

NOT JUST A LADY



CHARLES R. YARBRO

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A Novel By

Charles Richard Yarbro

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by

CHARLES RICHARD YARBRO

DEDICATION

I dedicate this book with love
to my wife, Peggy, and to my son, Bret.

AUTHOR'S NOTE

I grew up on a farm in Mississippi County, Arkansas. The entire family owned a variety of handguns, rifles, and shotguns. All the adults, sons, daughters, nieces, and nephews frequently competed in our own shooting contests. The one person who exhibited the most talent on a regular basis was my maternal grandmother. Her name was Lula Lavinia Melissa Jane Crownover Ash Harris Williams Walker Williams. Yes, she was married several times. Grandma Lula could draw a pistol, twirl it, and hit any target at any distance. I got the idea of a heroine gunfighter in a western from watching her amazing talent as I grew up.

My maternal grandfather, Jim Ash, grew up in the Joplin, Missouri, area. He told stories of his youth and

claimed to have seen Jesse and Frank James as a child. Another of his stories had him holding the reins of horses for a group of men who got into a gun battle. He said he hid behind a barrel in front of the store. I loved his stories. I am sure some of them were truer than others.

I have always had an interest in the west. My classes at Arkansas State University in social studies included a course on the American West. My preference for Westerns has been with me all my life. This book is fiction which sprang from my imagination. It is not about anyone I ever knew.

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CHAPTER ONE

IN THE BEGINNING

Richard woke from a restless sleep. His pillow was damp and his collar was wet. He sat on the side of the bed and removed his shirt. Walking to the window, he pushing aside the once-fancy lace curtains and raised the window. The dusty curtains made him sneeze. He kneeled to the floor and put his arms on the window sill to enjoy the night breeze. His sneeze was one of the family specials, with lots of lung and voice. The two men on the street looked up at him and waved. Richard didn't see it happen, but he was certain they had both jumped.

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The moonlight was bright enough for Richard to recognize one of the men as Doc Toombs. Richard pulled out his pocket watch, flipped open the cover, and squinting in the moonlight noted the time was 3:10 AM. The other man on the street mounted his horse and rode out of town. Doc Toombs walked slowly toward the livery stable, carrying his medical satchel. His shoulders were drooped and he held his head down. The doctor looked like a wisp as he disappeared into the stable. Several minutes later, he emerged with his horse and buggy. As Doc rode out of town in the same direction as the other rider, Richard thought how dedicated Doc Toombs was. He himself had been described many times as a stubborn man, but he had never risen to the level of dedication.

The street was empty. There was a lantern glowing in the window of the preacher's room behind the church. Richard had visited the church service twice. The minister, Isaiah Lott, was not a personable man. He was the only minister Richard ever met who didn't act glad to see visitors. He made Richard feel true aggravation as he ignored his greeting in the doorway of the church. The preacher had looked him right in the eye as he said good morning and waved. But the preacher had only turned away and walked into the sanctuary without a reply. Doc Toombs had told Richard that talking to Isaiah was like walking naked through a briar patch. Most folks just do not enjoy doing it.

Richard stood slowly, favoring his left knee. The knee often burned severely if he put his weight on it. He rubbed it and smiled to himself as he remembered Doc

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telling him to enjoy the symptoms of middle age. Doc Toombs cautioned him to look on the bright side. Every day with another ache was still another day.

Richard moved the one wooden chair in the room near the window. He turned the chair backward, straddled it, and sat with his arms on the back of the chair. He rested his chin on his arms. He had slept in the saddle on the trail many times. He could surely sleep this way in a chair. The slight breeze in the window made the room temperature drop. He sat almost asleep with the only light in the room coming from the window and under the door.

The window in the hallway by his room door let in enough moonlight to cast shadows. Richard saw a shadow under the door. He heard quiet, measured steps coming to his door. He stood and reached for his pistol. As the steps stopped at his door, Richard aimed for the center of the door and cocked the pistol. Voices came from the hall with the quicker steps of another person. Richard heard a woman's voice, which he recognized as Mrs. O'Reilley.



“Husband,” Mrs. O'Reilley scolded, “just where do you think you are going at this hour? You will disturb the other guests. Please come back to our room and let's have no more of this roaming about.”

She fussed over the older man as she gently pushed him toward their room. It was not like him to wander. She began to question his health. Her father had lost his

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grasp on reality in his advanced years. She wondered if it could be possible for her husband to be coming down with the old timer's condition. She muttered to herself as she escorted him back to bed.

The old man took the herding without comment. The table lamp was lit by his bed. He stretched out and thought about the man in one of his rooms, Richard. Just before the lamp was extinguished he held out his unsteady hand and looked closely. The skin was wrinkled with age spots on the back of it. O'Reilley sighed. There was a time when he had bossed a dozen men like Richard. He would stand and look them squarely in the eye. Now, he had hidden in a dark hotel hallway and slid a note under the door. He turned on his left side and smoothed the covers. The note must have been important. But, he had not read it. The content of the note was no concern of his.



O'Reilley was one of the biggest land owners in the area. He had turned his ranch day-to-day operation over to his son. Once a year, he and his Irish wife would spend a week in the hotel before catching a train back east to visit her family. The old man's health had begun to slip. Richard guessed his mental state was not well either. Richard replaced his pistol in the holster hanging from the foot board of the bed. He saw the pale reflection of an envelope sticking out from under the door.

Richard walked back to the chair and sat down again. The envelope was sealed. He opened it carefully.

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The note was difficult to read. The dirty lantern in the room was cheap and hard to light. The wick offered little illumination. The note was signed by his sister, Jenny. He hadn't spoken to her in ten years.

He could hear her voice as he read.

Dear Richard,

I am trusting in your boundless love to forgive me for what is past. I should have contacted you sooner, but things here were beyond my control. I am terribly embarrassed about not reaching out to you. I know I should have.

Now, I have an important reason to find you. I am ill and will likely not recover. The reasons are unimportant. I need you to come home to get Justin. Please take him to his Aunt Patsy near San Antonio. She loves children and will do as well by him as by her own two darlings. Tell him stories about his father.

If you do this for me, then I will forgive you for the past ten years as well. Be careful. Sam Tate is still your mortal enemy. He will be quite dangerous. You will find Justin at the home of Rev. Boone.

Love, Jenny

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Richard walked to the door and opened it. The hallway was quiet. He stepped toward the O'Reilley's room but stopped. The note was what was important, not who delivered it. Richard had worked for O'Reilley several times. O'Reilley had never asked about his past nor indicated that he knew any of it. Richard stood in the hall for a moment. He walked back into his room to read the note again and again. Richard's face popped out in sweat again even though the open window had cooled the room.

Justin Tate was the grandson of Sheriff Sam Tate. Jim Tate was his father and had been Richard's best friend. They grew up together as kids. They laughed, hunted, fished, and generally acted like brothers. When Jim married Richard's sister, Jenny, they were indeed related. Their world had turned upside down ten years before, in April 1880.

The morning everything changed was clear in his mind...



Richard awoke on the lumpy mattress. It was stuffed with corn shucks and had been his mother's proud project. He rolled over in the loft and dangled his feet as he had in his childhood. He hopped down and walked to the window and swung open the shutter. He was startled as his horse was standing there looking at him. The horse was a scamp who learned to open the corral gate with his nose. This animal was Richard's pride and joy. It stood a full hand taller than the average horse and

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could run hard all day long. Richard lavished attention on the horse, grooming him and giving him the best feed available. The horse repaid his generosity and kindness with carefully executed kicks and bites. Richard had an impressive scar on his left shoulder as a result. He had to wear a smelly poultice for two days to avoid infection. His mother had concocted it out of something she called 'assifitity'. There were polecats in the woods with a more genteel odor.

Richard saddled the horse without incident. The horse always danced a little and reared just for the fun of it. It was a heavily muscled animal, impressive to see. Richard had paid most of a month's wages for the horse. It was from O'Reilley's stock. The horse turned his head back to Richard. It seemed to be waiting for some explanation.

"Let's ride over to Jim and Jenny's place for some free breakfast." Richard spoke to the horse as if it would understand and possibly reply. The horse nodded three times as it turned. Richard smiled as he leaned forward and smoothed its mane.

He gave the animal free rein on the trail. The powerful horse responded with speed. The miles rolled by quickly. Richard never spurred the horse. He didn't particularly want to be thrown and stomped, which he figured would be the response to spurs.

The main road was well-traveled. There were deep ruts from endless groups of wagons headed west. During the favorable weather months there would be at least one group of wagons passing each day. Richard kept his horse in the middle of the road where it was the smooth-

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est. They turned south off the road onto a narrower trail. The only people to use this trail were Jim and Jenny and the occasional visitor.

Jim stood in the doorway of the house. It was a small house, but it had all the fancy trim work that set off a house's appearance. The windows had flower boxes underneath. The porch had a Dutch trim painted a bright white. The one large window in front had real glass in it. Jim had built the house single-handedly. Richard was a little jealous of his friend's abilities to build rooms and operate his own little spread. Richard worked as a wrangler for whomever, whenever, and wherever. He earned his keep with his knowledge of cattle, his hard work, and the guns he carried.

"Ain't you lost?" Jim shouted.

"I smell biscuits cookin'," Richard replied with a silly grin. "I followed that odor from near Austin all the way through this mesquite brush. Have you got some to spare for a deservin' cowboy?" He held his hat in his hand close to his chest.

Jenny stepped to the door. "You will both wash up if you intend to sit at my table."

Both men took turns with the well rope and bucket. The water was cool and sweet. Jim threw a handful of the water into Richard's face. Richard pretended to be mad but simply grabbed the bucket and threw the rest of the water onto Jim.

"You've got a real nice place here, Jimmy. It's good to see you doin' so well with it. I might want to retire here some day. I could sit there on the porch and have me a dog to scratch on the head." Richard seemed seri-

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ous, but Jim just laughed at him.

“You will never be happy doin’ anything but sittin’ on that overgrewed thing you call a horse lookin’ at cattle behinds.”

Richard didn’t get a chance to reply.

Jenny broke in, “You boys are going to have to come in to eat or I will throw it all out.” She could not believe two grown men were wet from playing with the water.

The three laughed, teased, and enjoyed their meal. She was a great cook, in Richard’s estimation. She surely didn’t pick it up from their mother. Their mother’s cooking was like her mattress making. Everything came out lumpy. Richard knew Jenny was going to be a great mother, too. She was already showing, and in her description was “swelling up like a toad.” He smiled to himself as he thought about being an uncle.

“Which job are you takin’?” Jim asked. He knew Richard was well-known as a top hand. He surely had several offers. He never stayed in town for more than a couple weeks before he was off again to work a drive or ride for some cattleman’s brand.

“I’m thinkin’ I’ll go with Evans. He says I will be his point rider. You know it’s the favored job, and I won’t see near as many cow butts ridin’ up front. But, today I’m goin’ up on the ridge to do a little huntin’. You want to come?”

Jim hesitated as he thought about the day’s work. “I guess I better not.”

Jenny reminded him, “You know you have a wife and responsibilities.”

Richard leaned back in his chair and smiled that

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knowing smile of his. "Jim, you look plumb pretty wearing those reins. You're domesticated and all. I bet you can sit up and beg like grandpa's old hound, too."

Richard slapped his leg as he stood and walked toward the door. He almost made it when Jim stood and announced solemnly that he was a grown man and could do any damn thing he pleased.

Richard laughed again and said, "Well, are you comin' or what?" Jenny waved him on and silently wished they would both grow up.

Jim saddled his mare and slid his rifle into the scabbard. He called his mare Easy due to her comfortable gait and good nature. She was hardly big enough for Jim to ride. The two of them looked comical beside Richard and his animal he affectionately referred to as Dammit.

They rode without talking as they climbed the ridge. Dust was blowing with a hot breeze. Neither man expected much success with hunting. It was good just to be there and be part of the countryside. There was too much sun for game to be active. Deer kept to the brush on a hot sunny day like this one. They would have better fortune earlier in the day or near sunset. Richard reined his horse to a stop. He was just about ready to call it to an end.

"Jim, some day when this land fills up with people, they will build fine homes along this ridge. Men like you will know how to build them and make them last. They will build them across the top of this ridge and down both sides for as far as you can see."

Jim looked at him like he'd lost his mind. "Richard, nobody, and I do mean nobody, will ever build a house

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out here on Cutter Ridge. Now, they might build a few down along the creek yonder. They'll have to stay back a bit. That creek really runs when a big rain comes. But, you're crazy to think a lot of people will ever come up here."

They were about to argue, but Richard just let it slide. "I'll take the west side and you take the east. I'll meet you at the south end."

Jim nodded and moved Easy toward the rise. There was an opening in the trees just wide enough for his horse.

Richard rode across Tucker Creek. It was shallow but had a few little rapids. He paused to watch the water cascade over rocks. There were small bream in the water. For just a second he considered changing this to a fishing trip. Just up the creek he could see a great blue heron standing at the water' edge. He watched the graceful bird move ever so slowly and then suddenly thrust its head into the water. The bird made two unsuccessful tries, but on the third had a fish. Richard laughed as the bird swallowed the fish and the lump moved down its skinny neck. He turned to look for Jim but he was already out of sight.

Richard spent two hours riding and looking without seeing much. It was tough terrain. His side of the ridge had more trees, and the going was difficult.

Jim was making better progress, but the constant wind was taking its toll. He took his scarf and wiped his eyes. The trees were swaying. There must have been a storm brewing somewhere for there to be this much wind. A small dead branch fell. It was caught by the

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wind and hit Easy in the flanks. She spun and stepped backwards. You could argue fate or luck, but the extra step was too close to the edge of the ravine, and both rider and horse disappeared. The full weight of the horse came down on Jim. He was sprawled across a large boulder. His right leg was badly broken, and he was severely injured in his chest and abdomen. He tried to call for help but could not get a sound out. He could see a figure moving toward him.

Jim passed out from the pain.

Richard was tired and looking forward to the end of the ridge. He heard a gunshot and then another. Silence came afterward. Even the wind died down a little. Richard headed toward the sound, looking to congratulate Jim on his prize. He would never hear the end of it. Jim would be crowing the rest of the year about his superior hunting skills. Richard took his time. There was no need to rush the bragging. He took the longer route back across the creek. He trailed Jim's tracks to the top of the ridge. There was no one in sight. Richard wondered aloud if now they would have to play hide and seek.

Richard was speechless as he rode to the east side of the ridge and saw both Jim and Easy down. There was a lot of blood. Richard drew his pistol as he dismounted and looked in all directions. He was alone.

Jim and Easy were a terrible sight. They both had injuries and both were shot in the head. Richard's hand trembled as he pulled Jim's pistol and spun the cylinder. It was fully loaded. The rifle was still in the scabbard. Richard looked around again, but saw nobody. The ground was so rocky there were no tracks. He mounted

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his horse and spurred him to the top of the ridge. He sat there with his pistol ready, frantically looking both ways up the ridge and sides.

Nothing moved.

Richard felt an arc of desperation run through his entire body. His face stung as if he had been struck. He tied Jim across his saddle and started the long walk to the town. He would never remember the journey. It was forever erased by the shock. Numbness had totally taken his mind. The main street was empty, but shouts brought people out. He collapsed at the sheriff's office as men gathered. He was vaguely aware of Sam Tate's voice. The old man was yelling his son's name and cursing.



The jail cell was small. The bars were rusty. The adobe walls had names, initials, and dates scratched into them. Richard came to and saw Deputy Moore sitting at the desk. He was tall and had a long beard like a Biblical character. He sat with his back to the cell. He was mad at his wife again. She could get under his skin real easy. She could talk the hair off a mule's behind. The deputy enjoyed the solitude of the job. His ears got a much-needed rest.

Richard stood and walked to the bars. "I want to see the sheriff."

"Well, the sheriff don't want to see you. He give me orders to bring you to the bank building at two o'clock. Sit down and shut up. I like the quiet."

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The deputy had not looked at Richard. He had delivered his speech to the ceiling. His bald spot was several shades lighter than the rest of his head. Richard felt like scratching some words in the middle of it.

The sheriff knew Jim had met with a terrible accident. Doc Toombs had said it was unlikely that he would have made the trip to town. Sam Tate could not believe Richard had not rushed Jim back for help. He thought Richard had killed him to spare the pain. He knew people did that from time to time. He might have done it if the need were at hand. But, his grief needed an outlet. All he knew was that his boy had been shot in the head while in a defenseless situation. The one who shot him had to die. The law demanded a trial before a hanging. Twenty years earlier, Sam Tate would not have had to wait. He despised the law that he had defended for so long. He had sent for the judge who happened to be close.

The bank building was built by Mr. Otto Strauss who immigrated to this part of the country in 1826. He was a very wealthy man when he arrived. His business dealings were remarkable, and he continued to build his fortune. He worked with the Spanish, the Mexicans, and the settlers who came into his contact. Most considered him to be an honest man. He bankrolled men like Ian O'Reilley who themselves became big ranchers. He was the head of all the power in the region. He lived an extravagant life. He was a traveler who frequented New York City and New Orleans.

The bank building had real tile in the lobby. It was a beautiful stone with light and dark sections set in a pat-

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tern. The walls were covered by rich mahogany. The office fixtures were made of oak and dark cherry. The doors had real brass fixtures and hinges. The entire building was substantial and solid to reflect the role it had played as the storehouse of money...lots of money.

The community was allowed to use the lobby as a courtroom. The Crossman gang had been tried there before their corporate hangings. Sheriff Sam Tate had been hired as town constable by Mr. Strauss himself. Sam wanted this trial to be the perfect model of propriety. He would have his blood, and he would have it within the law. He would have everyone's agreement. Some of the outspoken townspeople had expressed their disbelief that Richard was a murderer. The Sheriff didn't care what they thought or said. He knew if a trial took place in the bank with the circuit judge sitting on the bench, Richard would be done. It would be a sweet pleasure to set that noose himself. He knew how to tie the knot to make it end quick. He also knew how to tie it to make the end a horrible strangulation.

The judge had a reputation for harshness. He always gave a decision with the maximum penalty. Sam Tate would have liked to meet Richard in the street man to man. This way, the result would be the same and no questions would be asked. Sam Tate was fast with his gun. He had killed several men. Some of them were outlaws. Some of them were cowhands who got brave with the whiskey in town. They all were too slow to face Sheriff Sam Tate. The Sheriff roughly wiped the dust off his pant legs. The modern times would not allow him his pleasure. Hanging would have to be the remedy. He

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would tie the rope himself. He thought about everything as he set up the chairs in the lobby for the trial. He made himself so angry he threw one of the chairs against the teller cage.

Judge Wheeler rode into town in a buggy. The buggy was brass trimmed and larger than most. The wheels had large, solid spokes. The rim was edged with hand-worked metal. The judge was dressed in black and had the look of a mortician. He stopped in front of the livery stable. Tom Hogan grabbed the halter of the horse as the rig stopped. The judge looked at him with disdain. Tom wore dirty overalls and had his hat pinned up on one side like some foreigners wore their hats.

“Allow the horse to cool properly. Groom the horse before he is fed and watered to spare his digestion. Wipe the dust of the journey from the buggy. Cover the buggy with the tarp in the storage box.” The judge dropped coins on the table by the door.

Tom watched him cross the street. The air in the stable seemed cold. It was as if the very air knew something terrible was in the works.

Judge Wheeler walked into the town lawyer’s office. Jacob Greer was sorting his files. Jacob had the neatest files. The man loved his paperwork and keeping it orderly. He was single and spent all of his time in the office. He was slim but had a pot belly. His thinning hair made him look much older than he actually was. He was a nervous fellow. His constant nervous cough was an irritant to all. Jacob liked feeling in charge of things, but was seldom so. The judge made him feel inferior. He hoped the judge’s visit would be brief.

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The judge asked, "What is your opinion on the merits of this case? What are the specific facts of the case? Is there anything not apparently well-known about those involved in the case?" He leaned back, looking at his fingernails, as he sat in Jacob's desk chair.

Jacob sat on the corner of the desk but moved quickly when the judge gave him a disapproving look. He stood himself up to his full height, at a parade rest like a soldier. He was pleased for the judge to request his opinion. He cleared his voice and began to recite the details.

"Two locals went to Cutter Ridge, allegedly to hunt. One of them fell into the ravine with his horse. He sustained immense injuries. The local doctor has stated that he most likely would have succumbed to them before reaching town. The other local brought his body in to the sheriff's office. The local had been shot once in the head. The two were lifelong friends. The deceased's widow is the sister of the other man. He adamantly stated that he did not shoot his friend but saw no other person in the area. The two went out together and one brought the other back dead."

Jacob poured himself a glass of water. His throat was bothering him. He tried to explain about inheriting his mother's throat irritations, but the judge scowled at him and waved his hand, ending the explanation in mid-sentence. Jacob walked to a chair across the room. As he walked he noisily passed a little gas. He said, "Excuse me." He sat in the chair with his legs crossed and his hands crossed on his knees. His face was glowing red. He would not look at the judge.

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Judge Wheeler finished writing a note to himself. He walked out of the office and closed the door behind him. Jacob was more flushed when he heard the judge laughing loudly. The judge collected himself and wiped his face with his silk handkerchief.



Deputy Moore unlocked the cell and roughly handcuffed Richard. He was mostly used to handling drunks. He wanted to set the tone from the start that no foolishness would be tolerated.

“You walk a straight line to that bank building door. You look sideways one time, and I’ll lay this shotgun barrel upside your head. I don’t care if you hear the proceedings or not.”

Richard had no intention of troubling the deputy. He was still weak from the strain of everything that had happened. He wished over and over in his mind that he had not invited Jim to go. This was the limit of his remorse, the loss of his friend due to him being in harm’s way. He was astonished the sheriff would not accept his version of the events. He had wanted to speak to Jenny, but the sheriff had limited his contacts.

He walked to the bank determined to state his position. He believed in God...not luck.

Judge Wheeler rapped his gavel. “This court is now in session. Sheriff Tate, read the charges and identify the defendant.”

The sheriff motioned to Moore, who stood and pointed to Richard. “The defendant, Richard Ash, is

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charged in the cold-blooded murder of Jim Tate.” Moore sat down quickly relieved his public speaking chore was behind him

Sheriff Tate just sat looking out the window. He looked his age for the first time in his life.

Judge Wheeler looked at his fingernails as he spoke. “Are there any witnesses in this matter?”

Nobody moved in the room. The townsfolk had turned out for the proceedings in their Sunday best. There was not an empty seat. The room was totally quiet. Judge Wheeler’s bony hand rested on the gavel. His eyes sat back in their sockets. His stare was known to even terrorize the Apaches.

Richard stood slowly and met the gaze of the judge. “I reckon I’m the only one, your honor. Jim and me went to the ridge. He went to the east and I took the west. I heard two shots and went to the sound thinkin’ Jim had bagged something. The sight was horrible of him and the horse. I looked around and saw nobody nor any sign of anybody. I thought Jim had took his own life after shooting the horse, but when I checked his gun, it was fully loaded. His rifle was still in the saddle scabbard. I brought his body back to town. I really don’t remember much of anything else, sir.” Richard did not sit down but continued to match the gaze of the judge.

Judge Wheeler sized up the man in front of him. He did not seem fearful. Liars look fearful and will not meet your eyes. Liars’ voices will change and they will put their hands in their pockets. Here stood a man who looked him square in the eye and did not waver. Richard was almost six feet tall. He had blond hair and pale blue

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eyes. He wore the garb of a wrangler. His boots showed where the spurs fit and the stirrups rubbed. He was tan from the sun with a line on his neck where his scarf was tied. His pant leg had the rub mark from his holster.

The judge waved Richard forward. "Do you swear that what you have just told the court is whole and true so help you God?"

Richard did not nod his head; he spoke directly to the judge in his affirmative answer. "Yes sir, your honor, so help me God."

The judge looked directly at Sheriff Tate. "I have a question for you, sir. You will answer it yourself and not wave it off to some subordinate. Did you check this man's gun to see if it had been fired?"

Tate stood and shook his head no. Judge Wheeler demanded that the gun be brought to the courtroom post haste. Moore ran as hard as he could. He fell twice in retrieving the gun belt. The judge opened the cylinder and smelled the barrel. He gently laid the gun on the bench. Using his handkerchief, he rolled one corner and ran it into the pistol barrel. He sat looking at the handkerchief and pistol. Slowly his gaze moved to the sheriff.

He addressed the court but looked into the sheriff's eyes. "This pistol is fully loaded, and all I smell on it is gun oil. It has not been fired." There was a murmur in the courtroom. "You will remain quiet and orderly in respect for this bench."

Sam Tate sat with his lips tightly closed. His face was twisted with rage.

Richard remembered he had cleaned the pistol the night before the ill-fated hunt. He always took care of his

equipment. His daddy had insisted that this be done. Thank God for Daddy's ornery side of cleanliness.

The judge rapped his gavel. "The court is recessed for thirty minutes while I make my deliberations." The judge walked into the office behind him without looking at anyone.

Richard saw Jenny and Mrs. Tate in the back of the room. Both were dressed in black and did not look at him. They were looking at the sheriff who was staring out the window. The room was buzzing with whispered conversations. Deputy Moore was looking at Richard with a slightly different attitude. "You want some water?"

Richard agreed and drank the whole dipper of water.

Moore pointed his finger and said, "You sit right here. There's something I got to take care of." He walked to the front of the room and motioned Tom Hogan forward. He put his hand on his shoulder and sent him out with some task assigned.

Judge Wheeler walked back to the bench. Little by little all eyes moved to him. He rapped the gavel.

"Court is back in session. Are there any more statements to be made? Are there any presentations to be added?" Nobody moved, and the room was quieter than at any time. The judge cleared his throat and stared straight ahead.

"I have considered the facts of this case. This includes a written statement by the doctor concerning the injuries and order they were received. I have considered the relationship between the deceased and the accused. I have considered the evidence of the pistol alleged to

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have been the murder weapon. I cannot find reason that this charge was ever made except personal vengeance which has no place in a court of law. Richard Ash, I find you not guilty in the charge of murder.” The judge rapped his gavel and declared the court dismissed.

Sheriff Tate jumped to his feet as the verdict was stated. Moore grabbed him from behind in a bear hug just as his pistol cleared the holster. The weapon shot a big hole in the fancy tile floor of the bank. The courtroom erupted in shouts and some cheers. Moore grabbed the pistol. Men took the sheriff by his arms and held him.

The people in the crowd smiled and called out to Richard, “We knew you were innocent.” “Thank God!”

The judge looked at Tate with fury. “Sheriff, you are in contempt of this court. I hold you in personal contempt for trying to use this court in your personal vendetta. I order you to ninety days in your own jail. I recommend to the city fathers that they consider your ineptitude and vicious nature in deciding to keep you employed. Get him out of my sight.”

Moore removed the handcuffs from Richard’s wrists. He walked him to the alley behind the bank. There stood Tom Hogan with the stallion saddled and ready. Richard’s gun belt was hanging from the saddle horn. Richard rubbed his wrists. He tried to thank Moore but he was interrupted.

“Your spurs are in the saddle bag. Take this horse and ride. Don’t look back and don’t come back. There’s a storm coming from the west. By the time Tate is released, there should be no sign of your trail. I don’t

know if he will follow you. Best you always look over your shoulder.”

Moore didn't wait for a reply. He turned and walked back toward the bank. He was going to do his duty. He would just as soon go home and listen to his wife the rest of the day.

Richard mounted his horse. He sat and watched the deputy walk away. He had a lot he needed to say to Jenny and Mrs. Tate. He reckoned they would not be eager to listen. He trotted the horse through the alley and turned onto the main trail at the south end of town. He gave his horse free rein. The stallion responded with power, agility, and speed...wonderful speed.



Richard ran his hand through his hair. The memories were not pleasant by any means. He looked at his watch, and it showed 5:00 AM. He could hear people in the hotel and horses on the street below. His head ached from the fumes of the lantern. Richard had spent ten years as a wrangler. He had also been known to use his gun. He reckoned his sister's request was a reasonable one. There may be some healing for him in the process. The little boy, Justin, deserved a chance for a good life. He knew there would likely be trouble. Richard looked at his own reflection in the water bowl on the table. He smiled thinking about family for the first time in years.

He put on his black shirt and trousers. His belt and gun belt were decorated with silver pieces. Three silver studs adorned his pant leg at the ankle. The handgun

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itself was polished and notched. Its holster was worn low and tied at the mid thigh. There was a notch cut in the holster to keep the pistol hammer from binding. He put his personal effects into a black leather saddlebag which he carried over his shoulder.

As Richard walked down the stairs, he could hear Missy cooing in the kitchen. The scent of biscuits was welcome, but it briefly flashed the memories again. Missy was the old maid sister of the hotel owner. She had taken quite a shine to Richard. She was a decent-looking woman, but he thought she was a little outside her bookends mentally. Like a lot of people, he wanted little to do with anyone who might be crazed. Missy talked to imaginary folks at the dining table. She did this the way little children do for imagined friends when they are lonely. Missy did add the feature of actually serving real food to these folks. Richard sat at the far end of the table eating his breakfast.

“Missy, I’ll eat that feller’s eggs if he don’t finish them.” Richard got a smile, more eggs, and two cups of coffee.

Josh Myers, the owner, walked in. “Hot diggitty! Sis, what have I told you about wasting the vittles?” He grabbed a cup of coffee and pointed to it. “I have to drink all this cold coffee or throw it out. Paying customers don’t like feverish eggs and cold coffee.”

Missy was busy talking to whoever it was she saw at the corner seat. She continued to talk to the ceiling as she walked out with the coffee pot.

Richard laughed. Myers looked at him and smiled. “She used to play with a tea set. Now, she plays with

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real food. If she wasn't such a fine cook, I'd lock her up in the attic."

Richard finished his cup. He carried his dishes to the window that led to the kitchen. "I'll be paying up this morning. I have to go take care of some family business."

Myers stood and wiped his brow. "I hate to lose good customers. Especially a prompt payer like yourself. I know your family will be glad to see you. It's good a man gets to see his kin. Will you be comin' back through here later on? You are most welcome here at this establishment any time."

Richard handed him the money without comment. He paused in the doorway. He muttered to himself, "I'll have to kill him."

Myers did not hear. He was gathering dishes and scolding Missy again for acting a fool in front of a customer. Richard headed for the livery stable.



A long distance away Evelyn Green sat on the back of her husband's wagon. She sat swinging her feet. The dirt below was bare. There were no insects and no grass of any kind. The wagon was two days' journey out of Independence. Evelyn shifted her weight from side to side seeking a comfortable place. She watched Ephraim tend the horses in his timid manner. He was a business man and could run any size store, but he had no other skills. He smiled at her and tipped his hat. She returned a small wave. She hoped he had no intentions for later.

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He had no skills in that personal area either.

Evelyn watched a young dandy walk up the trail. The young man was wearing a business suit with a vest. He had a shiny Schofield revolver in his belt. The white handle was an eye catcher. Evelyn was reminded of the revolvers her daddy sold in his store. She often played with them.

Her mother had gotten concerned with her interest in the pistols and had told her sternly, “Don’t you ever let me catch you handling those guns again. Do you understand me, young lady?”

“Yes, Mother, I understand,” was her quick reply.

Evelyn had lived up to her promise. She was never caught. She waited every day for her mother to draw her own evening bath. Evelyn would slip into the store and take out the pistols. She spent time pulling, aiming, and twirling the pistols. Her favorite was a shiny Schofield with a white handle.

Her father frequently took the family for rides in the country on Sunday afternoons. He would show off his target skills. Evelyn would beg to fire the pistols. Her father allowed her to plink away at twigs, leaves, and tree stumps. Evelyn impressed her father with her steady improvement in accuracy. She handled the pistols with ease. She possibly handled them with too much ease. Evelyn’s mother disliked the activity but kept quiet. She knew her role with her husband and stoically endured the activity even though she had total contempt for it. Her long, intense stares made Evelyn uncomfortable.

The dandy stopped walking. He smiled to Evelyn and then walked toward the wagons. He immediately

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diverted his direction as Ephraim Green approached. Ephraim was smiling broadly. The dandy continued on his way, disappearing from sight. Evelyn felt a pang of homesickness. She thought it odd for the sight of a shiny pistol with a white handle to be so moving.

Ephraim announced, "We are going to stay here in this lovely spot for two days to rest the stock. I want to look around the area a bit as we travel. It would be a terrible oversight to bypass a quality location in pursuit of some unknown place over the hill."

Evelyn did not hear the entire comment. She remembered the white handled pistol and her father whom she absolutely adored. She looked up the trail and wondered silently if she was living her life as she should. She was not happy in her situation.



The bartender in Haynes stood behind his mahogany counter polishing a beer mug. The saloon was small but elegant. It had a wood floor and real glass windows facing the street. The upended beer keg behind him had a solid brass spout. He turned to fill the mug with luke-warm beer. The saloon doors slapped as Jaeger walked in. He was about fifty years old with a gray beard and speckled gray in his hair. He stepped with confidence and was calm in his actions. Jaeger was a fit man for his age. He wore his pistol in front with the holster cocked to his right. He paused just inside the doors to look about the room. The usual men were playing cards and having small talk.

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The bartender called out, “Jaeger, good to see you cowboy. I’ll give you a free mug of beer if you’ll tell that story about your grandma. I love that tale. It just makes me laugh.”

The card players stopped their game and looked to Jaeger. He looked down for a minute and then nodded his head.

“I’ll tell you the story as long as you understand I am not making fun of my dear grandmother. I loved her then and love her now. God rest her soul.”

The bartender slid the mug across the bar counter to Jaeger’s waiting hand. He caught it smoothly enough that he didn’t even lose the foam off the top.

“Back in Georgia when I was a boy, grandmother took it upon herself to coerce my daddy into digging a storm cellar in the side of a bluff in front of the house. Every time it thundered, she would come running up that road to get us out to the storm cellar. One night a bad storm was coming in the west. It was late at night. We were all tucked in the beds. The lightning was the kind that just went all across the horizon at one time. The little lightning flickers were dancing across the top of the big cloud as it came in. I woke up to see grandmother’s lantern bouncing up the road. She beat on our back door and hollered that she was going to wake up Miss Stella. I looked out and saw she was wearing a white house coat and really stepping it off.”

Jaeger took a long swig of his beer. The men had gathered around and were smiling in anticipation of the rest of the story.

“If I had been a good child, I would have run after

her to tell her that her friend Stella had moved. A new family had moved in just that afternoon. Grandmother disappeared into the darkness swinging her lantern. My folks roused us kids and made us go to the storm cellar. The storm hit with a vengeance. The rain was blowing sideways and the wind was just awful. Grandmother sort of fell in through the doorway. She was covered in mud and wringing wet. She sat there mumbling about the ungrateful heifer that wouldn't answer the door. My mother tried to tell her that Stella had moved. But, she was too mad to listen. So the next morning my father asked me to go with him to check on the neighbors since the storm had been so bad. When we got to the house next to us the door was closed and the windows were blocked by chairs. Father knocked on the door, and finally the man answered. He was a real back country man from the south part of the county. He was covered in sweat like a man with malaria. I could see his wife and children were in the corner of the room cowered behind a bed tipped on its side.

“The man just hollered, ‘Lawd, I am grateful to see you, Mr. Jaeger. It came last night just before the storm. It was a haint. It glowed in the dark as it circled the house. It beat at the door and the windows. It had this high pitched sound and it kept yellin’ s-t-e-l-l-a, s-t-e-l-l-a, and s-t-e-l-l-a! Mr. Jaeger, I don’t know what this stella thing is and we are not stayin’ to find out. Will you help us load our wagon? Please stay with us till we can get gone.’

“I laughed and laughed. Those poor people loaded their belongings in the wagon and took off with the mud

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flying. My father just stood there and shook his head. When I told him about Grandmother and her lantern, he laughed too. We sat there and just held on to one another and laughed until we cried.”

The men roared with laughter. The bartender filled another mug and slid it to Jaeger. “That was the best you ever told it. It’s worth another beer. Thanks Jaeger, I just love to hear that story even though I have heard it at least ten times.”

Jaeger drank his beer. The saloon doors swung. Three of Trey Walker’s gang stumbled into the room. They were swatting each other with their hats. The card players resumed their game. Jaeger walked to a corner table and sat by himself. The three ordered whiskey and continued to pick at each other. Jaeger didn’t like them. If they kept their distance there would be no problem. He touched the grip of his pistol and silently wished they would not keep their distance.

CHAPTER TWO

RIISING TO THE LEVEL OF DEDICATION

Richard walked down the edge of the street. There was a wood plank sidewalk, but he preferred the dirt. Men nodded as he passed them. The ladies smiled. Richard walked with a confident step. He was a top wrangler and gunman. He was paid well for his talents. His services were always in demand. He was on his way home to donate those services. There was no hesitation in his stride.

“Ash, how ‘bout a short hand? Give me a chance to get back some of my loss.”

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John Carl was a slight man. He wore a plain black suit with tattered cuffs. His shirt was stained with tobacco and whatever his last meal had been. He wore an old Army forty-four in his belt. There was a younger man standing behind him almost out of view in the shade of the awning. He seemed to be hiding behind John Carl.

“Sorry, friend, I’m on my way out of town. Some other time, maybe.” Richard kept walking.

“How ‘bout just one hand?” John Carl stepped out into the direct sunlight behind Richard. The younger man stayed where he was. John Carl leaned forward. “I’ll wager \$100.”

Richard held up one index finger. “One hand...one time. Let’s be quick about it.” Richard walked through the double doors of the saloon. Chairs were still stacked from the cleanup the night before. He set one down, reversed it, and straddled the chair.

John Carl got his own chair and sat right across from Richard. The younger man hit himself in the shin and hollered an expletive as he retrieved a chair. Richard could see from his mannerisms that he was a bit effeminate. John Carl’s hair was black, greasy, and matted to his forehead. He pulled a deck of cards from his pocket and started to shuffle and spread the cards to show his expertise. They were well-worn and dog-eared.

“Ask the barkeep for another deck, friend. You can still shuffle and deal, but I don’t use a man’s private deck for a money hand.” Richard smiled and pushed up the brim of his hat.

John Carl did as he was asked. “Let’s play for \$200.

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You got a problem with that?” John Carl was confident and smiling real big. Drool was running down the corner of his mouth to his chin. He wiped it with his cuff. Richard regretted stopping for the game. The man had a foul body odor.

The younger man held up both hands and said, “I got no part in this. You big timers have money to play. I don’t.”

Richard nodded to the younger man. “Since you won’t be playin’ how ‘bout you sit over at the bar?” The man moved away quickly. He seemed to be nervous. He constantly re-positioned his gun belt. Occasionally he would grip the pistol. Richard watched him out of the corner of his eye.

The bartender came out of the storage room with a case of bottles. He spoke over his shoulder as he walked past, “House gets ten percent of table stakes.” John Carl smiled revealing his crooked, tobacco-stained teeth.

“I reckon that’s fair for a roof and a bottle of what you’re carryin’.”

John Carl laid his Army forty-four on the table with the barrel pointed at the bartender. The bartender smiled sheepishly and handed over a bottle. John Carl took the bottle and swallowed a mighty swig before tossing it to the younger man.

“At them prices, I think maybe two bottles is fair.” He got his second bottle.

Richard took off his hat, hanging it on the chair next to him. It was high on the upturned chair leg. When John Carl looked up at the hat, Richard drew his Colt and laid it on the table with the barrel pointed at John

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Carl's midsection. "Friend, you invited me to play one hand. I agreed but should have asked you if the damn hand was goin' to be any time today. Quit your little show and deal the cards." He laid two-hundred dollars on the table.

John Carl laid his money on the stack. In the blink of an eye, he drew a Bowie knife from somewhere and stuck it through the money into the table. Without saying a word, he dealt the cards and picked up his hand.

He laughed and said, "I call you right now, Ash. I'm a good dealer...oh yes, I am a good dealer." He spread a full house, queens and tens, on the table.

Richard did not smile. He looked the man in the eye. "I should have asked you to play for a lot more money, friend." Richard laid down four kings and the ace of hearts. He pulled the knife out of the money stack and poked the money into his shirt pocket. He sat looking at the knife and slowly handed it to John Carl.

John Carl was beside himself. He spewed expletives for half a sentence or more. "One more hand. One more." He reached for his .44.

Richard picked up his Colt and stuck it under John Carl's nose. The younger man went for his pistol. Richard shot him with the barrel right next to John Carl's ear. The wounded man doubled over and fell face first into a table and chairs. The table slid up against the counter. The upturned chairs on it scattered. Richard stuck the Colt back into John Carl's face. He was holding his ear and looked paler than before. Beads of sweat were shining on his forehead.

"John, you need to be pickier about your partners. If

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you thought he was goin' to take me, you were mistaken. If I could prove you got me in here for the purpose of either winnin' or stealin' my money with your...slow friend, why I'd just pull this trigger right now."

"Ash, you've got the wrong idea. I just got mad when you won the hand. I...I didn't know he was goin' for his gun. He was drunk. He done this on his own. I give you my word there was no scheme in this deal." John Carl was shaking. His hands were trembling.

Richard hit him across the bridge of his nose with the pistol. John Carl slumped to the floor. Richard backed away from him. He walked to the bar and laid John Carl's pistol on the counter. He rolled the man on the floor with his boot. There was no movement. The eyes did not blink. The face was blue. He laid a gold coin on the bar counter. "Here's your ten percent and a little to clean up the mess. You saw it all. What will you tell the town sheriff?"

The bartender smiled at John Carl. "Ash, it was a fair fight. He was a fool to draw on you. I reckon he was thinkin' he was protectin' his special friend over there." The bartender picked up John Carl's pistol. "These two came in here like blow flies about a month ago. They like to bully people. Any questions they asked were always with one of them putting his hand on his gun or laying it out pointed at someone. I've seen weak folks discard good hands just to lose and get away from them. These buzzards always wanted one more hand if they lost. This fool has pointed this pistol at me at least once a day for the past week." The bartender bent down and

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removed the dead man's pistol from his holster.

Richard walked out, headed toward the livery stable. He crossed the dirt street when he saw the livery's double door. He heard two gunshots and turned to see the bartender step into the doorway of the saloon. A frightened looking man with a badge was running toward the building.

"Hurry, Tobey, these two drunks are shootin' up the place and killin' each other! They been drinkin' since sun up. They have shot each other and nearly got me!" shouted the bartender.

The bartender looked at Richard. Richard tipped his hat and walked inside the livery to saddle his horse. He never avoided a confrontation, but he also never made a practice of sticking his nose in other men's business. The bartender swatted at a fly with his towel. He smiled broadly as he walked back into the saloon.

