

# THE LAW OF THE LAND

(from a recording - Dr. H.L. Greene, University of Nebraska, 1908)

FICTION BY NED MUDD

Trading for horses is about as much fun as getting shot in the foot; but, it's one of life's necessary evils. By the time I was done with my business up at the fort, I had bought me two decent animals and one extra blanket to boot. The best horse was a gelding, the other a young bay. My plan was to use the horses to tote water up from the river so as to irrigate a swath of land. Without water, farming is a lame-brained profession. Some folks might say a wind-driven well woulda been a better idea, but building a windmill is hard work and I ain't got the constitution for it. I was set on utilizing brute labor and that was the end of it.

But life has a way of swatting its tail at you during unsuspecting moments and that's what happened as me and my new horses crossed the Llano River on our way back towards the farm. We was midstream in low water when a goddamned bullet lopped off part of the gelding's ear and that started a ruckus the likes of which most folks have never imagined. That beast reared up more out of fear than pain and started kicking up a fuss, which wadn't a wrong idea, considering that where there's one bullet, more are likely to follow.

The bay tried to bolt when she got kicked, and that caused my own mare to buck, which sent me right in the river. Lucky thing too, because another round came whizzing past at that exact moment, barely missing my own self.

I grabbed the reins of my mare and pulled her head around, aiming for dry land and some respectable cover. Whoever was firing them shots appeared to be alone, seeing as how the sounds I was hearing were all of one caliber. I always wondered how come everybody didn't shoot the same kind of gun in the old days. That way, we could use each other's ammunition when one of us got killed and the other needed some lead. But that wadn't the case then, or now either.

Another round plinked in the water next to my shoulder. It was clear the shooter was trying to hit me and not the horses. A damned horse thief! If the tables got turned and I came out on top, the only proper thing to do was a hanging. That was a remedy I could respect.

The mare was a strong swimmer, but I didn't know about them other two, so I let her go and swum around to untie the gelding and the bay. Another piece of lead splashed not five feet from my face to the lee and I thought - This idiot cain't shoot straight worth a damn. By the time I got to the gelding he was wild-eyed and liable to drown hisself. Blood was pouring out of that ear and I figure it was stinging like a fleet of mad hornets. That's how sensitive ears are to getting shot.

Being comfortable in water, I eased over to the horse's side, keeping his bulky shape between me and whoever was popping off them rounds. If they was thieves, it wouldn't pay to get careless and accidentally shoot one of the horses - so I was safe for the immediate time being.

*Hey you in the water,* a Voice hollered.

There was this big thicket over yonder and the Voice was down in the bush.

The Voice said, *Let them horses loose and back off to where I can see you. I ain't got enough bullets to keep this up all day and one of them buggers is liable to git drowned.*

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I pulled my long skinning knife from its sheath and cut the leader on the gelding so he was free, then swum upstream and cut loose the bay likewise. Now we was all on our own and in the hands of Fate, which is where we usually end up anyway.

*You hear me? I ain't aiming to keep talking,* said the Voice. *Just let them ponies skeedattle and we're finished with our bizness.*

One problem I foresaw just then was that my ammo was soaked and pretty much worthless. My best bet was to get ashore, and hope the horses had sense enough to follow. But the gelding was fired up and anything was liable to happen.

My mare knew the hand that fed her and she was easy to coax, so I found her reins and she shielded me as we moved away from the shooter. There was plenty of brush on land and if I could keep myself from getting shot I'd probably make it out of there with at least the horse I rode in on.

The bay followed suit but I looked up to see the gelding drifting downstream, crazy-

eyed and full of impulsive fear. Cain't say as I blamed him, neither; his ear being shot up and all.

The Voice said, *You don't let them other two go and I'm gone have to kill you.*

Another round popped off but wadn't aimed too good so that it slammed harmless into some deadwood. The Voice was getting angry and maybe a tad careless too. Best thing to do was steer the course and get the hell out of there as fast as permissible.

Just then I felt bottom and the mare and me started making good time towards a line of cover, followed by the bay. In another few seconds, we'd be nigh impossible to hit for awhile. The gelding was almost 50 yards downstream and starting to panic. Probably hadn't never been in deep water and didn't know what to do about it. Then I seen a shadow moving along the opposite bank, attempting to reach the spot where it'd be easiest to snag that horse.

Me and the mare pulled up behind some brush. I yanked the bay in behind us and tied her to a piece of snag. The shadow slipped out of cover and ran along the far shore, gaining ground on the gelding. I figured it'd take him about another two minutes to get close enough to make a go of it, so I mounted up and swung behind a line of cottonwoods along my side of the river. Come hell or high water, I was gonna keep a eye on that character and see what sort of opportunity presented itself. You never know when the tables might turn and it pays to be ready, just in case.

The Voice appeared to be an older man wearing a floppy hat like you might see on a good for nothing sodbuster. By the way he was moving it looked to me like he'd been gunshot in one leg, as he ran sorta lopsided. Then again, he might've been old enough to have seen Indian action. You wouldn't believe what a arrow will do to a femur; rips you right up. At any rate, he was out there in the open and I trotted down after him on my side of the river. If the gelding decided to go to the other shore, there wadn't much I could do about it.

That old codger was pretty shifty in some ways, but I don't think brains favored him much, because as he neared the point along the river where it was possible to make a go at retrieving the gelding, he let loose his gun belt so as to keep his powder dry. All he had showing was a big blade like the kind made famous by Jim Bowie. Them things looked pretty powerful but actually weren't much good for nothing except bluff and show.

The mare held up and I dismounted, keeping real low so as to be out of view. I got my own knife back out and crawled on hands and knees through a big tangle of briars until I could see exactly what was transpiring. I still carry a scar or two on my face from them god-awful stickers; but at least I'm here to tell about it. Which is more than I can say for that chicken shit horse thief.

He started chatting up the horse, saying stuff like *Whoa, boy! And, Come on, chuck-chuck.* The usual idiotic horse talk that never did a lick of good. Horses are clever at reading a man, but they don't give one damn about the English language.

*Come to me, you pretty thing,* the Voice chortled. *I shore am sorry I nicked yer ear, boy. I really am and I'm gone make it up to you, just git over here to the shore,* says the



Voice.

But that gelding wadn't buying such malarkey and started more of his previous thrashing, taking some water up the nose and having a real bad time of it. The only way that thief was gonna catch his prize was by getting in deep and taking control. And that's the move I was waiting for.

Like I learned from watching water moccasins, the way to enter a river without attracting attention is on your belly, real slow like. So I hitched the mare and crawled into the water without making a splash. The thief would be keeping his eyes on the gelding, creating something of a blind spot.

Now, most folks will probably assume that what I intended was to slit that bastard's skinny throat. But that wadn't what I had in mind at all. Two grown men going at it with knives in a river is downright foolish, as anybody who's ever done it will tell you. No, I wadn't out to lose any skin, regardless how much I wanted that horse back.

The Voice and my gelding were drifting along, splashing, making all kinds of noise. Being free of my boots, I swam easy enough, traveling underwater as much as possible so as not to be noticed. I made a line straight across so as to come ashore close to the spot where that peckerwood had dropped his shooter. When I got there it was just a matter of borrowing his rig and following him downstream.

*I got you, God-dog it,* the thief shouted as he grabbed the gelding by the reins. Then they started reversing course, moving back towards where I now lay hid behind a beached cottonwood blowdown.

When they came up on the gravel, the old man swung the horse around to shield him from where he imagined me to be, on the opposite side of the river. The gelding was trying to get some composure now that he was standing on solid footing; but his nostrils were flared out bad, drooling snot.

*You Ok now, buddy,* the Voice said. *We'll git along just fine once you calm down.*

I saw a circling hawk high up behind the old man's back, which I took to be a decent sign. Some of the Indians in them parts considered hawks as messengers of good fortune, but I figured they was more an indication of the presence of plenty of rabbits in the neighborhood. Which is a pretty good sign, at that.

When the Voice had the gelding reasonably calm, he tied the reins together in a loop and proceeded to walk back up the shore to where he'd dropped that gun. Only thing was, it wadn't there no more. What he didn't know was gonna hurt him.

*Got one; two more to go,* the Voice told hisself, a sickly grin on his face. He couldn't had more than three teeth left in his sorry head. And who knows where his nasty hat had gotten to?

## I saw a circling hawk high up behind the old man's back, which I took to be a decent sign.

*It ain't right, stealing a man's horse,* I said from behind my log.

*What in blazes?* the Voice hissed, spinning around, thinking maybe a ghost was upon him.

*Around here we hang a bastard for thieving horses,* I told him.

The old man slunk down low, letting go the gelding.

*Like hell!* he said. *I'll shoot yourself before you git no rope round me,* he proclaimed with a sneer. With that, he darted towards where his gun was sposed to be.

I never knew a horse to be what you'd call vengeful, but that gelding did something I'd never seen before. Soon as the old man took to running, the horse went after him and laid a glancing kick to the side of the man's head. It was plain out of the ordinary, if you ask me.

The man went down in a heap but wadn't out of the game yet. He still had me to get under control and needed his gun more than ever.

*Shit fire!* he muttered through a bubble of bloody spit.

He was getting up, trying to keep away from that horse. That was one tough son of a bitch, I'll give him that much.

*Over here, old man,* I said and rose up to where he could see me. He stood still as a stick for about ten seconds then looked where his gun ought to be.

*You stole my gun,* he said, with a face of indignation. Even in his hurt, he had plenty of fight left in him.

*You stole my horse,* I said and pointed his own gun directly at his skull.

*You ain't got the nerve to pull that trigger,* he hissed. But he didn't know me worth a damn.

I figured we done about all the talking necessary so I let off a round that grazed his head, taking off most of his right ear. Talk about poetic justice.

*Damn!* he yelled and went down on both knees. There was blood spurting out of his head and he looked fit to be tied. But that would have to wait.

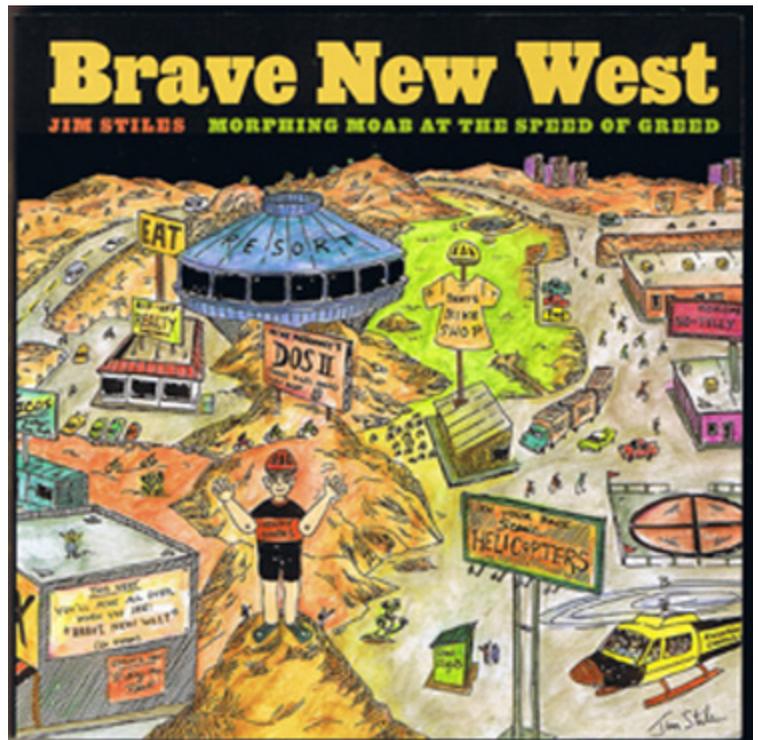
I walked over to within five feet of the sodbuster and let off another round, this time hitting him directly in the chest. There wadn't even a pause, he just fell over like he'd been hit by a tree and died on the spot. So much blood spewed out that a little tributary of crimson entered the river and mingled with the current.

The gelding, having heard enough gun play for one morning, bolted upstream and disappeared behind some trees. I swam back across the river and collected my other two horses and my boots. When I got back to the scene of the shooting I saw a bevy of green bottle flies already making use of the old man's splattered body.

I carried a piece of rope in my saddlebag and took it out and made a noose. There was a low-hanging limb on a tree a few feet back from shore, so I tossed the rope over it and hitched it to the horn on the mare's saddle.

By the time I was ready to go, the old man was hanging by the neck like every horse thief deserves. A man can expect no less than to be treated fairly and that's what the thief got from me.

In return for all the trouble he caused me, I kept the dead man's pistol. It wadn't worth much, but a fool would likely give me something valuable for it in trade. And the way I figure it, about the best you can expect of this life is a decent bargain.



**“Jim Stiles holds up a mirror to those of us living in the American West, exposing issues we may not want to face. We are all complicit in the shadow side of growth. His words are born not so much out of anger but a broken heart. He says he writes elegies for the landscape he loves, that he is “hopelessly clinging to the past.” I would call Stiles a writer from the future. Brave New West is a book of import because of what it chooses to expose.”**

**--Terry Tempest Williams,  
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