that. Jimmy Hungry Horse had slipped off the corral and had gone somewhere. The judge looked for Jack Frazier and Mike Perrine, who had been perched across the corral. They were both nowhere in sight.

For the hundredth time, he added up all he knew, and it added up mostly to conjecture, nothing more. Broken Leg was in jail awaiting a new trial, they had had to kill Skunk Ferguson, and somebody had hanged Hungry Dog, right in front of Red Beaver's seamed, weather-marked eyes. Yes, and now a gent with a splotch in his hair was also dead; had he hanged himself, or had somebody sneaked past the sleeping Miller and hanged this stranger?

If so, who had hanged him, and why?

Experience had taught Judge Lemanuel Bates not to deal too much in the area of conjecture. A legal man, trained to the law, his mind wanted concrete evidence; it discarded evidence based on conjecture. And to whom did all this point?

He didn't know, for sure. He had his suspicions, true, but many of the loose ends would not weave into the cloth; at this stage, they were off-color and did not fit the over-all pattern.

But he realized this matter had to come to a head soon. He and Tobacco had been in this town a week—in fact, some days past one week. Common sense told him Mike Perrine and Jack Frazier were involved in this. Discreet questioning had confirmed the fact that Charley Peterson—yes, and even Skunk Ferguson—had been chummy with Perrine and Frazier.

Jimmy Hungry Dog had confirmed this, too. By now the jurist was very glad he and Tobacco had met the Crow youth. Jimmy had good ears, a close mouth, and his skull encased a sharp brain.

Then, too, there was another finger that pointed to Jack Frazier and Mike Perrine. They were the only outsiders—white strangers—in Spotted Pony. And Judge Bates, just by looking at them, could almost tell you their past lives. He had sat on a county and federal judgeship for years. And during those years he had seen criminals parade before him. And, into this lineup, a man could insert Perrine and Frazier: they would fit, too. Fit perfectly.

But you cannot convict a man just because of his looks. And one thing was seriously missing, the jurist realized. What had caused all this trouble? Broken Leg had said, "Peterson, he try to steal my moccasins." Hungry Dog had said exactly nothing of value

when they had questioned her.

And Red Beaver? What had he said?

"No know."

Two words, that was all.

Running Deer, Broken Leg's squaw, had also given them nothing of any value. This thing was a puzzle, and big, too. The judge felt a thrust of exasperation. Just to see justice done, he and Tobacco Jones had ridden miles, and then had run into this mysterious, blank wall of silence and enigma.

The day's celebration was just about over with, for darkness was encroaching on the dim, uncertain twilight. And the wind, which had been chilly all day, was even gathering more coldness to it.

About one-half of the beef issue had been butchered. Enough cattle remained in the corral for another day's kill. Squaws lumbered by, carrying quarters of beef; there would be no rest for them until the meat had been cut up for jerky, and strung in trees. There, dangling in the breeze, it would dry, for Indian summer was still ahead—there might be many warm dry days. Or, for that matter, it might freeze any night, and stay below freezing. Then, of course, the beef would keep, using the great outdoors as a refrigerator.

Squaws used skinning knives. Papooses bawled, children ran and cried and played, and the judge caught the slow, almost nauseating odor of blood. Braves thundered by on ponies, quirts working as they showed off. One almost rode Tobacco down as they went toward the hotel.

"Danged redskin. He git off that hoss an'—"

"An' he'd beat the tar out of you," Judge Bates finished.

They ate supper at the Spotted Pony Cafe. Emma asked, "Did you see the beef slaughter?" and they replied they had.

"Did you see it?" the judge asked.

She shuddered, which made her even prettier. "I couldn't look at it. I think I'll become a vegetarian."

They ordered.

"Jimmy was in here looking for you," Emma told them.

"Where is he now?"

"I don't know. I sent him to the hotel, thinking you were there."

"How long ago?" the judge asked.

She puckered her lips, and frowned a little. "Oh, about five minutes. Maybe not that long, even."

"We'll see him," the judge promised.

# Seventeen

Jimmy Hungry Dog said, "Yep, they leave town, men," and then he looked at Judge Lemanuel Bates and Tobacco Jones, his importance weighing heavily across his youthful shoulders. "They headed down the trail to the south, toward Wyomin'."

They were in Judge Bates' room. The partners had met the young Crow just as he came into the lobby, coming from looking into Judge Bates' room for him. Dusk had fallen before night, and the lamp on the dresser showed a weak, almost sickly glow.

"You follow them any distance?" the judge wanted to know.

"I did."

Tobacco, who sat on the bed, made a Deadeye Dick shot into the spittoon. He shifted his cud. "Wahl, that means they ain't in on nothing', don't it? Perrine said they'd head for the Black Hills. They git to Fort MacKenzie, then swing east an' cross Clear Crick an' the Powder, an' first thing they'll be in Sundance, an' it ain't much more'n a jump an' a holler from Sundance to Deadwood."

Judge Bates nodded. "Looks like they're headin' for Deadwood, sure as heck. Wish I had some good

evidence and I'd get them jailed in Fort MacKenzie."

"But we ain't got it," Tobacco supplied.

Jimmy said, "You mens, you done talkin'?"

The judge cast the youth an inquisitive glance. This young buck needed a little of discipline; he was pretty cock-sure and ornery.

"What do you mean, Jimmy?"

Jimmy's hands helped out his English by making gestures as he talked. "They go down trail south for six, seven miles." His hands waved and helped. "They leave trail there."

"What are you saying?" the judge demanded.

Jimmy sent a glance at Tobacco. "The judge, he always wanta talk."

Judge Bates had had enough. He grabbed the youth by the shoulder and shook him. "Don't sass me, young man. You might be eleven years old but I sure can lay you over me knee mighty fast!"

The importance left Jimmy Hungry Dog. He became just a Crow youth with a message to tell.

"They leave trail, turn to that direction." He gestured to the west. "They cross Little Big Horn, go still west."

The judge released the youth. He and Tobacco studied each other. This point put a new angle on this situation. Deadwood, South Dakota, certainly wasn't west, it was southeast by east.

"How far did you follow them?" the judge wanted to know.

Jimmy held up three fingers. "No further, judge. Got dark an' I come back an' look for you. No see you at corral."

"We were there," the judge said. "You just didn't find us in the crowd. Jimmy, you got a fresh bronc?"

"Get one."

"Go get him."

"Why?"

The judge dug and came up with two silver dollars. They made him remember Mrs. Miller and her argument about free silver. Why he thought of her, he did not know; maybe it was with a sense of relief, for now he knew he and Tobacco would soon leave this agency town of Spotted Pony.

"See those two dollars?"

Jimmy eyed the money like a sinner looking across the boundaries into heaven and wondering about his possible entrance.

"Me see. Why?"

"You can earn those two dollars."

"How earn?"

"You get fresh horse. Then you ride out and follow those two. Later on there will be a moon."

"I follow them in dark." Jimmy's dark eyes were riveted on the two dollars. His gaze followed them down until they disappeared with a clink into Judge Bates' pocket. "I go get horse. When I get money?"

"One dollar when you leave. One when I meet you in the morning, if you have faithfully discharged your duties."

"What that last mean, Bates—I mean, sir?"

The judge did not take the time to explain. He and Tobacco would meet Jimmy in the morning at a place the youth would pick. Jimmy scowled, scratched his head, and thought real hard. He was important again. Two men—white men, too—were asking him to set a meeting place.

Judge Bates realized the youth knew this Little Big Horn country very well. Come summer the Crows drifted from Pryor Mountains to the Rosebud Mountains, south down to the Big Horn Mountains, and

north to the Yellowstone River. And Jimmy, being a Crow, knew this territory very well, the judge was sure.

"They go for Big Horn Canyon," Jimmy said. "I see that. End of canyon is old building."

"Ol' Fort Smith," Tobacco murmured.

"Yes, that name." Jimmy was beaming. "This way is big black rocks. You remember them?"

"Black Crown," the judge said.

"That it," Jimmy said. "Meet you there. Where's dollar?"

"You get your pony and pick it up on your way out."

Jimmy's face suddenly looked mournful. "No trust me?"

"I trust you," Judge Bates was quick to say. He handed the youth one of the dollars. "Ride past here on your horse. I want to look over your outfit. You need grub, remember."

"I get grub. Red Beaver's lodge."

The youth left by the back door. Tobacco sat on the bed and chewed and the judge got out a flask and took a long, rumbling drink that brought Tobacco's eyes up and brought disgust into them.

"Hittin' the bottle ag'in, eh, Bates?"

"A nip, my friend."

"Ain't you runnin' kinda low?"

The judge thought he detected a gleeful note in his gaunt partner's voice. He had, truthfully, been allotting himself just so much whiskey per day; his cache was running out, much as he hated to admit it. He had scouted for possible reinforcements but the Crows were afraid to let him have any of the whiskey they had concocted.

He knew there was whiskey—and plenty of it—

among the lodges. The Crows made some, some was smuggled in by traders, and some was bought by the Crows themselves from unscrupulous saloons off the reservation's limits. But none of it seemed to be for him.

He had even offered one Crow, Wicked Eye, twice the usual price, but Wicked Eye had fastened his single eye on him, given him a long surveying look, and then had shrugged, saying he had no whiskey, had never had any, and did not know where any was.

In other words, the judge's calling as a federal judge had gone before him, and whiskey was not for him from the Crows. So he had rationed his own, and now he was getting close to the bottom of his last flask.

"I got lots left, Jones."

Tobacco smiled. Then seriousness again enveloped the lanky man with the big adam's apple.

"You really goin' send that kid trailing' them two?" He did not wait for an answer. "What we goin' do tonight?"

"Get a good night of sleep."

Tobacco studied him with a half-smile. "Bates, I do believe man, you're gittin' old."

"I am, of course. All living things must grow old."

Tobacco waved a tobacco-stained hand impatiently. "Always some evasive answer . . . But there was a time when you'd jump up, grab your mule, an' ride out, night or no night."

"Them days," intoned the jurist, "are gone forever."

Jimmy came in, after being gone half an hour or so. He said, "Got my hoss out behind, men," and they followed him outside. He had a ewe-necked, spavined old mare of unknown vintage. The horse

stood on her sprung legs and seemed asleep.

"Don't git too close to her, Mr. Tobacco."

"That ol' plug—"

The mare came suddenly to life. Her teeth clicked, but Tobacco had jumped back in time; her teeth did not close on his arm, but missed by inches. Then, apparently discouraged, she hung her head again.

"She'll do," the judge said.

"One of Red Beaver's hosses," Jimmy said. "I cleaned out his tepee, too; got grub in sack."

"You got a gun?" the judge wanted to know.

"Got this."

The boy dug into his pocket, twisted his hand, and tried to get something free. Finally he came out with an old derringer and handed it to the judge who inspected it in the lamplight that came from his hotel-room window. He handed it back, "It's not loaded."

"Me throw 'im," Jimmy said. "Throw 'em good, too."

"Do a good job of trailing them," the judge said. "And we meet you about noon."

"I wait on rocks."

The boy rode away, high in the stirrups of his old saddle, the silver dollar warm in his pocket. The judge and Tobacco went to their rooms but there was little sleep for the jurist, who awoke Tobacco at dawn. And a leaden, gray dawn it was—no wind, but chill hung to the northern earth.

"The kid said they took a pan with them, a flat pan, Tobacco."

Tobacco was sarcastic, as was his habit early in the morning. "Maybe they intend to milk a wild goat an' set the milk in the pan to cool an' rise cream, huh?"

"You're far from funny, Jones. I take it they intend to use the pan to pan gold. I lay awake last night and gave it deep thought."

"What a wonderful conclusion." Tobacco pulled on his shirt. He sat and stared at his boots. "Maybe you got somethin' at that, Bates."

"Wonderful conclusion."

They were the first customers at the Spotted Pony Cafe. Emma had that rare gift that few women have: she looked good early in the morning. The cook asked, "Where's that Injun kid? I got work for him."

"I don't know," the judge said.

The cook pulled back his ugly head, mumbling as he cooked their hotcakes and boiled coffee. The judge told Emma they were leaving town. She said she'd be leaving, just as soon as she sold her cafe; she had a buyer lined up, too. And the judge asked, "Where to, young lady?"

She blushed a little, and said she was going to be married in Minneapolis, and her husband-to-be was a young lieutenant whom she had met at Fort MacKenzie. "General Terry is going to stand-up with him."

"A fine man, General Terry. When you see him, give him my compliments. He will remember me, lady." The judge chuckled as his memory swept back to the Civil War, but he did not mention his war days.

"Terry sure didn't look good when the Sioux knocked out Reno an' Custer," Tobacco grumbled. "Why didn't he take up the chase, 'stead of lettin' them git away?"

General Terry's actions after the Custer Massacre had long been a bone of contention between the

partners. Tobacco always maintained Terry should have hit the Sioux, and the judge maintained that Terry could not have done that—when Custer and Reno had failed, Terry had thereby lost at least one-half of his command. Had Crooke come up from the Powder, Terry could have had a chance, but Crazy Horse and his warriors had put the fear into Crooke, who sat and hollered for help with a command as great as Terry's had originally been.

Now the judge, not wanting to argue the matter further, joked with Emma, wishing her luck. By this time the general store was open. The partners, breakfast finished, paid.

Judge Bates said, "Miss Emma—"

She looked up from her cash-box, where she was putting their money, and the judge kissed her on the lips.

She said, "Oh, thanks."

She kissed the judge again, her lips girlish and warm. Tobacco said, "My turn, Miss Emma, and may God bless you and keep you," and he kissed her. They all wished each other luck again and the partners went toward the livery-barn for their mules.

Tobacco said, "Some young man is sure lucky."

"Anybody who is young is lucky. They're lucky because they are young."

"He sure is lucky," Tobacco said.

Their mules were rested and frisky, ready for the trail. They paid their livery-bill and saddled. Because of his bulk, the judge used a crouper and martingale on his mule. The crouper kept the saddle from sliding ahead on a slant, the martingale kept it from sliding back when his mule climbed a hill. But Tobacco, being of lighter weight, did not need these two additions.

They led their pack-mule to the general store and got supplies. Mrs. Miller came in the store, expressed surprise that they were leaving, and the judge knew that within five minutes, at the most, everybody in Spotted Pony would know that Judge Lemanuel Bates and Postmaster Tobacco Jones had left the reservation.

They lashed their supplies on to the pack-mule and Tobacco made the diamond-hitch, saying, "Well, we're all set, Bates."

"We got rid of Mrs. Miller easier than I thought possible."

Tobacco squinted and spat. "Her husband had done tol' her about you protestin' ag'in them skinny cows, an' she was as cold as the weather."

"Hit a man in the pocketbook an' you knock him out faster than a blow to his belly." The judge shook his head in feigned sympathy for Agent John Miller. "You got plenty of eating tobacco, Jones?"

"Jus' bought five new plugs. Wish you could buy some hard stuff, don't you?"

"I got plenty," the judge fibbed.

They found their saddles, the judge took the lead-rope of the pack-mule and twisted it around the horn of his saddle. When they rode past the Spotted Pony Cafe, Emma Dalberg waved at them through the window. The wind had come up again, and an occasional snowflake hurried by to hit the ground and melt.

They rode past the Crow camp. Bucks and squaws were up, ready to renew the ceremony marking the beef-butcher. Old Wicked Eye came hobbling over to the trail, stopped them with a up-raised palm.

"You no fish no more?"

The judge admitted that their fishing-trip was

over. Now they were going back to Cowtrail and winter there.

"You see poor cows?" A ragged, unkempt claw gestured toward the corral. Judge Bates nodded. "You do somethin'?"

The judge shrugged. He wasn't tipping his hand to this old buck. Wicked Eye's single eye was a gimlet boring into him.

"Maybe," the judge murmured.

"Oh."

They left the one-eyed old Crow buck standing there and rode on, pointing their mounts south. This way the wind was behind them. They rode past the last of the tepees, dogs barking at them; the pack-mule kicked a cur and knocked him yipping and sprawling. The dog, tail down, scurried into a lodge. A young squaw came out, saw them, and spat in their direction, her hatred plain toward a white man.

A boy of about two stood in the open wind in front of his lodge, wearing only his skin. How he stood the cold wind, the judge did not understand. Then the lodges and their gabbing and hissing were behind, and to the south the valley ran, heading for Fort MacKenzie in Wyoming Territory.

"Wonder if we're bein' trailed, Bates?"

They rode for a few miles, and here the edge of the eastern hills swung in and touched the trail. From the crown of a hill they watched their back-trail for an hour, but apparently they were not going to be followed. They watched another hour, with the judge stretched out on the sandy soil, protected by an igneous boulder, and with Tobacco squatted in the windbreak, holding the glasses.

The judge went to sleep, and the next thing he

knew Tobacco was shaking him. "Nobody follerin' us, Bates."

The judge asked for the time and Tobacco said it was a few minutes after nine.

"Well," Judge Bates said, "we head for Black Crown."

They cut across the Little Big Horn Basin, which was narrow at this point, and soon they were in the eastern hills, heading across the hilly country that separated the Big Horn from the Little Big Horn. This was a benchland country, marked by dried buffalo-grass, spotted occasionally by sagebrush and buck-brush. Coulees held choke-cherry trees and cotton-woods and boxelders.

"No game," Tobacco said. "Not an antelope or deer or buffalo."

The judge reminded that they were still on Spotted Pony Reservation, and the Crows had killed all the game for grub.

"Don't blame 'em, Bates. Them cows the govern-ment sends them ain't no 'count."

But to this the jurist had no answer; that problem had been discussed sufficiently. Although the wind held no warmth, the obese man felt a strange form of satisfaction, almost of contentment. His mule was fresh and strong for the trail, his pack-mule held bedding and grub.

To the north, the hills ran on to level off at the junction of the Little Big Horn and the Big Horn, some twenty odd miles distant as the wild goose flew. Southward, the hills ran on, and far south could be seen the Big Horn Mountains, defying the Wyoming clouds, with Fisher Mountain prodding its height upward.

To the straight east were the Rosebud Mountains,

out of which Custer had come for his annihilation, and south of the Rosebuds, set eastward a pace, were the dark slopes of the Wolf Mountains.

But the jurist, never one to look much to the back, either through retrospect or through geographical space, kept his eyes on the mountains ahead, ignoring what lay behind.

Straight west were the mountains that closed in and made Big Horn Canyon. At their northern base was old Fort Smith, now abandoned. Beyond the Canyon lifted other mountains, snow-tipped and cold and aloof; these were the Pryor Mountains.

Ahead, too, Black Crown rose, topped by dark rocks, its sides spiked by lodge-pole pine and spruce. Black Crown sat at a strategic spot: here a man could be hidden and yet watch the Big Horn Canyon.

They pointed their mules toward the mountain. But, although they made good time, the distance did not seem to diminish. Always the mountain seemed the same distance away.

Here in this high northern air, distance was very deceptive. They were ants, crawling across space, moving with an ant's slowness. Then, without warning, the mountain seemed suddenly to move on them, another trick of the thin air in this high altitude.

# Eighteen

Jimmy Hungry Dog lost the trail of Jack Frazier and Mike Perrine close to the mouth of Big Horn Canyon. The moon fell at about two that morning, and the youth could not track in the darkness that settled like a black tarp across the hills and coulees.

Therefore he headed for Black Crown. He could not see the jagged upthrust of rock, but he headed the old ewe-necked horse toward its general direction. The horse travelled at the same gait—an unhurried trot unbroken by the uneven terrain, a gait that consumed miles with a bouncing monotony.

His plan was simple: dawn would find him on the top of Black Crown. From that high vantage point the country would lie clearly below him, and because of height he could watch into coulees and gullies, marking them for the movements of man or beast.

He did not know why Judge Lemanuel Bates had commissioned him to follow Mike Perrine and Jack Frazier. He only knew that he was performing this errand for the judge and Postmaster Tobacco Jones. The judge had cautioned him against dan-

ger, and although he did not know why he should be in danger, he was careful because the jurist had so ordered.

The wind had died down in the lull before dawn. Still, there was cold: a cutting, penetrating, icy cold—the cold of the high mountain regions. Down in a gully, a tree cracked suddenly, the noise sharp and strong, cutting through the monotonous sound of the old mare's trot.

He knew that the cold had made the crackle. His hands were icy and he blew on them, but this did little, if any, good. He put his hands under his thighs, sticking them between himself and the seat of his old saddle, an old army saddle the agency had given him because its army life was through.

He hoped dawn would bring a warm sun. He hated to see winter come, for a lodge got terribly cold in the winter, what with snow packed high around it. He hated winter, for then you huddled around the lodge-fires; you couldn't fish, for the streams were ice-covered. Of course, you could slide down hills on a bull-hide toboggan, and that was fun.

His brow clouded. There was one disturbing element in his thoughts, a thought that really scared him. And it did not concern Jack Frazier or Mike Perrine. It was a rumor that had almost all the young Crows excited. And the rumor was that the Great White Father was going to start a school in Spotted Pony, a school for the Crow children, all from the age of six winters up.

Jimmy had heard about schools, although in a round-about way. One thing seemed certain—they were no good and were places of torture. At the Rosebud pow-wow, early in the last spring, he had

talked with a Sioux boy his age, who had come to the pow-wow from Fort Lincoln, which was somewhere to the east on the Big Muddy. And the Sioux youth had told him about the school the Great White Father had forced him to attend the winter before.

Jimmy hadn't understood all the conversation, for he did not know much Sioux, but he had found out something about papers called books. The Sioux said you had to learn to read and write. What good, Jimmy asked himself, was that ability? Only foolish white people could use such habits.

He didn't need to know how to read and write. He knew sign-language fairly well; his grandfather had taught him some signs, and he could read the track of deer, telling whether the track were made by a white-tail or a mule-deer, a buck or a doe. He knew a cougar track and a lynx track, and he could tell where a beaver den was just by looking at the bank above a beaver dam.

He was really worried about this thing called school. Already he had decided not to go to it. But the Sioux boy had said that the agency had made him go. He had hid out, but the man had found him. Jimmy resolved that he'd find a hiding-place where nobody would find him, not even Red Beaver.

Red Beaver had good eyes and a good nose, though. He was like a wolf, when it came to seeing or scenting. Jimmy found himself wondering where Red Beaver and Running Deer had gone. But there was no use wondering about this, he reasoned, and he switched his mind back to school.

Funny, how a person always seemed to think of unpleasant things.

Suddenly he pulled the old mare to a willing stop. He slid off her and stood at her nose, hand across

her nostrils. She was scenting the air, nostrils distended; she made no effort to whinny.

He listened. He was silent, graven; the mare, too, stood still. Somewhere he heard a sound that sounded like a hoof hitting against rock. But it must have been very distant, for he did not hear the regular sounds of hooves; there was just this one sound, now dead against the distance and time.

He stood there for twenty minutes, listening, his hand on the old mare's nose. Finally she lowered her head and cropped idly at some bunch-grass. Jimmy heard no more sounds, save those of the night-wind, now lifting a little in sing-song through the rocks.

He thought, I hear a deer run, and he let it go at that. He squatted on the ground, sitting squatted like a brave sits, and the mare tried to graze, but she had hard going with the rope tied around her bottom jaw. Finally she gave up and stood with her head low and waited.

When the first streaks of dawn came, he was in the old McClellan saddle again. Now the wind was icy, for it came from the glaciers; it was not fast, but it was sharp. It brought cold to his high cheekbones, made him sit again on his hands, the mare walking toward Black Crown, seeming to understand he wanted to go to the butte.

When he reached the scattered, dark boulders dotting the talus cone that surrounded Black Crown, dawn was a reality, not a promise. The clouds were low, and the sun could not penetrate them; this would be another raw, cold fall day. The wind would hurry the clouds across the sky the way an old squaw hurries her grandchildren about their errands.

He got some pemmican from his pocket and chewed on it. The meat swelled when saliva hit it and he gulped it down. Pemmican had strength and braves had made wars with it in their bellies for courage and stamina.

He led the mare up the slope, tackling it from its south side, for the wind was not as strong there, for the crested butte turned it. Puffing, sliding now and then in shale, he led the wise old mare upward. He could not take the mare to the top, for it was too steep.

"You stay here, Wolf Meat," he said.

He got his rope and picketed her among the rocks. She could crop a little bunch-grass, for occasional clumps of the wiry grass stuck out between rocks. Besides, Judge Bates had said he would be along about noon, and then he could water the horse.

He climbed upward, scaling rocks, creeping between boulders. His breath came quickly, and the climb drove the stiffness out of him that the cold night had planted. It was good to be warm again, but the crest of the butte would be cold, for there the wind would blow savagely.

Below him, boulders became specks, and coulees and draws fanned out, running into the distance, but their bottoms discernible because of his rising height. He had to stop and rest twice. Had anybody been around to see him, he would have kept on climbing, but nobody was around. Finally, he reached the top.

His guess had been right: the wind blew with tornado force. It whipped across the flat, black top of the butte. It had whipped away all loose soil and small rocks; the top was about as flat as a lodge's

floor, and about ten horse-lengths across, and about that wide, too. He crept toward the north rim, crawling on his belly, the wind bringing tears to his eyes.

Finally, he reached the lip of the butte.

Although high clouds hid the sun, daylight had become strong, and the scene below him lay clear. Yonder was the Big Horn River, still frothy from its mad run through the Canyon, its bed marked by huge boulders and ripples and whirlpools. Mountains grew clearer and took on their properties. The wind sang in the pine and spruce, making a perpetual lullaby.

His eyes came to the edge of the butte below him. He wasn't sure, but he thought he had seen a movement down there. Had he seen a deer? He watched the clump of rocks, and finally he made out the figure of a man, seated back against a boulder.

He watched, waiting for daylight to make identification positive. So far, because of the dawn's low light, he could not clearly see the man. So he lay there and waited with a Crow's patience; that patience was finally rewarded.

He saw the man was old Red Beaver. He went over the side of the butte and, unknown to the old man, he crept through rocks and brush, and finally arrived in some brush about a hundred feet from the oldster. He lay on his belly and watched the old brave.

Red Beaver sat crosslegged, chewing on something Jimmy decided was pemmican. He chewed with the diligence and slowness of a man who lacks all his teeth. Finally, his meal finished, he dug into the soil at the base of one rock. He came out

with a stick of something, and Jimmy decided it was dynamite. He remembered that old Red Beaver had watched the white men—when they had dynamited out a foundation for the agency house. He realized old Red Beaver had stolen a stick of the dynamite.

He didn't like dynamite. It exploded and if you were too close, the explosion would kill you. He found himself backing away and circling the butte, heading for his old mare on yonder side. By the time he had reached the top of the butte again, old Red Beaver had his horse and was riding to the northwest, heading toward the mouth of Big Horn Canyon.

The old man rode at a walk, and Jimmy noticed he kept close to brush and convenient cut-coulees down which he could duck at a moment's notice. Red Beaver rode bareback, a sack thrown across his horse's shoulders. That would be his grub-sack. The stock of a rifle protruded from the end of the sack.

He saw Red Beaver wheel his bronc and ride into some thick buckbrush, and he had not much time to spare, for two men had come out of a coulee. Their hiding-place had been so complete that, even from the top of Black Crown, Jimmy Hungry Dog had not seen them until his eyes caught the flash of their movements.

He knew who they were. The two white men who had hung around Spotted Pony, and their names were Mike Perrine and Jack Frazier. The two rode toward the mouth of Big Horn Canyon; they had made a camp in the brush. Jimmy knew they had not lit a fire to cook breakfast; had they had a fire, he would have seen the smoke. They had eaten

pemmican, if anything.

But Judge Bates had ordered him to watch these two, and so he did. It was like being high in the air over a big checkerboard—the kind Henry Owl's Nest had—and watching the move of players. They didn't know he was up here, and he was watching them; this gave him a sudden feeling of mystery, and his boyish mind took up from there, giving his job a sudden spicy taste.

Mike Perrine and Jack Frazier rode towards the Canyon's mouth, some five miles away, maybe less. Now old Red Beaver, coming in like an old shaggy prairie wolf aiming to cut down a bull buffalo, left his bronc in the buckbrush; he followed them on foot, moving from boulder to boulder, from one clump of brush to another, and he toted his rifle now. Once he had been a dead rifle-shot, so Jimmy's mother had said, but time had dulled the old man's eyes.

Now why was he following these two? Jimmy Hungry Dog felt the pangs of professional jealousy. Judge Bates had commissioned him to follow these two, and now Red Beaver was cutting in on the deal.

Finally he saw a man ride out of the river's bend, and this man met Jack Frazier and Mike Perrine. Their horses hidden, the trio went to the sod, where they squatted and evidently talked. They were talking for quite a time, and Jimmy was glad the sun was showing a little, for he was finally getting warm.

Jimmy swung his gaze back to old Red Beaver. The old man was in the brush, a half-mile or thereabouts behind the three who hunkered along the edge of the river.

What was this, anyway?

The trio kept in a bunch for a couple of hours. Jimmy looked toward Spotted Pony, somewhere out there in the hazy distance. He crept back so the wind did not hit him. He found a sheltered place behind a rock. Here the sun was warm; the air was good.

Sleepiness hit him. He had spent the night in the saddle, and his eyes would not stay open. He thought, I have to stay awake, and he caught himself falling into sleep.

He looked across the basin, hoping Judge Bates and Tobacco Jones would soon be on the horizon. He did not know when he went to sleep, but when he awoke the sun was close to the zenith.

He thought, I slept for about three hours. He started to cross the top of the butte, aiming to again spy on the white men and old Red Beaver, but he saw the judge and Tobacco Jones were below him.

Evidently he had awakened at the right time, for the pair were dismounting from their mules, their pack-mule standing with his head down. They had found Jimmy's old mare and they were close to her.

Jimmy came down the slope, right hand raised in the Crow sign of friendship. The judge asked, "And so you got here, son?"

Jimmy told them about seeing Mike Perrine and Jack Frazier and how the pair had met another man, one he could not identify. He also told them about seeing Red Beaver.

Judge Bates murmured, "So that's where the old begger went, huh? What else did you see?"

Tobacco Jones had, so far, said not a word. He chewed tobacco and studied the Crow with sharp eyes. Before Jimmy could speak he said, "They's hell ahead, men."

Jimmy had seen another man, over behind Red Beaver. He was not sure, but the man had looked like an Indian; he seemed very hesitant. The judge noticed this and pressed him to the wall with, "Who was he, Jimmy?"

"Me no know."

"You sure?"

Jimmy spoke slowly. "He look to me like he is Broken Leg. He limp like Broken Leg."

The judge's gaze met that of Tobacco Jones. Tobacco had ceased chewing, his cud jammed into his cheek.

"They's hell ahead, Bates."

"You've said that before," the jurist reminded. "Well, Broken Leg might've jumped jail. That Sheriff Whiting ain't got too much savvy. I don't figure it would be too hard for a smart Indian to trick his way out of the Cowtrail jail, using Whiting or one of his stupid deputies."

Jimmy had not told them about the dynamite old Red Beaver had stuck into the belt of his buckskins.

The judge squatted, summed it up. "Mike Perrine and Jack Frazier have another man with him. That'll be the fellow that jumped you down in Spotted Pony maybe, Tobacco. They're in here for a showdown. Red Beaver is here, maybe also Broken Leg; that means that somewhere is Running Deer, too. Maybe Broken Leg sneaked in and got his squaw to hide out with him."

"Wonder what it's all over?"

"That's beyond me," the judge said.

"They ain't out here to play checkers, Bates."

# Nineteen

With Jimmy Hungry Dog as a guide, the partners rode toward the mouth of Big Horn Canyon. They did not ride openly; they kept to buckbrush and to coulees. A rosebush slapped back and hit Tobacco Jones across the mouth, its thorny spines bringing a drop of blood on his cheek. He rubbed it away, looked at his hand, and growled, "Bates, you let that rosebush snap back a-purpose. Be more careful, man."

Judge Bates showed a tight smile, unnoticed by his partner who rode behind him. Tobacco was in a belligerent frame of mind, and that was good. Tension had borne against him and turned his nerves to steadiness. What little irritation he possessed had been spilled in this tirade against his partner.

"That's the talk, Jones."

They followed a sinuous gulch, and it lifted out onto a flat that was covered with pine and cottonwoods and with dense buckbrush. Jimmy found a trail made by deer and bear and this led toward the river. He said, "Wait here, huh?" and rode ahead.

They reined in, heard his bronc move away; these sounds died against distance. Judge Bates took a long pull, studied his almost empty flask, an almost pathetic look on his thick-jowled face.

"Almost outa hard drink, Bates?"

The judge pocketed the flask. "It seems to me," he said dryly, "that your voice held a somewhat gleeful note, Tobacco."

"Why not quit the habit, Bates?"

"Why not drop chewing, friend?"

Tobacco swung his leg around his saddle-horn and rested. "This young un's a good hand in the brush. He knows his way. But what can we do, Bates?"

"I don't follow you."

Tobacco spat in exasperation. His gnarled hands made gestures of impatience. His nostrils flared, and his eyes seemed smaller.

"You know full well what I'm drivin' at, Bates. They's three white men out here in this brush an' wilderness. Why they're here, we don't know, but we do know Red Beaver ain't out here for a good cause, or is Broken Leg—if that is him the button saw."

"Yes?"

"We cain't ride up to Frazier an' Perrine an' arrest them, with you actin' as a police-officer because of your judgeship. We ain't got nothin' ag'in them in a legal sense."

"That's right."

"Well?" Tobacco chewed, studied him.

He was telling Judge Bates nothing new. This whole thing was based on conjecture of the most uncertain type. With Red Beaver and Broken Leg on this range, with Mike Perrine and Jack Frazier

here—well, something was bound to happen. And when it did happen, the judge figured he and Tobacco would end it; in ending it, they would get the evidence they needed.

"Your guess." The judge shrugged.

Tobacco said, "Bates, we're a couple—" He did not finish. His mouth went shut, hard and tight, and his eyes pulled down. He looked at Judge Bates and his sunken eyes showed a thoughtful watchfulness.

"Three times I counted them reports, Bates. An' them came from rifles, didn't they?"

The judge did not answer immediately. By now the report of firing had died against the barrier of timber and brush and rock and hill. Another report came, alone and harsh; the snarl of a rifle.

"The fight," said Judge Bates, "has started."

"An' what is it over." Tobacco did not make it a question. The question could not be answered; it was merely a statement.

There came the crash of brush and Jimmy Hungry Dog loped in, his face wild with excitement. He reined his old ewe-necked horse around, waving his fist over his head.

"The fight, she is start, mens!"

The judge snapped, "Where at?"

"Ahead, by reever."

The judge was already on the ground, pulling his rifle from its boot. Tobacco swung down and his Winchester came free. Jimmy Hungry Dog left his old nag; he stood wide-legged, his mouth open.

"Somebody—might get killed!"

The boy's suddenly-awed tone made the judge smile a little. For the first time the significance of this seemed to hit Jimmy.

"Somebody always gits kilt in a war," Tobacco

philosophied. He winked at the jurist. "You cain't live forever no way, fella."

"Gimme a short gun?" Jimmy asked.

But Judge Bates told him he was not going to get into this mess. He knew that Jimmy had no desire to get into this fight. While the young Crow acted brave, he was only a boy at heart; he acted like he wanted to get into the fight—for he wanted to save face. And face was an important thing to a Crow, even if he was only a youngster.

"You stay with our mules and hold them," the judge ordered. "We need somebody to hold them so they won't stampede and leave us on foot if the fight gets too close to them."

"They won't run, Your Honor."

Tobacco said, "We need you more to hold mules than to fight, Jimmy. Your job here is just as important as if you were out there shootin'."

That was all the logic Jimmy needed. He wanted to be assigned to an important job, and Judge Bates—and Tobacco, too—had said his job here was important. So he appeared to give in reluctantly.

"Well . . . all right, but . . ."

The judge broke his Winchester, slid a cartridge into the barrel, and put it on safety. The sliding of the breech on Tobacco's rifle made a sharp click in the mountain air.

"Ca'tridge, Bates?"

"Got some on my mules." Judge Bates untied a sack and took out shells. "Take this box."

Tobacco took the cartridges from the box, dumped them in his pocket, and tossed the empty box away. They were bulky in his pocket but, for some reason, the bulk seemed very assuring.

"Not much shootin' goin' on now," the postmaster murmured. "Kid, for hades' sake, don't lose these mules; perfect them with your life, savvy."

"Me savvy."

Judge Bates said, "Well, here goes." He patted his mule on her skinny nose. "Be waitin' for me, Betsy."

Betsy nibbled at him, got ready to strike with her forefeet, but the judge, knowing her from long acquaintance and bruises, moved to one side. Betsy lowered her head and stood silent without a worldly care.

Tobacco trailing, the jurist went into the brush. Now and then, ahead of them a rifle talked, and occasionally a short-gun barked. Bluejays talked angrily, evidently ired because of the invasion of their bailiwick. A grouse came out of the buckbrush, making its whirring noise, and the judge settled down as if expecting a bullet to come.

But no bullet came and Tobacco grunted, "They didn't hear that grouse rise, I reckon. Figger they shot too steady along that time, an' what if it did rise with such a noise—they'll figger the gunfire scairt it. They sure don't know we're on this range."

"How do you know?"

The judge had Tobacco stumped, and therefore got no answer. To be safe and sure, they squatted for a full minute, and then rose to go forward again. And the judge tried to work out some plan of procedure.

He knew one thing for certain: Jack Frazier and his two men outnumbered old Red Beaver, for Red Beaver had only Broken Leg, and Judge Bates wasn't even sure of this. Of course, Running Deer would be somewhere around, and she would be another hand, but she was just a squaw. The jurist

thought, I wonder if she can handle a rifle.

They came to a rise, the top of it dotted with boulders, and the judge said, "Watch behind us, Tobacco." Tobacco squatted, rifle across his thighs as he watched the brush through which they had just come. This was brush warfare, and therefore it was liquid and moving; a man might have cut their back-trail sign and be moving in.

The judge crawled forward on his belly, creeping toward the top of the rise. Tobacco lost sight of him in the rocks. The judge came to the top and lay and watched, the country below him rather clear. It was a rocky flat, and it looked to him as though old Red Beaver had penned in the white men among the rocks. If so, that was good for the old Crow; he was a good hand in rough country, and his buckskins fitted in good with the terrain, making him camouflaged.

He saw a puff of rifle smoke from behind a rock on the outer rim of the flat. From the heavy blackness of it he figured it was army ammunition, for the army had been getting a bad grade of powder for years. Possibly, then, the rifleman was Red Beaver, for he, like most of the Crows, had somewhere managed to steal an army rifle and army ammunition.

He maneuvred around and from here he could see a bit of the rifleman's leg, and he saw he was wearing buckskins. He knew then the rifleman was either Red Beaver or Broken Leg.

He went back to Tobacco who said, "Not a man in sight, Bates. See anythin', pard?"

The judge sat down and drew a map in the dirt. "Here's the circumference of the flat, Tobacco." His forefinger dug out a circle. "It's all dotted with boulders. Yonder's the river." His forefinger made a

line. "Now old Red Beaver's right here."

Tobacco studied the drawing and nodded. "So they got Jack Frazier an' Mike Perrine in the center, huh?"

"That's right."

Tobacco's eyes grew thoughtful. "Reg'lar Injun style of fightin'. Surround your enemy, keep moving, cut them down as you come in. Jus' what Crazy Horse did to Crooke down on the Powder almost ten years back."

Judge Bates nodded.

Tobacco continued with, "Well, Red Beaver's outnumbered, even if Broken Leg is sidin' him. Me, I figure that third gent with Perrine an' Jack Frazier is the gent what waylaid me down in that alley." He felt of his back. "Got some pain back there yit, Bates."

"They're murderers," the judge agreed.

"What'll we do, Bates?"

The judge outlined a plan. They would sneak down and talk with Red Beaver, and then see what he had to say. Then they might try to call to Jack Frazier, tell him Judge Bates was on the scene, and get him and his men to surrender. And at this logic, Postmaster Tobacco Jones vigorously shook his whiskery head.

"Them hellions won't guv up, Bates. They're fightin' for somethin' they want, an' they aim to git it."

"I agree with you. But the try would not hurt."

"Let's talk it over with Red Beaver."

Now they crawled on their bellies, looking like giant crabs that moved from rock to rock. Old Red Beaver heard them and the judge said, "Judge Bates and Tobacco Jones, friend."

Red Beaver sat cross-legged, watching them. If

he had any emotion his face did not show it.

"You come to help?"

The judge nodded.

"Me no need help," Red Beaver said stolidly. He swiveled his eyes from one to the other. "Me an' my son, we enough."

The judge shot a glance at Tobacco. Now they both knew for sure that Broken Leg had broken out of the Cowtrail jail.

"What's the fight about?" Tobacco wanted to know.

"Red man's bizness. Not white man's bizness."

Tobacco murmured, "Well, we got more out of him than we got the other day, Bates."

"Fight end soon." Red Beaver's old eyes were deep and mysterious. "Fight end in little while."

The judge said, "Nothing we can do here, Jones." Red Beaver went down on his belly and inched forward, putting his rifle ahead of him. He came to his natural fortress of rock and some part of him must have showed, for a bullet whammed into the flint, driving out splinters. Old Red Beaver went down, grinning at the closeness of the bullet. He dug into his pocket and came out with a handful of matches and these he lay beside him.

"Must be figgerin' on doin' some heavy smokin'," Tobacco said, "if he aims to use up all them fire-sticks."

The judge said, "We sneak over and see Broken Leg."

"No use." Tobacco shrugged. "He won't tell nothin', Bates. Why not try to call this off by talkin' to Jack Frazier?"

"We'll try that. Hide down good, pard, for my words might bring a burst of rifle-fire."

By this time the first wild edge of the fighting had become dulled as men's nerves steadied. There was very little firing. Each side was waiting for a member of the opposing forces to show himself for an open shot. It had settled down to a game of watch, get aim, shoot.

Tobacco lay on his belly, boulders shielding him, and he said, "Shoot, Bates; do your talkin'."

The judge called out, "Jack Frazier." There was a silence and finally Frazier answered, "Who's that?"

"Judge Lemanuel Bates, sir, and his partner, Tobacco Jones."

A man cursed suddenly, from surprise. Tobacco listened, said, "That's the voice of the man who jumped me in the alley, Bates." Suddenly Jack Frazier's strident voice halted the man.

"What d'you want, Bates?"

The judge outlined his plan. If they surrendered they would not be harmed by the two braves; he'd guarantee that. If they were guilty of any crime, he would see they had an honest trial; in fact, he placed them under arrest, and he placed Broken Leg and Red Beaver under arrest, too.

"You cain't arrest us, Bates."

The jurist reminded that he was a federal judge and he was on a federal Indian Reservation and that therefore he had the power of a peace-officer. Again he ensured them safe delivery to jail and a quick hearing. He knew that both Red Beaver and Broken Leg were listening; and they could understand every word he said. He spoke slowly and now he did not have to speak so loudly, for the rifle-fire had ceased entirely as men lay and listened.

Tobacco grumbled, "I doubt it, Bates."

The judge made no reply to this pessimism. The silence lengthened, and he heard the broken-voiced man—the one Tobacco claimed had jumped him back in that alley in Spotted Pony—say, "For murder, they hangs men."

That was the judge's answer. Again the gunfire started, and he heard not another word from Jack Frazier. He and Tobacco squatted, protected by the boulder, and Tobacco said, "Best let them fight, Bates. There is some matters that cain't be settled by nothin' but war."

"How can I stop them?" the judge asked sarcastically.

Tobacco asked, "What'll we do?"

"Pull back, Jones, and get altitude. From there we can peg down at all of them, not aiming to hit them, but to drive them into surrender." Suddenly the jurist halted his speech, looking toward the south. "I thought I saw a man run by yonder opening, back in those rocks!"

"Bates, you're seein' things—"

The judge had moved forward, getting a clear view of the terrain ahead. "I've seen only the old Indian," he grunted. "There he goes, running toward those white men. Tobacco, they'll kill him!"

Tobacco said, "He wants to commit suicide, mebbe, Bates. He's an ol' Injun, Red Beaver is—"

The old man was hurrying forward, keeping protected by boulders. Evidently he did not see them or if he did, he paid them no attention. He was trotting, head down, rifle in his hand. He was about an eighth of a mile away and he was heading straight for the hide-out rocks of Jack Frazier and his gang.

Judge Bates hollared, "Red Beaver."

The old man looked at him, but kept his pace. He cried something in Crow, but the partners did not understand his words. He disappeared behind some rocks.

Tobacco said, "He lit a match, didn't he?"

Judge Bates scowled. "Sure looked that way to me. And he had no pipe in his mouth. I don't get it. He's risking it all on an attempt to smoke those rats out. He's going in there alone, hoping to kill them and save his son."

"That takes bravery, Bates."

Suddenly the world seemed smashed apart. Ahead of them—where Jack Frazier and his men hunkered—was a wall of roaring fire. Self preservation made the partners hug the ground, the rock protecting them. The world seemed to have gone crazy. The roar died and rocks fell, thrown upward by the giant explosion.

"Bates—"

"Yes?"

"I don't git this, Bates. That was dynamite, weren't it?"

"What else could it be?"

Judge Bates was on his knees, peering over his boulder. Ahead of him dust hung in the air and he smelled the sharp odor of exploded powder. The explosion had occurred on the spot where Jack Frazier and his men had been hidden.

"That killed them," the jurist said. "It had to. No human or animal could live through that blaze."

Broken Leg screamed, "Red Beaver!" and got no answer. It was a bleating, lingering cry.

Judge Bates grunted, "Somebody's comin' on the run."

"Sombody's lived through it," Tobacco said.

The man was short and swarthy. His hair, dark and long, was singed, and he ran limpingly. He did not see the partners until Tobacco hit him. Then he rolled like a cat, lashed out with his rifle, and Tobacco went back. The judge closed in on the man.

The jurist's thick arms went out, grappled the slender man. The man seemed stunned but he fought with a wildness. The judge bent him back, and they went to the ground, the man screaming curses, the judge grunting and breathing heavily. Judge Bates was on top.

Two fists came in, found the man's jaw, and he lay still.

Tobacco panted, "He was like a bull, he was. He threw me to one side. Bates, who is he?"

But Judge Bates had gotten to his feet, and had his rifle. Then the Winchester lowered as Jimmy Hungry Dog, face showing excitement, came running.

"Blow-up," Jimmy panted.

"Sure, it was a 'blow-up,'" Judge Bates panted. "You know this gent?"

"I see him, Spotted Pony. Name Hermando, or somethin'. Red Beaver, he cause blow-up?"

"Why say that?"

"He have dynamite, judge." He said, "Red Beaver, he dead. Blow up."

Today the old Crow buck, Jimmy Hungry Dog, is the only person alive who saw the gunfight on the mouth of Big Horn Canyon. He is a blanket-buck and you'll find him on the Crow Reservation in southern Montana. You could question him, but he'd not tell you about the fight on the Big Horn. He'd look

at you, and you could almost read his thoughts, "White Man, I tell you nothin'." But he'd say, "No know."

The rest is recorded either in the annals of the War Department or the court-books left by Judge Lemanuel Bates. The man known as Hermando confessed, and the men known as Jack Frazier and Mike Perrine died in the dynamite blast, along with the man who sacrificed his life to bring peace, the old buck called Red Beaver.

The irony of it all lay in the fact that a map had never been made showing the gold pockets on the Big Horn River in that deep canyon through which the river runs wild and foamy. When Charley Peterson had raided Broken Leg's lodge, he had heard the map was hidden in the lining of one of Broken Leg's moccasins; actually, no map had ever been drawn.

Therefore, after the battle was over, only two people knew the location of the gold-pocket, and these two were Broken Leg and his squaw, Running Deer, who was watching the battle from a butte. They never went back to the gold. White men, hearing about it, sneaked into the Reservation, prospected for the gold, but it was never found.

And Judge Bates used to say, "They might have worked the pocket dry, Tobacco. Or there might still be gold in it. Anyway, those two have seen the misery gold brings, and if there is more gold they'll leave it forever buried."

And, if there was more gold, it is in the Canyon of the Big Horn River, even today. It lies there, and the Crow who knew its location is dead, and dead men have no tongues.

The man called Hermando drew life in the

federal penitentiary in Atlanta, sentenced there by Judge Lemanuel Bates, who sat as a federal judge on the case. He died within three years, knifed by a fellow prisoner.

Broken Leg had said, "Come here, an' I tell you confession," and Sheriff Whiting had come close. Broken Leg had grabbed him through the bar, pulled him in, got his gun and keys, and so had escaped the Cowtrail jail. Judge Lemanuel Bates had talked Sheriff Whiting into dropping the charge, thereby freeing Broken Leg, for the confession of Hermando had cleared the Crow of the death of Charley Peterson.

Now the blanket buck, Jimmy Hungry Dog, knows all this, but he does not know where the gold is located. If he did know, he would not go after it—the gold had brought only death and greed and hate and fear. And Jimmy Hungry Dog is an old man. Even when a young man he had no desire to get the gold, even if Broken Leg would have disclosed its position, which he would not have done.

For Jimmy did not want strife, he wanted peace.

# Blood and Justice!

Guntough Charley Peterson was found murdered, and the Indian Broken Leg was sentenced to hang. Everyone was satisfied except Judge Lemanuel Bates. He smelled a frame-up, and set out to prove his jury wrong.

Bate's sidekick, wily Tobacco Jones, was waiting armed and ready. Together they began asking tough questions, but instead of answers, they got hot lead.

Soon, they had no choice but to ride north into restless Indian territory on their trail of justice—a trail that would end with violent blood!


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