# Free Fall

're tethered to our table, keep hums, glasses is black and white play the part of the outest, I'm now the comic put appalled at the way noes saunter by hoping priests shows up, stage They look, don't you new one, where vampires

# A Man Down There

MARK OSTEEN

A massive rack—thirteen points, seven on one side, six on the other. A nexus of memories as branched and complex as those horns.

#### BUCK

The young man climbs the ridge, breathing steam. He gazes down the steep draw toward the creek. A doe ambles across his line of sight at the bottom of the ridge. He takes five careful steps slantwise down the slope, checks the safety on his rifle.

Light snow falls, settling softly on the brush and dead grass.

The young man's heart beats faster as he follows the deer. He crouches, lifts the rifle. The doe flips her tail and vanishes into the trees.

The young man stops, catches his breath. He gazes back up the ridge, thinking of his pregnant wife waiting in the panel truck a hundred yards up the slope and of the child inside her.

He takes a few more steps to his right, peers down the draw. Scattered bird calls and the dull rush of thawing

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water in Cherry Creek pierce the silence. Crouching slightly, he moves south.

He puts down his rifle, takes a cigarette from the pack in his shirt pocket, looks at it, then puts it back.

The young man peers down the steep ridge. Through the brush, lodgepole pine, larch and red cedar he spots a flash of brown and gray. He watches it move left, halt, then back to the right. He raises his rifle again, aims; the brown and gray disappears behind a thicket.

He moves further to his right, spotting the figure again. He lifts his rifle, then lowers it.

The figure moves left, stops, then right. It pauses again, showing a brown flank. The young man takes three more steps down to a flat spot.

A flash of brown hide.

He raises his rifle and lets off the safety. Exhaling, he squeezes the trigger.

## **BULL**

When I was sixteen, I found out for sure that my father had killed a man.

My friend Kurt said, "I guess your dad had a hunting accident, too." We were in his pickup truck, parked on a hill above town. The lights of Libby shone below. I took a swig from my can of Olympia beer.

"Yeah, I think so," I said.

"He helped Ned out, after his accident." He referred to his father, Ed, as "Ned."

"What happened to him?"

"He killed his best friend."

"Jesus!"

"Tommy was cleaning an elk, and was actually kind of inside of it, you know, gutting it out. My old man didn't see him in there and shot at the elk. Tommy started screaming and dad ran up to him. His friend bled to death right in front of him."

He guzzled the dregs of his Oly, belched, and flung the can to the floor.

"Shit, that's terrible! How did my old man help?"

"He came over and talked to him. Ned said it made him feel better to know someone else had done the same thing."

He grabbed a can from the sixpack, popped the top and drank.

"Anyway, what did your dad do?"

"I'm not even sure. I think he shot some old guy."

Although I'd been told of Dad's accident a few years earlier, he'd never said a word about it to me. Frankly, I couldn't believe he would ever do something as stupid as what Kurt's dad had done. I knew for sure that my dad was a skilled, cautious, successful hunter. In fact, my greatest hunting success—and Dad's too, I think—had come just one year earlier.

*Never point a gun at anyone or anything unless you intend to shoot.* 

Never take the safety off while you're walking or running. Put your weapon through a fence and lay it on the ground, then step over.

Don't shoot at anything unless you're certain it's game. Squeeze the trigger, don't pull it.

God, it was early. Blinking and shivering, I reviewed my Hunter Safety lessons. We'd arisen before dawn, and my fingers shook as I buttoned on Dad's old red-checked wool shirt and the hiking boots I seldom wore. My mother had made coffee for us, then returned to bed. The two of us made sloppy chicken sandwiches for our lunches and wolfed scrambled eggs in bacon grease, washing them down with bitter, scalding black coffee. Dad poured the rest into his ancient metal thermos.

I was fifteen. It was opening day.

As a Boy Scout, I knew my way around the woods but wasn't fond of camping—the half-raw or burned food, the wet feet, the boredom—but these hunting trips were different: Dad and I were alone together. And he wasn't drunk.

We would hump it through the woods, watching for *sign*, our ears pricked for sounds, smelling the crisp air, tinged with pine and smoke. I loved to hear my breath quicken, feel the blood coursing through my veins as we tramped and tracked. I didn't really want to kill anything.

That day we drove up the Fisher River watershed, sipping coffee from Dad's dented, green thermos, talking all the while. When he recounted his football anecdotes, I went on walkabout. I'd heard them a hundred times—how at 145 pounds, he was the smallest kid on the team and the toughest. "I loved to hit people," he'd always announce.

I weighed 125. I didn't love to hit people.

This time, as usual, he brought up girlfriends present and past. Were these stories true or just bullshit? I wasn't sure. Dad was a braggart, so you never knew. But this time the typical boasts about his sexual prowess gave way to a kind of wonder at the mysteries of human behavior. How women pretended not to like sex but really craved it more than men. How silly were our taboos. How he'd been seduced at age twelve (or was it eleven? The details were fluid) by an older, black neighbor girl back in North Carolina.

"I didn't even know what was goin' on. All I knew was it felt good, and I wanted to keep doin' it. Tell you the truth, I was scared shitless." He laughed. "I found out later that she did this with all the white boys in the neighborhood. Pretty soon she got herself pregnant and married."

He suddenly grew serious. "I don't mind if you mess around with girls. I know you already are. It's natural. But be smart. Whatever you do, use a rubber."

"Don't worry, I will." Good advice, I reckoned, but premature. The only sex I'd had was in fantasies. How did

you even go about buying a condom? I felt the weight of expectation: Was I supposed to be having sex by now?

But for once these weren't the only tunes in his repertoire. We also talked about books. Dad read avidly in those days; his favorite author was Robert Ruark.

"That guy really knows how to put words together," he said. I'd read a couple of his stories; they seemed corny and definitely lacked the wonder of the science-fiction novels I devoured. "He's from North Carolina like me and he's a great hunter." I found out later that Ruark was a lush.

For big game, Dad packed his prized bolt-action .300 Magnum. That baby could bring down an elephant, he declared. Although I owned a 30.06 deer rifle, had used his 12-gauge shotgun to hunt pheasants and a .22 to pick off the occasional grouse, I'd never shot at an animal larger than a bird. Like most Montana kids, I'd passed a Hunter Safety course and knew—theoretically—how to clean a rifle and field dress a deer, but my hunting knife and hatchet were shiny and unstained.

The previous year, we'd come across an elk wallow near Squaw Creek, in the Fisher River watershed. Hoofprints and hair suggested that a small herd had spent time there recently. We ran across no elk then, but had pledged to return the following year. And it had to be opening day, before the game realized that they were being shot at and fled to higher ground.

After an hour's drive, we parked on the side of a logging road. We hadn't seen another vehicle for some time. It seemed we had the whole mountain to ourselves. We got out of Dad's dark-red Plymouth station wagon. He didn't own a pickup truck then; I never knew why. It was a crisp fall day; the early morning clouds had dispersed and the sun played peekaboo, poking its golden head intermittently through the trees.

It was time to load our rifles. I snapped two shells into the chamber and lifted my 30.06. I aimed at the trees, then 76

swung swiftly to the right, getting a bead on a scampering squirrel. "Boom!" I shouted.

"Hey, don't dick around," Dad admonished. "Is your safety on?"

"Yeah, it's on," I said sheepishly, lowering my rifle.

We weren't just out walking. We were carrying lethal weapons.

After finding our familiar entry spot, we started up the narrow draw. A half-mile up the ridge, we located the wallow. There was fresh sign—puddles, hoofprints, coarse hair, some dark-colored scat—in and around the black mud. A musky odor lingered in the squelching muck. Elk had been there that morning.

We trekked up the ridge to the north, following tracks. With the sun all the way up, the trace of snow from the night before had melted from exposed areas, and before long the tracks vanished. Broken branches and slanted grass, as well as more fresh dung, told us elk had passed by recently. After a half hour, we stopped to rest. The odor of pine carried a hint of something tangy and bitter. I gazed around at the ponderosa pine and Douglas fir. A meadowlark sang its chipper tune.

"They're still around here," Dad said softly, "but we'll have a better chance if we split up. I'll go this way," he jerked his head to the right. "You keep moving straight ahead."

I nodded. My heart thumped. Was it possible that we'd actually see elk? The sun carried some warmth now, and the back of my wool shirt clung to my skin. I hitched up my faded jeans, checked the safety again, and plunged forward.

As I hunted, I glimpsed Dad from time to time, about a hundred feet to my right.

A half-mile farther up the mountain, I heard a crashing noise to my left. Not more than fifty yards in front of me a bull elk crossed a small clearing, running left to right. Two cows escorted him, one on each side. After trotting through the clearing, the elk disappeared into the brush. On a dead run we followed them for another hundred yards or so. I felt elated, enlarged, barely noticing my dry mouth and the blisters forming on my feet. This was what we came here for!

I stopped to catch my breath. Then there was the bull again, emerging into a larger meadow. The animal was enormous—twice the size of any deer I'd seen. His grayish-brown hide was almost black under his chin. Nostrils flaring, he gazed into the distance. "Majestic." That's the word that came to mind as he turned his head to display an impressive rack. He seemed almost to be posing for me.

My heart pounded violently and my hands quaked. What I wanted to do was stare at him, soak in his magnificence. But I knew that in seconds he would move on. It was now or never. I raised my rifle. Aim just behind the shoulder, so you won't miss completely even if you're off target. I let off the safety, took a deep breath, then exhaled slowly. Don't pull it, squeeze it. The rifle's roar surprised me more than the kick.

The bull jerked and began to run. A second or two later, Dad let off a shot, and then all three elk charged up the hill and into the brush. Dad and I pursued them, our paths converging.

"I'm pretty sure you hit him," he said as we met. "I bet there's blood here somewhere."

A few paces ahead we noticed patches of blood in the weeds, but the animals were nowhere in sight. We ran, trotted, then crept, tracking the blood and prints for several hundred yards. The sign had vanished.

"Shit," said Dad. "An elk can carry a lot of lead, but he's bleedin' pretty bad, so I doubt he'll get much farther. We don't want to lose him in the brush."

I nodded, but I was starting to have doubts. The elk was so large, so perfect. How could anything I did hurt such a huge creature?

Two minutes later we found the bull elk lying on the ground, breathing stertorously. As we approached, he tried to heave his massive body up, but his legs were paralyzed. I gaped at his immensity. He was as big as a cow! All at once I was overwhelmed by a wave of pity and shame. I had shot this beautiful animal, now gasping out his final breaths. I felt dizzy.

Dad shoved a shell into the chamber of his rifle and walked up to the elk. He raised the .300 Magnum and shot the bull in the back of the neck. The animal's head flopped to the ground; he shivered briefly and stopped breathing.

Dad laid down his rifle as I walked over to where he stood.

"You did it, boy! Hell of a shot, son!" He grabbed my hand and shook it, his left arm grasping my shoulder, his cheeks red, his blue-green eyes wide and sparkling. He was breathing hard; I'd never seen him so charged up.

I too was panting, but wasn't at all sure my bullet had found its target. It had happened so fast, and my hands had been shaking. "I don't know if I even hit him. You shot, too."

"No, that elk was already hit when I shot. I saw him jerk. You got him, son. You're the one."

I was the one. I was the killer.

Or was I? I believed I'd missed, and I think Dad did, too. But he never hinted as much to me or to anyone else. He seemed to *need* me to have shot the elk. Even then I realized that he cared more than I did, and I wasn't about to spoil his pleasure.

A large bloody hole in the elk's shoulder showed where the bullet had entered; it had then passed into his lungs and backbone. The only other evidence of gunshot was the clean opening in the bull's neck where Dad had finished him off. I touched the animal's still-warm body. A smell of musk filled my nose. The dead elk seemed to represent something at once powerfully right and deeply wrong.

I was a conqueror.

I was a murderer.

Crouching down, we pulled out our knives and began to field dress the animal. I helped Dad cut through its hide and into the innards—carefully, so as not to puncture the stomach. We sliced out the colorful bag of internal organs—green, brown, and red, the stretching sac glistening—removed the steaming entrails and pushed them onto the ground. It seemed eerie that the elk's guts were still hot.

"Shouldn't we tag him?"

"Not yet. But we can't just let him lay here, either. Coyotes or wolves will feast on the carcass."

Perhaps Dad hadn't thought we'd actually get something, for we weren't prepared. Lacking a long rope, we had no choice but to move the body manually. Even working together, we couldn't push or pull the elk more than a few feet at a time. After twenty minutes we ceased our efforts. "Christ, this bastard must weigh a thousand pounds," Dad puffed. "This ain't the fun part, is it?" He grinned; he was still charged up.

We looked for a steep decline and tried to skid the carcass down the slope like a giant log. We pushed, yanked, and pulled for a good hour, but managed to move the animal only a few hundred feet. We were still a long way from the car. And even if we got the body there, what would we do with it? Dad's station wagon was too small for this colossal load.

It was clear that the two of us were not going to get the elk out today.

"I'll call old Bowman," Dad said. "He's got horses and a mule. We'll pay him to come up with us tomorrow and take it out of here."

He looked at me. "Okay, now you can tag it."

I removed the tag from my licence, and looked at Dad. "You want me to sign it?"  $\$ 

"Sure. You shot it." I filled out the tag and attached it to the animal's ear, just beneath that amazing rack. "There you go," Dad said. "Your first elk!" He patted me on the back, then cut off the other ear and wrapped it in his handkerchief.

"How come you're doing that?"

"We want to prove we got it, don't we?"

We cut down some branches and covered the body, making sure the tag was visible. Then we clambered down the mountain to the car, marking our trail by cutting branches or notches at eye level, and wrapped a strip cut from my shirt around a tree limb so we could find the spot the next day.

I thought we were heading home, but Dad drove downtown and parked at the bowling alley.

"What's going on?"

"This is a big deal. You got an elk, son! We want to spread the word!"

We sat at a small table at the Play Lanes, in the bar where it was dark and cool despite the day's bright sun. I'd never been in that room before and didn't really want to be there: It was where Dad often went to drink. I felt as if I were being introduced to a secret society, one I'd only glimpsed from afar—the Land of Grown Men.

After ordering burgers, Dad related the tale of our hunting coup to the bartender and early patrons, stressing each time that "the boy" was the one who'd shot the elk. He displayed the ear, laying it out on the table like merchandise he was selling.

As Dad converted the hunt into narrative juice, he began to get tipsy; soon his mood switched from bumptious to belligerent. He insisted that I order a beer. Although I'd had a few beers with friends by this time, I didn't want to drink—not here, not with him. I nursed a Rainier; it tasted sour.

Dad retold the story again and again, each time emphasizing the rack—"tremendous antlers, six on one side and seven on the other"—the elk's size ("I'll bet that

bull weighs eight hundred pounds"), and his son's skill as a hunter ("Got him right behind the shoulder. Nice clean kill"). He left out the part about finishing off the animal himself and never once suggested that he, himself, may have downed the elk.

Even among experienced hunters, bagging an elk is a notable achievement. We knew men who'd hunted for years and never even *seen* one in the wild, let alone shot one. Everyone wanted to know where we had hunted. We were coy: We didn't want a bunch of "amatoors," as Dad called them, messing up *our* spot.

"Let's just say it was up the Fisher. If you're real nice to us we might take you there sometime," he said, winking at me.

Before long I grew weary of the story, which seemed to get longer and grander with each telling. I resented that Dad was using the elk—my elk!—as an excuse to get drunk. Some hidden meaning seemed to lurk behind listeners' eyes that fed Dad's manic elation.

When we got home and shared the news with my mother, she greeted our heroic saga with the same pinched expression she wore whenever Dad came home drunk. But she did say, "Your dad is very proud of you, son."

The next day we returned with Mr. Bowman and his pack animals. The carcass was undisturbed. Bowman—paunchy, missing several teeth, wearing a three-day beard—knew exactly what to do, and within a few hours the elk lay in the back of his pickup truck. In our neighbor's garage the bull was skinned, beheaded and de-antlered. For a few days, my hunting prowess was the talk of the neighborhood; everyone stopped by to check out the trophy and admire the rack.

My cousin Dave, three years older than I, couldn't believe my good fortune. We both knew he was a better hunter than I would ever be—a sharper marksman and a cannier tracker, a real outdoorsman—but he'd never shot at

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an elk during hunting season. He didn't say what I knew he was thinking: How lucky can you get?

By the following week the majestic bull had been transformed into 485 pounds of steaks, hamburger, and roasts wrapped in butcher paper. The rack of antlers rested in our basement. It remained there for years; Dad took it with him when my parents divorced. I knew I wasn't really much of a hunter. The rack was his, not mine.

#### DOG

I'd first heard about Dad's accident as a fifth grader. Our class was learning an old folk song about the death of Jesse James. The chorus goes:

> Well, Jesse had a wife to mourn for his life, Three children, they were brave. But that dirty little coward that shot at Mr. Howard, Has laid poor Jesse in his grave.

During recess I said to my friend Dennis, "I like that line about the dirty little coward."

"Poor old Mr. Howard. Hey, that reminds me of something. Do you have an uncle that lives around here?"

"Yeah," I said, thinking of my mother's brother, "one. My other uncles live in Eureka and North Carolina."

"I think somebody with your name shot ol' Harry Howard."

"My uncle's name is Johnson. Where was this?"

"Right here in town. Somebody with your last name was the dirty little coward that shot at Mr. Howard. Killed him, in fact."

I grabbed him by the shirt. "Watch your mouth! My dad's not a coward. And he's never killed anybody."

"Hey, take it easy!" he said, wrenching my hands from his shirt. "I didn't mean anything. I'm pretty sure he's the one, though. I'll ask my dad."

The next day he told me that it was true: My father had killed an old man named Howard in a hunting accident.

That evening I asked my mother about it. She looked away and started breaking up toothpicks, then got up and gazed out the window, waiting for Dad, who was, as usual, late coming home from work, having stopped at a bar.

She told me that he had shot an old miner years earlier. It was an accident, she assured me, adding that it had bothered him a lot, and he didn't want to talk about it. I decided not to ask him, and I'd pretty much forgotten about it until Kurt brought it up when I was sixteen.

By that time I had a job at the Lincoln County Library. The basement housed row upon row of old magazines (leafing through moldering copies of Time and Life was a terrific way to waste time) as well as yellowed issues of The Western News, Libby's weekly newspaper. That Saturday, I decided to find out the facts for myself.

I knew the accident had happened before I was born, so I hunted through the papers from 1952 and 1953 until I was arrested by a headline from November 1953. The front page read, "Harry Howard Dies from Hunter's Shot."

The story begins,

Libby's oldest active prospector and early day pioneer, Harry Pryor Howard, was shot and killed Monday afternoon by a bullet from a deer hunter, Marven [sic] Osteen, 21, of Libby.

Some 200 yards from the pioneer's home, he saw a brown object through the brush and trees. The hunter believed it to be a deer, but stated that he called several times, 'If there's a man down there, answer!'

The old prospector was almost entirely deaf, and did not hear the hunter call. Receiving no answer Osteen fired from a distance of about 75 to 100 yards, using a 30/30 Savage bolt action rifle. Howard, who was bending over at his work, fell and on investigating the hunter learned of his mistake.

Osteen picked up the old man and carried him a few feet, then laid him down when he heard a motor vehicle approaching up the nearby road. The vehicle was a gray pickup and its occupant asked the hunter if he had gotten anything. Osteen says he responded, 'I shot a man.'"

This person drove on. A second car, carrying Mr. and Mrs. Lloyd Williamson and a friend named Friend, stopped, heard the story, then hightailed it to a ranch to call the sheriff and an ambulance. Howard died in the ambulance. According to the newspaper,

Death resulted from the wound which was caused by a bullet entering high on the left hip and coming out the right hip, passing completely through the body.

It is reported that the old miner's dog stood vigil over the body of his wounded master and would not allow the men to place him in the ambulance until the dog was lassoed and tied up.

I read the piece with churning emotions. At first I was jubilant: I found it! This really happened! Then came irritation: my dad's name is Narven, not Marven. They don't get the shooter's name right, but describe the rifle in detail. Doubt followed. Why did he yell? If he thought he was looking at a deer, why would he risk scaring it away? If he was that unsure about his target, he should never have pulled the trigger.

The panicked or uncaring passerby prompted outrage. The grisly wound triggered disgust. The dog standing vigil evoked sympathy, then disbelief. It sounded like one of those cheesy stories Dad read in *Field & Stream*.

Washing these away was an overwhelming pity for the kid who had taken the ill-conceived shot. Who was this young man? The paper's naming error somehow seemed right: "Marven" bore no resemblance to the prudent, skillful hunter I knew. This Marven was a stranger, a tenderfoot so green that he'd shout at, then shoot at, an imaginary deer.

Adjacent to the lead story was a second piece, with the headline, "Coroner's Jury Acquits Osteen." I scanned the

list of jurors, recognizing some familiar names. Then I read the verdict: "We, the jury, declare that Harry Howard met his death from a gunshot wound from a rifle in the hands of Marvin [sic] Osteen without criminal intent."

Didn't they notice that they'd spelled Dad's first name differently in the adjoining story? Never mind. It was true. My father had killed a man. A man in his eighties who was probably going to die soon anyway, but nonetheless a living human being. I still couldn't quite believe it.

The next day I asked Dad directly.

"How did-you find that out?"

"Kurt Parker said something about it. He said you helped his dad after his hunting accident."

"Eddie. Yeah. He shot his best friend. At least I didn't do that."

"How did it happen?"

"It was before you were born. In fact, your mother was pregnant with you at the time. The old man was down there mining, I guess. I thought he was a deer. I watched for quite awhile as he moved back and forth. I walked around tryin' to get a better view; I must have waited around for a half hour. I even yelled, 'Is there a man down there?' I didn't get an answer, so I fired. It wasn't a deer, obviously."

I told him what I'd read in the paper. He added a detail. "The old guy cussed me out while I was tryin' to carry him up to the truck. 'You son of a bitch, you shot me!' He kept hollerin' that." He looked down.

"Then what?"

"They put me in jail and then they put me on trial."

"What charge?"

"Involuntary manslaughter. It was an accident. Everybody knew that. Why would I shoot some guy I didn't even know? He was an old prospector, out there panning for gold, I guess. Wearin' a brown coat, of all things, in hunting season. That didn't give me the right to shoot him, though."

**RAT** 

When, in the 1860s, prospectors saw color in a creek in northwestern Montana, a gold rush began. One miner named the stream Libby Creek, after his daughter, but that rush petered out in the late 1870s. The Howards arrived a decade later. Like my father, they came from the South—Kentucky, where Harry's father, Benjamin F. "Doc" Howard, had made and lost a small fortune as tobacco broker. After a sojourn in California, thirty-two-year-old Doc returned to Kentucky and, in 1867, married the teenaged Rosa Pryor. After Rosa died in 1873, Doc left his only son, Harry, in the care of a relative, and lit out for the territories.

In the late 1880s he made his way to Libby Creek, where a small group of hopefuls had set up placer mines. A mining camp soon sprouted—in a location so remote that the prostitutes who ordinarily run businesses in such places didn't bother to show up. Harry did, though, joining his father in 1887, at the age of 16.

The miners had to fight off Natives of the Kootenai tribe, while also dealing with terrible weather and Chinese workers who tried to steal from them. But the mine thrived. In 1890, Doc's brother Albert read in a Chicago newspaper that James J. Hill was planning to build the Great Northern Railroad from Chicago to the West Coast; Albert sent a letter to his brother sharing this news and suggested that the railroad might be built where Libby Creek emptied into the Kootenai River

So the shrewd Howards staked homestead claims on the 320 acres around the mouth of Libby Creek. Before they could file their claim, however, they were beset by claim-jumpers who pulled up their stakes during the night and filed their own placer claims. An armed stand-off occurred. Outnumbered, the usurpers backed off, but not before vowing to file their own claims in Missoula, then the county seat. Nobody could prove who'd been there first, so the Howards raced the pretenders the 200 miles from Libby to

Missoula. The roads were poor, where they even existed. Albert set out on foot, then hopped a freight that deposited him close enough to Missoula to allow him to beat the jumpers to the County Recorder's office.

Harry Howard's homestead claim was filed on August 3, 1891, delineating his 160 acres. His property was "enclosed by a leaning pole fence." The town grew on that spot.

In other words, my father killed the founder of our town. In 1936, Harry reminisced about the old days for *The Western News*. He recalled that he and his cohorts were working their land when men from the Great Northern approached. The group sat on a log to discuss the right of way for the railroad. Howard said, "We agreed to give them right of way provided they would supply us with two first-class passes on the railroad. This they readily agreed to do. They were to give us passes to the Chicago World's Fair, but for some reason there was a delay and the passes did not arrive in time."

The Howards eventually sold the land for \$3,000 in cash, which they prudently deposited in the C. P. Higgins Western Bank in Missoula, reputed to be the best in the region. "But it proved to be the weakest," remembered Howard in a 1938 article. "We did not have the money there six months when it went busted, and we lost it all; never got ten cents on the dollar." Instead of going to Chicago, they were sent three unlimited railroad passes. That was all they ever got out of it.

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"Shoot Rat, Dynamite Explodes," reads a Western News headline from November 1912. State Senator J.E. Leary and a friend, in the Libby area on a hunting trip, had stopped for the night at the Howard cabin near the mine. But the hunters weren't getting much sleep, thanks to the noise made by an energetic pack rat. Going outside with their weapons, the men spied the rat perched on a small box nailed to the cabin

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wall. One man shot at the rodent, igniting ten pounds of dynamite stored on the shelf. The explosion knocked down both men and peppered them with pebbles and splinters.

Sleeping in the cabin, Harry Howard and his helper were stunned but managed to get outside, where Leary lay on the ground moaning, "I'm dead! I'm dead!" His companion was bent over him, unable to speak. Both were covered in blood. It turned out that neither man was seriously injured. Best of all, the story concludes, the explosion got the rat. It also got Harry, who was permanently deafened by the boom.

Harry Howard lost all his money. He lost his hearing. He eventually lost much of his eyesight and most of his teeth. In 1953, he was still mining, still dreaming of the big strike that would make him rich. Then he lost his life when a greenhorn hunter shot him. His bad luck—or was it bad judgment?—rivaled my dad's.

What if there had been no rat? Howard wouldn't have gone deaf and would have heard my father shout. You might say, then, that a rat killed Harry Howard, not my dad.

That is, if Dad shouted.

What if Dad's truck had started that morning? Because it failed, he had to walk downtown to catch the skid bus but didn't make it in time. If he had caught the bus, he would have been at work instead of out hunting that day, and Harry Howard would have died of old age.

Two men, one a newcomer, the other an old-timer—yet their stories run parallel. Both were Southerners who came west to seek their fortunes. Each was, in his own way, a pioneer. Each was plagued by bad luck and bad choices. Neither one ever left Libby.

## GOAT

On November 2, 1953, the young man returns to the panel truck, where his pregnant wife, Lois, awaits.

"I guess you didn't marry much of a man. I just shot someone," he tells her.

They drive to town, where the young man turns himself in to the sheriff. There will be an inquest, but it might not take place for a good while. Lacking bail money, the young man will have to stay in jail. He remains there for a week, then is released on bail. The Deckers, a family belonging to the couple's church, mortgage their property to put up a bond.

Is the young man's luck changing?

Not really. The district attorney, Smith McNeill, could elect not to prosecute. But he is ambitious, and a case like this—local celebrity shot by callow outsider—might make his reputation. Ironically, he, too, attends their church, even sits in the pew directly in front of theirs.

The trial takes place the following February, by which time a son has been born—on the defendant's 22nd birthday. Defense attorney Lloyd Evans urges the defendant's wife to bring the baby to the courtroom. Court records do not indicate whether the baby cried on cue.

Instead they are much concerned with the legal definition of "involuntary manslaughter." McNeill's jury instruction number two, for instance, declares that this charge describes a "criminally negligent" action. But the judge rules this instruction to be inaccurate. Criminal negligence is, rather, "wanton, flagrant, or reckless disregard of consequences or wilful indifference to the safety or rights of others." It's a more serious charge than involuntary manslaughter.

Was the young man wantonly reckless? No.

Jurors are instructed that to prove involuntary manslaughter, "It is not necessary for the State . . . to show any malice on the part of the defendant." The defendant need only "demonstrate a lack of due caution and circumspection." To shoot without determining whether your target is a human or a deer—doesn't that demonstrate "lack of due caution and circumspection"? Maybe not—

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if the young man shouted. What if he didn't shout? That would mean he invented that part of the story after learning that Howard was deaf. If he lied, he must have believed he was guilty.

The jury deliberates throughout the afternoon and evening of February 16. By 5:30 the next morning they have thrown up their hands. The judge declares a mistrial. The defendant later tells his son that eleven jurors voted to acquit, but one, a man named Zimmerman, held out for conviction. The defendant never forgets that name.

There is talk of a second trial, but it never takes place. On April 21, 1955, three weeks after a second child is born to the couple, McNeill dismisses the charges. The young man is free but not exonerated. He is sentenced to live.

#### MULE

One year after my Grand Hunting Achievement, Dad and I helped another hunter bag his first elk. Steve was a big guy—about 6 feet four inches and well over 200 lbs—and full of pep. He had been an avid hunter in Eastern Montana, but had never shot an elk. He'd heard Dad talking—bragging, no doubt—about our success and had pestered him to bring him to our spot. Before the hunt, Steve visited our house to inspect the famous antlers.

"Good God!" he said. "It's huge! What a beautiful rack, Narv!"

"It's not mine: My son shot the bull," Dad said. "Didn't you, son?"

"I guess."

"That's a hell of a feat, young man," Steve said. "I've been hunting for ten years and I've never seen an elk."

"We'll get you that bull," Dad assured him.

For once, Dad's boast was prophetic. But we had to earn it, for Steve nearly hiked us to death. He was a mountain

mule, dashing madly up and down the dales where he might fulfill his lifelong dream. The morning was cloudy and damp, which made tracking easier, but a lot less fun. My feet got wet, and the whole morning seemed awash in gloom. After awhile, Steve separated from us so that if we found something, we'd drive the game his way. Dad had promised that we'd let him take the first shot, no matter who saw the elk first. That was fine with me.

We'd hunted for about three hours and were ready to head back, but while crossing one last ridge we ran into six or seven elk, led by two impressive bulls. They galloped away; Steve ran after them, leaving us puffing far to the rear. Just as we caught up with him, Steve crouched and fired, knocking down the lead bull with a single shot. "I got him! I got an elk!" he crowed, jumping up and down like a five-year-old.

His trophy was about equal in size to "mine," but with a smaller rack. Steve gutted the beast in record time, and was so excited that he carried the dressed carcass a mile or more down the mountain by himself before calling a halt when he wrenched his back. Bowman, his pack animals, and my cousin Dave came with us the following day to finish the job.

Steve couldn't do enough to show his gratitude. He took Dad out for drinks afterward (I skipped the celebration), and insisted on giving us half of the meat, although we hadn't come close to finishing the previous year's store, and were pretty sick of elk meat.

Now Dad had acquired a reputation: The Man Who Can Get You An Elk. We protected the location of our spot with subterfuges worthy of the CIA, ranging from misleading directions ("You take a left just after the Fisher Cut-off") to outright lies ("Oh, it's up Bear Creek").

We returned to the place year after year, sometimes bringing friends or family members, including Dave. We never saw another elk. **FISH** 

After the accident, Dad said, the hardest thing he ever did was to go back to work. "They didn't say too much to me, but I could hear 'em say things to each other," he told me the year before he died. "I always sat back in the bus, away from everybody. I ostracized myself some too, because I didn't wanna say nothin'."

"Do you think it would have mattered if you'd lived here longer?" I asked.

"It would have made a lot of difference."

"You were an outsider; you talked funny. . . . "

"Yeah. I was from North Carolina. 'You foreigners comin' in here and killin' our old homesteaders.'... There was a lot of hatred. But they couldn't fire me because I belonged to the union. Most of the guys, the crew, were all right. But the foremen, they were dead set against me. It was hard for me to advance on the job, because I had to be perfect whenever I did something."

He was the dirty little coward who'd killed old Harry Howard.

My father was snubbed off the job as well. My Uncle Duane remembered going fishing with Dad. The hole they'd selected was on the property of a rancher, who stopped them when he saw them approach. He asked for their names, and after they gave them, the rancher said they could all fish there—but then pointed at Dad.

"Not him. He can't fish on my property."

"All right, then," said my uncle, "none of us are gonna fish here." They turned around and left.

There were fights, as well. I heard many stories about Narv, the barroom brawler who never backed down, who'd never been beaten one-on-one. No doubt some of those fights were sparked by a drunk's wise-ass comment about the accident.

The union finally forced the company to let Dad run a skidder, but the foremen blocked him when he applied for

a higher paying job. One supervisor asked, "He's as good a cat skidder as we got out there. What's wrong?"

"Oh, we don't like him," one foreman answered. Dad explained, "They're kind of a clique, you know. And it was tough until about 1960, when Eddie Parker killed his buddy."

Ed was a Libby native, so his accident took the heat off Dad. I never heard a word about it until my friend Dennis' comments several years later.

Dad told me he'd visited Parker, taking along a quart of beer. "I said, 'We'll have a beer,' and he said, 'No, I drink only when I'm happy, and I'm not very happy.' But he said he appreciated me comin' down and talkin' to him. I knew how he felt."

Why did Dad stay in Libby? Wouldn't it have been easier to start over in some other town, any town whose founder he hadn't killed?

"I stayed here to prove myself. You don't know how many times I wanted to leave, I'll tell ya. . . . But I had little kids, and I knew that if you stay in one place you do better, not that movin' all over. I wanted to get to a place. I just wanted to prove it to 'em that I was a pretty good person."

In truth, my father's struggle to prove himself started long before he came to Libby. His parents were evangelists who moved often; young Narven attended seven different elementary schools, fighting his way through every one. The accident gave him a new reason to battle.

The old man had guts. Yet I can't help but wonder if staying in Libby was another case of bad judgment.

Dad didn't drink much when I was a little kid, but by the time I entered junior high, he had become a heavy boozer, and the habit deepened as years passed. By the time I graduated from high school, he got drunk almost every night. Did the ostracism he faced, coupled with his own doubts and self-hatred, fuel his alcoholism? Did he believe he was guilty of a crime, sedating himself to mute that accusing inner voice? He was always full of bravado,

a big talker, an embellisher who declared, "Most people are stupid." Was all that braggadocio just compensation?

Eventually he proved himself to his fellow citizens. But he never proved himself to that harsher judge—his own conscience.

Is there a man down there?

My getting an elk had removed some of the onus, had shown not only that Dad was a skilled hunter (the many deer and elk he'd shot between 1953 and our big triumph didn't seem to count), but that he had trained his son to do things the right way. He had made himself into a true Montanan.

Dad insisted that we keep the antlers from "my" elk. Although he chose to believe that I'd shot the bull, I could never quite believe it. To him the antlers were an artifact of a shared victory—a powerful moment of pride and love when I had pleased him by doing something manly and he had shown himself a worthy father. To him those antlers were vindication. To me they are a sign that my triumph—our triumph—was soiled by a lie and shadowed by a crime.

#### MAN

The woman gazes out the window of the panel truck. She jiggles her leg and wonders how much longer her husband will hunt. He said he'd only walk one ridge, then return. She's getting hungry.

She pats her protruding stomach and thinks of the baby inside. If the child is a boy, her husband wants to give him his own name. His own awful name. She would like a biblical name like Luke, Mark, or Paul. She closes her eyes and prays silently.

She remembers that first time she saw him. He showed up with his parents at the church in Plains in a stylish sport jacket, wool tie and saddle shoes. He looked like something out of a movie. He could have had any woman in town, but he chose her—the plain one with glasses, the good girl from Eureka. Of course, she had picked him as well, had pursued this man—this boy, really—three years younger than she. He was exotic, dangerous, liable to do or say anything.

A good Christian, though. She smiles.

She turns down the heat in the truck. It's not so cold outside now. Too bad this thing wouldn't start today, and her husband missed the skid bus. But it started all right later, for some reason.

She opens the door and steps out onto the gravel road. Pacing a few steps each way, she stretches her legs. Is that a shout? Something about a man? She listens. Nothing but the distant roar of water.

The chilly November sun peeks through the clouds.

At the sound of a rifle shot her heart quickens. She stares down the draw. Nothing.

She stamps the dirt from her shoes and climbs back into the truck. Pulling the door closed, she leans back with a sigh.

Gazing out the window, she waits to learn what her husband has done.