

THE LEGENDS WEST TRILOGY

BOOK I

WARLOCK

OAKLEY HALL

504

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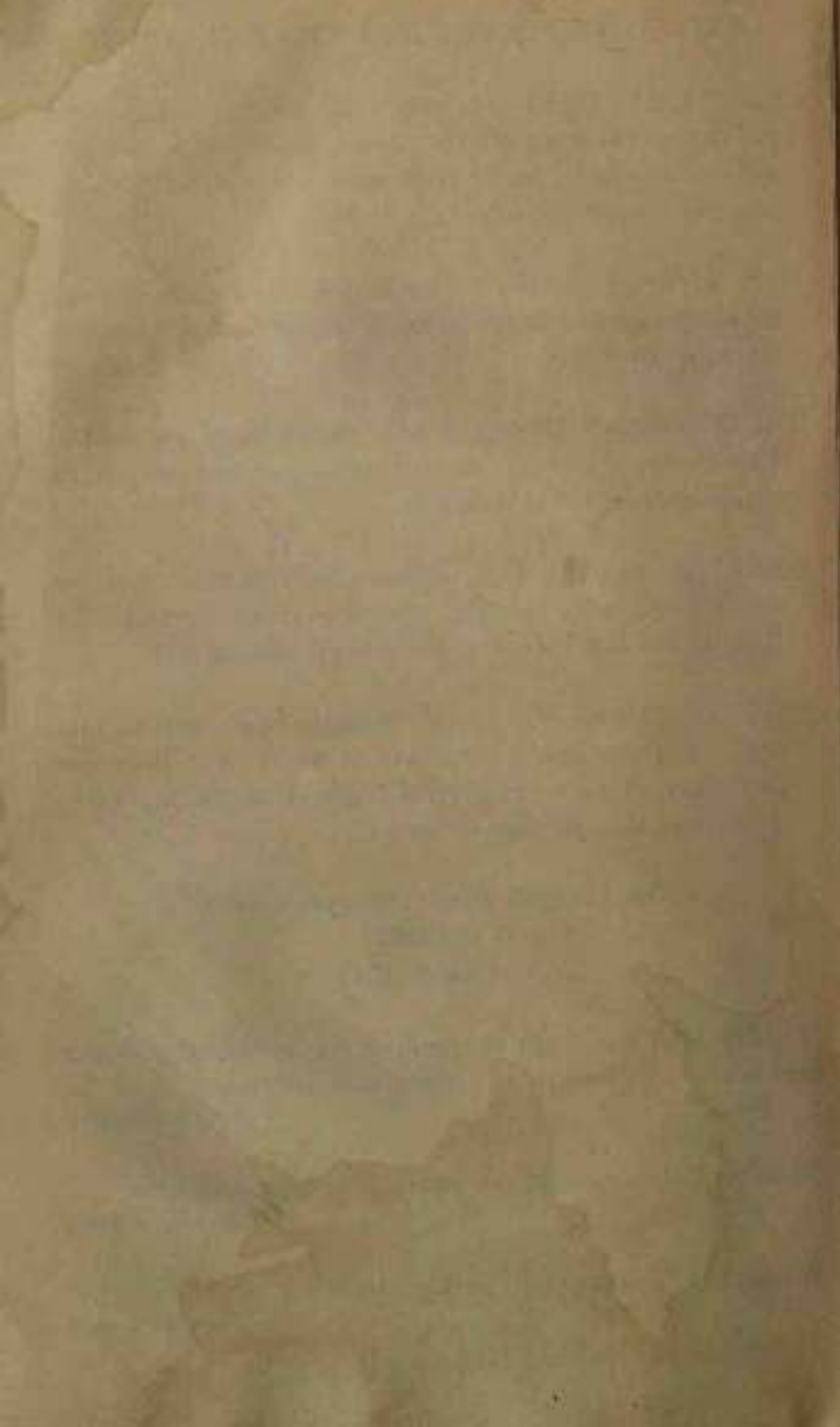
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WARLOCK

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WASLOCK

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PREFATORY NOTE

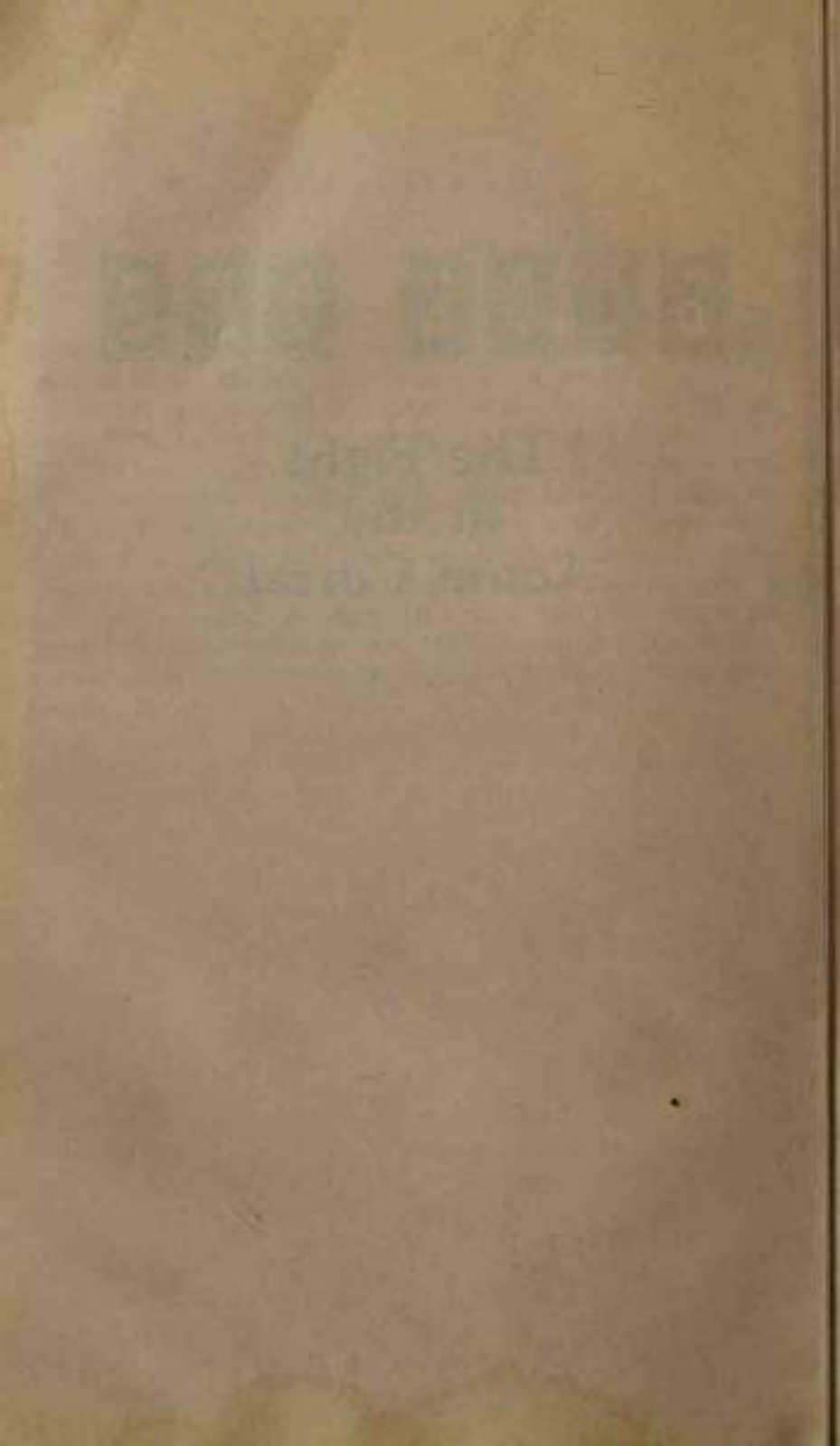
This book is a novel. The town of Warlock and the territory in which it is located are fabrications. But any relation of the characters to real persons, living or dead, is not always coincidental, for many are composites of figures who live still on a frontier between history and legend.

The fabric of the story, too, is made up of actual events interwoven with invented ones; by combining what did happen with what might have happened, I have tried to show what should have happened. Devotees of Western legend may consequently complain that I have used familiar elements to construct a fanciful design, and that I have rearranged or ignored the accepted facts. So I will reiterate that this work is a novel. The pursuit of truth, not of facts, is the business of fiction.

—OAKLEY HALL

B O O K O N E

The Fight
in the
Acme Corral





Journals of Henry Holmes Goodpasture

August 25, 1880

Deputy Canning had been Warlock's hope. During his regime we had come to think, in man's eternal optimism, that progress was being made toward at least some mild form of Law & Order in Warlock. Certainly he was by far the best of the motley flow of deputies who have manned our jail.

Canning was a good man, a decent man, an understandably prudent man, but an honorable one. He coped with our daily and nightly problems, with brawling, drunken miners, and with Cowboys who have an especial craving to ride a horse into a saloon, a Cyprian's cubicle, or the billiard parlor, and shoot the chimneys out of the chandeliers.

Writing of Canning now, I wonder again how we manage to obtain deputies at all, who must occupy a dangerous and frequently fatal position for miserly pay. We do not manage to keep them long. They collect their pittance for a month or two, and die, or depart, or do not remain long enough even to collect it at all. One, indeed, fled upon the first day of his employment, leaving his star of office awaiting his successor on the table in the jail. We have had had ones, too; Brown, the man before Canning, was an insolent, drunken bully, and Billy the kid Cannon gained a measure of fame and gratitude by ventilating him in a saloon brawl down valley in San Pablo.

Canning, too, must have known that some day he would be thrown up against one of that San Pablo crew, incoherent, prudent as he was, the enmity, or merely displeasure, of Curley Burne or Billy Gannon, of Jack Cade or Cathoun or Pony Benner, of one of the Haggin brothers, or even of Abe McQuown himself. I wonder if, in his worst dreams, it ever occurred to him that the whole down valley gang of badmen would come in against him at once.

There is no unanimity of opinion even now amongst those of us who believe them at least to be a regrettable element in Warlock. There are those who will say that of the lot only Cade is truly "bad," and possibly Cathoun when in his cups, who will say that Luke Friendly may be something of a bully, and Pony Benner scratchy at times, but that Billy Gannon is, if you know him, a fine boy, Curley Burne a happy-go-lucky, loyal friend, and McQuown not actually an outlaw, since his forays after stock into Mexico are not really rustling.

However many good men die at their hands, or are driven out for fear of them, there will, it seems, always be their defenders to say they are only high-spirited, mischievous, fun-loving, perhaps a little careless—and even I will admit that there are likeable young fellows among them. Yet however many Saturday evenings are turned into wild carnivals of violence and bloodshed, however many cattle are rustled and stages held up, there will always be their champions to claim that they steal very little from their neighbors (I must admit, too, that Matt Burbage, whose range adjoins McQuown's, does not blame McQuown for depredations upon his stock); that they confine their rustling raids to below the border; that the stages are robbed not by them, but by lonesomers hiding out here from true-hills further east; that, indeed, matters would be much worse if it were not for Abe McQuown to keep the San Pablo hardcases in hand, and so forth and so forth. And it may be so, in part.

McQuown is an enigmatic figure, certainly. He and his father possess a range as large and fertile as that of Matt Burbage, and, it would seem, could be ranchers as eminent and respected. Certainly they seem no more prosperous, in their lawlessness. Abe McQuown is a red-bearded, lean, brooding fellow, who has about him an explosive aura of power and directionless determination. He has protruding green eyes, which, it is said, can spit fire, or freeze a man at

fifty feet; is of medium height, almost slight, with long arms, and walks with a curious, backward-leaning gait, like a young cadet, with hands resting upon his concho belt, his beard tipped down against his chest, and his green eyes darting glances right and left. Yet there is about him a certain paradoxical shyness, and a certain charm, and in conversation with the man it is difficult not to think him a fine fellow. His father, old Ike, was shot through the hips six months or so ago on a rustling expedition, is paralyzed from the hips down, and is, reportedly, a dying man. Good riddance it will be: he is unequivocally a mean and ugly old brute.

I say, Deputy Canning must have known the clash would come. In retrospect I suffer for him, and at the same time I wonder what went on in McQuown's cunning and ruthless mind. What kind of challenge to himself did he see in Canning? Merely that of one strong man as a threat to the supremacy of another? The two were, to all appearances, friendly. Certainly Canning never interfered with McQuown, or with McQuown's. He was too prudent for that. Canning was widely liked and respected, and a man as intelligent as McQuown must have had to take that into consideration, for is there a man of stature anywhere who does not wish to be the more admired? And will any such man commit a despicable act without attempting to color it in his own favor?

I will put down, then, what I think: that McQuown carefully chose the time, the place, the occasion; that this was deeply premeditated; that McQuown is not merely high-spirited, mischievous, careless, that he is not simply a spoiled and willful youth; that, further and specifically, McQuown was jealous of what his benchman Billy Cannon had won for himself by dispatching an obnoxious bully of a deputy, and sought to repeat a winning trick.

About a month ago, Canning buffaloed a young Cowboy named Harms. It was a Saturday night and Harms was in town with a month's pay, which he promptly lost over Taliaferro's faro layout. With whisky under his belt and no more money in his pocket, and so nothing to do for excitement, Harms vented his feelings by proceeding to the center of Main Street and firing off his six-shooter at the moon—for which he is not much to be blamed. Canning, however, accosted him, for which the deputy was not to be blamed either, and, at some danger to his person, grappled with Harms in order to relieve him of the offending Colt's. In the end he had to clout

the boy over the ear with the weapon to quiet him, which is acceptable practice. Canning then bore Harms off to see Judge Holloway, who presented him with a night's accommodation in the jail. Released the next morning, Harms started back down valley, but was thrown from his horse en route, was dragged, and died. No doubt his death was in good part brought about by the buffaloing he had received.

It was too bad. We felt badly, those who thought of it at all, and I am sure Canning was as sorrowful as anyone. Still, in this rough-and-tumble corner of creation, such things will happen, and are usually considered no more than too bad.

I think there is some East Indian doctrine to the effect that our fate is shaped in the most inconsequential of our acts, and so it was with poor Canning. Enter, then, a further minister of providence, a week or ten days later, in the person of Lige Harrington, a braggart, blow-hard fellow more ridiculous than dangerous, but a minor hanger-on of McQuown's. Harrington announced himself a bosom friend of Harms, and his avenger. Harrington was patently seeking to make himself a reputation at Canning's expense, and to give himself prestige among the San Fableites. Well primed with liquid courage, Harrington sought Canning's demise, but was dispatched in short order, crated, and immured upon Boot Hill.

Again, I think, no one was much concerned. This sort of asinine bravado must be the bane of any peace officer's existence. Yet I wonder if Canning did not have a fearful vision of how Right carries the seeds of Wrong within it, and Wrong its particular precariousness for a man in his position. For what are Right & Wrong in the end, but opinion held to? Certainly there were men who said that Canning had murdered the unfortunate Harms, and so had murdered Harrington his avenger, bad rubbish or not. Is not the semblance of guilt, however slight the tinge, already a corruption?

And I wonder if Canning did not feel the web beginning to encase him and the red spider gently shaking the strands. For soon rumors started. Canning had better get out of town. The threat was nameless at first, but after a time it was joined with McQuown's name. What other name would do?

I had heard rumors of impending trouble between Canning and McQuown, and dismissed them as idle gossip. At some point, I cannot say when, I realized they were not; I realized it as Warlock itself did, with a jerk to deadly anxiety as of a rope pulled suddenly tight and singing with strain. I

have said that Canning was a prudent man. Had he been prudent enough he would have left town as soon as these rumors started, while still he could have done so without too great a loss of face. Yet he had come too far along the course. He had his own reputation as man and gunman now. He was caught in his own web as well as in McQuown's. He did not get out in time, and McQuown came in from San Pablo day before yesterday with all his men.

They hurrahed the town that night. Not so wildly, though, as to be much out of the ordinary, and I see that, too, as coming upon McQuown's part: there was cause, but perhaps not urgent or completely justifiable cause (by our standards!), for Deputy Canning to step in. But Canning made no trouble; we did not see him abroad that night.

By then, however, the handwriting was etched upon the wall for all to see, and early yesterday men were loitering in the street, and Canning was early at the jail. I watched from my window as avidly as the rest of Warlock, in that crackling deadly tension, waiting for the trouble to start.

It was noon before McQuown came down the center of Main Street in his shining sugar-loaf hat and his buckskin shirt, stepping with disdain through the powdery dust. He fired into the air and shouted his taunts, such as, "Come out into the street, for you have murdered too many good men!" etc. Canning came out of the jail and I retreated--no more cowardly, I say in defense of myself, than any other citizen of Warlock--from my store to my rooms upstairs where I could watch from a more protected cove of vantage. There I watched Canning advance unfalteringly down the street toward McQuown. Once he looked back, and I saw behind him, almost hidden in the shadows under the arcade--two men. One from his short stature I knew to be Pony Beamer, the other I have heard since was Jack Cade, both benchmen of McQuown's.

Canning came on still, but a few yards more and his steps slowed. They quickened again, but not with courage. He ran down Southend Street and got his horse from the Skinner Bros. Acme Corral, and fled Warlock.

My eyes smarted with rage and shame that there was not a man in Warlock to get out in the street with a Winchester and face down those devils behind him, and to see McQuown tip his white hat back on his head and laugh, as though he had won a trick at cards. My eyes smart still.

Last night honest men barricaded their doors, and no lights were left burning for fear they would be shot at. The Cowboys roamed the street and quarreled, and loudly joked, and shot at the moon to their hearts' content. They only quieted, like stallions, when they trooped off to the French Palace and the cribs along Peach Street. After a brief respite their unholy din began again, and lasted until morning, when the wagons that transport the miners out to the mines were held up, and the mules set loose and chased out of town. The doctor's buggy was commandeered and put to a wild race down Main Street against the water wagon, and many other pranks were played. Before noon they had departed for San Pablo with much hilarity, leaving our poor barber dying at the General Peach with a bullet through his lungs. Pony Benner shot him, evidently because he cut Pony's cheek while shaving him.

So the wild boys have had their fun, and played their mischievous games, driving a good man from this town, and murdering a poor, harmless fellow whose razor slipped because he was deadly afraid.

I think we would have done nothing about Canning, for his shame was ours. McQuown must know our cowardice well, and count on it, and despise us for it. So he should, and so should we despise ourselves. Yet, as with Canning, an inconsequential act may have set in train forces of adversity against McQuown. Our little barber's death has caused a congealing of feeling and determination here such as I have never seen before. If we cannot give voice to our indignation over Canning's shame, since it is too much our own, we can cry out in righteous wrath against the murder of the barber.

The Citizens' Committee meets tonight, called upon to defend Warlock's Peace & Safety, not righteously, only sensibly, for as this town is affected adversely by anarchy, violence, and murder, so are we, its merchants. Furthermore, Warlock has no other possible protector. It is to be hoped that the Citizens' Committee can, on this occasion, pull itself together and gain for itself, at last, the name of action.

The original organization, from which the Citizens' Committee sprang, was perhaps more fittingly titled the Merchants of Warlock Committee, including Dr. Wagner in his capacity as proprietor of the Assay Office, Miss Jessie in hers as boardinghouse mistress, and the judge as the operator of a

commercial enterprise in his judgeship.* Some time ago, however, when it became obvious that the granting of a town patent, and so of some measure of government, to Warlock, was not imminent, it was resolved that the original committee be expanded into something more. Since we were the only organization that existed, except for the Mine Superintendents Assn., we, the merchants, seemed the ones to initiate some sort of pro-tem governing assembly.

The old town-meeting style of government was immediately proposed. The suggestion was met with high democratic enthusiasm, which, however, waned rapidly. I, who made this proposal myself, immediately came to regard it as patently unworkable here, in a place where passions in all things run high, and men go armed as they wear hats against the sun, and where such a large proportion of the inhabitants is of the ignorant and unwashed class, if not actual renegades from the law elsewhere.

There are, for instance, the miners, the bulk of the town's population. Are they intelligent and responsible enough to be entrusted with the vote? They are not, we feel, perhaps a little guiltily. Then there are the brothel, gambling, and saloon interests; it is true that Taliaferro and Hake belonged to the Merchants Committee, but could we afford to give them and their disreputable employees proportionate power over the decent citizenry? The question also arose as to how extensive the city-state should be. If it were to include ranchers from the San Pablo valley, what of such as Abe McQuown, not to speak of the Haggins, Cade, and Earnshaw; all of them landholders at least in a small way, and at the same time Warlock's seourges?

Our projected state was thus gradually whittled down, to become a kind of club restricted to the decent people, the right-thinking people, the better class of citizens; became, ultimately, restricted to the merchants of Warlock—ourselves;

* The Citizens' Committee at this time consisted of the following members: Dr. Wagner, Miss Jessie Marlow, Judge Holloway, Goodpasture (the General Store), Petrix (Warlock and Western Bank), Shivas (the Warlock Stage Co.), Pike Skinner (the Acme Corral), Hart, Winters (Hart and Winters Gunshop), MacDonald, Godbold (superintendents, respectively, of the Mercur and Sister Tom mines), Egan (the Feed and Grain Barn), Brown (the Billiard Parlor), Pugh (Western Star Hotel), Kenyon (Kenyon's Livery Stable), Folke (Frontier Fast Freight), Swartz (the Reston Cafe), Robinson (lumber yard, carpenter shop, and Bowen's Sawmill), Hake (the Glass Shop), and Taliaferro (owner of the Lucky Dollar and the French Palace).

with a few additions, for Warlock had grown meanwhile; and a new name: The Citizens' Committee of Warlock. Now we must act, or abandon all claim to that name.

The situation is indeed fantastic. Keller* never appears here. We are none of his concern, he says firmly. When given argument by various volunteers passing through Bright's City, or by any of the numerous subcommittees that have been assigned to plead with him and General Peach† himself on the subject of law enforcement here, Keller gives it as his opinion that the country beyond the Bucksaws is not properly Bright's County at all, and that General Peach and his aides are presently working on boundaries of the new county, which will soon be established. Warlock will then be given a town patent, and will, of course, be the county seat. This will be any day, he says; any day, he repeats, and again repeats—but it has not been yet. Keller points out, when badgered further, that he did not campaign for our votes when running for his office, and promised us nothing, which is true; and that he has given us deputies, when they could be hired, which also is true enough.

Despairing, consequently, of aid from above, savaged beyond patience by McQuown and his San Pablo crew, some of us of the Citizens' Committee have decided that we must put it strongly in meeting tonight that our only solution is to hire a Peace Officer on a commercial basis. This is common enough practice, and there are a number of renowned gunmen available for such positions if the pay is high enough. They are hired by groups such as we are, or by town councils in luckier and more legitimate localities, and paid either a monthly fee or on a bounty system.

Something must be done, and there is no one to do it but the Citizens' Committee. It will be seen tonight whether the determined among us outnumber the timid. I think not a man of us has not been badly frightened by Canning's flight, and fear can engender its own determination.

August 26, 1880

At last, it seems, Something Has Been Done. The meeting last night was quiet and brief; we were of one mind.

* Sheriff Keller of Bright's County.

† General G. O. Peach, the military governor in Bright's City.

except for Judge Holloway. We have sent for a man, a Marshal, and have obliged ourselves to open our pocketbooks in order to offer him a very large sum of money monthly. He is Clay Blaisedell, at present Marshal in Fort James. I know little of his deeds, except that it was he who shot the Texas badman, Big Ben Nicholson, and that his name at present is renowned—names such as his flash up meteor-like from time to time, attaching to themselves all manner of wild tales of courage and prowess.

We have made him a peerless offer, for what we hope will be a peerless man. Such, at least, is our prospective Marshal's reputation, that he was one of the five famous law officers to whom Caleb Bane, the writer, recently presented braces of gold-handled Colt's Frontier Models, as being most eminent in their field, and so, no doubt, most lucrative to Bane as a chronicler of deeds of derring-do. A fine act of gratitude on Bane's part, certainly, although it is cynically rumored that he asked for their own many-notched pacifiers in return, and from the sale of these to collectors of such grim mementoes realized a very tidy profit on the transaction.

So Clay Blaisedell has been sent for—not to be Marshal of Warlock, for there is no such place, and no such position, legally; but to be Marshal acting for the Citizens' Committee of an official limbo.* This is our third, and most presumptuous, action as the government-by-default of this place—the local government "on acceptance," a term Judge Holloway often uses to refer to himself as a judge, who has no legal status either. Our first act was to build Warlock's little jail by subscription among ourselves, in the hope that the presence of such a structure might have a steadying influence upon the populace. It has had no such effect, although it has proved useful on at least two occasions as a fortress in which deputies were able to seek refuge from murderously-inclined miscreants. Our second was to purchase a pumping wagon, and to

* Warlock's situation was much as Goodpasture has described it. General Peach was a notoriously inept administrator, sulking because he felt his fame and services to the nation justified a more exalted position than military governor of the territory. Despite repeated pleas and demands, no town patent had been issued Warlock, which had a population almost as large as that of Brigham's City, both the county seat and territorial capital, and the rumor was so strong that the western half of Brigham's County was to be turned into a new county, that Sheriff Keller was able to ignore almost completely, and evidently thankfully, the Warlock and San Pablo Valley area. There was, however, provision for a deputy sheriff in Warlock.

guarantee a part of the salary of Peter Bacon as jointly the driver of Kennon's water wagon and as Fireman in Chief. Taxes are no less painful under another guise.

I write with levity of what have been serious decisions for small men to make, but I am elated and hopeful, and the members of the Citizens' Committee, if I am representative, feel a great pride in having overcome our fears of offending the Cowboys, and our natural reluctance to part with any of the profits we extract from them, from the miners, and from each other, and at last having made an attempt to hire ourselves a Man. It will be the luck of the camp to have its savior ventilated by road agents en route, and arrive here boots before hardware.

He is to be hired, as we said last night, to enforce Law & Order in Warlock. He is actually to be hired, as no one said aloud, against the San Pabloites. What one man is to do against the legion of wild Cowboys of McQuown's kin or persuasion, we have, of course, asked ourselves. The question being unanswerable, like sensible men we have stopped asking it. We do not demand Law & Order so much as Peace & Safety, and a town in which men can go about their affairs without the fear of being shot down by an errant bullet from a gun battle no concern of theirs, or of incurring in a trifling manner the murderous distlike of some drunken Cowboy. Warlock's Marshal will have to be a Warlock indeed.*

It is not known when Blaisedell will arrive here, if he accepts our offer, which we are certain he will. At any rate we pray he will. He is our hope now. I think we must have, in him, not so much a man of pure, daredevil courage, but a

* The town took its name from the Warlock mine, which was inoperative by this time. One story of the naming of the Warlock mine is as follows: Richelin, who made the silver strike, had been prospecting in the Bucknaws under exceedingly dangerous conditions. The inhabitants of Bright's City, to which he returned from time to time for supplies and with specimens for assay, viewed him as mad, and his continued existence, in close proximity to Espirito's band of marauding Apaches, as miraculous. On the occasion of his actual strike, he had, on his journey into Bright's City, an encounter with some Apaches in which his burro was killed. He managed to reach town, however, and, when news of his escape was heard, someone remarked to him that he must have flown back riding the handle of his shovel like a witch. Richelin is supposed to have made an obscene gesture in reply to this, and cried, "Wholock, damn you!" Be that as it may, he named his first mine the Warlock, his second the Medusa. The Warlock, after producing over a million dollars' worth of ore, played out, and was closed down in 1878, shortly after the Porphyryon & Western Mining Company had purchased Richelin's holdings.

man who can impart courage to this town, which is, in the end, no more than the sum of every one of us.

September 1, 1880

Evidently Canning managed to pass on some of his limited portion. Carl Schroeder, who was, I understand, Canning's closest friend, has given up his position as shotgun messenger for Buck Slavin's stage line, to undertake the post of deputy here at one-third the pay. He is a fool. God protect such fools, for we will not.

September 8, 1880

Blaisedell has accepted our offer! He will be here in about six weeks. This delay is unfortunate, but presumably Fort James must be possessed of a suitable substitute before he departs. On the other hand, McQuown and his gang are reported in Mexico on a rustling expedition, so Warlock may still be inhabited when our new Marshal arrives.

September 21, 1880

A gambler named Morgan has arrived, and purchased the Glass Slipper from Bill Hake, who has departed for California. The new proprietor of Warlock's oldest gambling and drinking establishment has brought with him two attendants; a huge, wall-eyed fellow who serves as lookout and general factotum; and a tiny, bright, birdlike man of whose function I was uncertain until it developed that Morgan had imported for his shabby and run-down establishment (besides a fine chandelier, which much enhances the interior of the Glass Slipper), a piano, and the Little Man is its "professor." It is Warlock's first such instrument, and the music issuing from the saloon is a wonder and joy to Warlock, and a despair to Taliaferro and the Lucky Dollar. It is rumored that Taliaferro will now bring in a piano himself, either for the Lucky Dollar or the French Palace on the Row, to meet the competition.

Morgan is a handsome, prematurely gray fellow, of a sardonic aspect and reserved nature. His deportment, as a newcomer, has been subject to much comment, and his manner with his customers seems bad business practice, in a

place where men are apt to be friends or enemies. But his "professor's" music remains much admired.

October 11, 1880

McQuown and several of his comrades have been back in town twice now—not including Benner, the barber-killer. They have been very much on their good behavior, as though ashamed of their last excesses here, and aware of the hostile attitude toward them that now generally obtains. Or else McQuown may be aware that we have hired a Nemesis.



Gannon Comes Back

Warlock lay on a flat, white alkali step, half encircled by the Bucksaw Mountains to the east, beneath a metallic sky. With the afternoon sun slanting down on it from over the distant peaks of the Dinosaurs, the adobe and weathered plank-and-batten, false-fronted buildings were smoothly glazed with yellow light, and sharp-cut black shadows lay like pits in the angles out of the sun.

The heat of the sun was like a blanket; it had dimension and weight. The town was dust- and heat-hazed, blurred out of focus. A water wagon with a round, rust-red tank moved slowly along Main Street, spraying water in a narrow, shining strip behind it. But Warlock's dust was laid only briefly. Soon again it was churned as light as air by iron-bound wheels, by hoofs and bootheels. The dust rose and hung in the air and drifted down in a continuous fall, onto the jail and Goozpasture's General Store, onto the Lucky Dollar and the Glass Slipper and the smaller saloons, onto the Billiard Parlor, the Western Star Hotel, the Boston Café and the Warlock and Western

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