

Boundary Markers

A Novel

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The Boundary Markers

Chapter One — The Finding

Scene One — Before Dawn

The cold came through the adobe walls the way it always came in January — not in a rush but in the slow persistent way of something that had all night and knew it.

Cole woke at four-thirty.

He lay still for a moment in the dark with the wool blanket Margaret had chosen in 1888 pulled to his chin and his breath making a small cloud above his face. The iron bed frame ticked once as the temperature continued its descent. He had been waking at four-thirty for fifty years and his body had stopped needing to be told.

He dressed in the dark.

Long underwear first, the wool shirt with the frayed left cuff he kept meaning to repair, the canvas pants worn pale at the knees from kneeling at boundary markers in cold ground. His socks were on the chair where he put them every night within reach of the bed because at sixty-five a man who had to fumble for his socks in the dark was a man who would wake cold and stay cold. Boots last — resoled twice, the leather shaped by twenty years of his particular way of walking, the left heel worn more than the right in the specific way that told a man something about how he had been carrying himself for twenty years.

He went to the kitchen.

The stove first — always the stove first, the specific sequence of a man who had learned that the kitchen was uninhabitable until the stove was lit and that the stove required his attention before anything else

required his attention. He opened the firebox. Last night's coals still held a thread of orange at their center. He added kindling, then two pieces of piñon from the box beside the stove, and held the box's lid open until the kindling caught.

He filled the coffee pot from the bucket on the counter and set it on the stove.

He stood at the east window while the kitchen warmed.

The Sangre de Cristos were invisible. The sky above them was the specific blue-black of January predawn at altitude — not dark exactly, the darkness that contained the promise of the coming light in the way that a held breath contained the promise of its release. The mountains would emerge from it, as they always did, going from invisible to suggested to present as the light built behind them.

He had been watching this sequence from this window for forty-four years.

The coffee pot began to tick.

He poured a cup and stood with it and watched the mountains begin to come forward out of the dark.

He was going to ride to Rafael's place this morning.

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Scene Two — The Barn

The barn smelled the way it always smelled in January — the specific warm layering of hay and horse and the deeper smell of large animals enclosed, the smell that had been part of every morning since he was nine years old on the Vega ranch and had never stopped being the smell of the beginning of the day's work.

The nine-year-old horse was in the third stall.

A bay gelding, fifteen hands, unnamed in the way Cole did not name horses — not coldness but a learned practical superstition, the specific superstition of a man who had watched enough named things

die to understand that naming was its own kind of attachment and attachment had a cost. The horse had been with him since it was a yearling. It knew him in the way working animals knew the people they worked with — not affection exactly, recognition, the specific recognition of a creature who understood that this particular human meant particular things in a particular order.

The horse's ears were at rest. It was eating from the hay net, unhurried, not watching the door. Cole read this — the position of the ears, the quality of the animal's attention — with the automatic assessment of a man who had been reading horses for fifty years. A horse that did not watch the door when it heard a familiar footstep was a horse with nothing to report about the morning.

He lifted the saddle blanket from the rail and placed it two fingers back from the withers, settling it with the flat of his hand. The saddle he lifted with the specific effort of a sixty-five-year-old man lifting thirty pounds at shoulder height — not a struggle, an effort, the difference being that effort was managed and struggle was not. The cinch he tightened in two stages. The horse drew a breath against the first tightening, an old habit, and Cole waited it out and tightened again.

He warmed the bit in his hand before he put it in the horse's mouth.

He had been doing this since he was fourteen and had never stopped doing it because a cold bit in a horse's mouth on a January morning was an unnecessary unkindness and unnecessary unkindness was a category Cole had been editing out of his life for fifty years.

He led the horse out of the barn into the yard.

The frozen ground received the iron shoes with the specific sound of that particular contact — not loud, not sharp, the sound of something solid meeting something solid in the cold, the specific percussion of January mornings on this yard that he had been hearing for forty-four years and would know in his sleep.

His breath and the horse's breath made small clouds in the darkness.

He checked the cinch. He put his left hand on the horn.

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Scene Three — The Ride To Rafael's

The road between Cole's place and Rafael's ran a quarter mile south through open range that his father had surveyed in 1854 and that Cole had been riding across since before he bought this land in 1868. He knew every foot of it in every season and in every quality of light including no light at all, which was what he had as he left the yard at five in the morning with the mountains east still invisible and the valley floor still deep in its overnight dark.

The boundary markers were visible.

Not clearly — as shapes, darker against the grey ground, the specific shapes of granite stones placed by a surveyor's hand in 1854 in the specific positions that established the relationship between this piece of land and every piece of land adjacent to it. He read them as he passed without stopping, the way he read everything at a distance — the automatic reading of a man who had been reading these particular stones for fifty-eight years and did not need to stop to know what they said.

The sky to the east had gone from blue-black to grey. The mountains were beginning to declare themselves — first as a darker mass against the grey, then as a specific shape, the ridgeline going from suggested to actual as the light built behind it.

He felt the cold in his hands inside the gloves. In his lower back the specific ache that January mornings produced, the ache that had been arriving earlier each year since he turned sixty and that he managed by shifting his weight in the saddle at regular intervals. In his knees when the horse's gait required adjustment. These were the body's honest reports and he received them as he received all honest reports — noting them, accounting for them, not altering the plan because of them.

Rafael's house came into view.

It was the house Rafael and Pilar had built together in 1908, four years married. Adobe, well-proportioned, the walls thick enough to hold heat and the roof sound enough to hold snow. Rafael had asked Cole's

opinion at each stage of the construction and Cole had given it and Rafael had followed the advice on the structural questions and made his own decisions on the aesthetic ones, which was the correct distribution of a son's deference to his father and Cole had known it and approved of it.

The small barn behind the house. The garden plot along the south wall, bare now in January. The gate in the fence that Rafael had built the summer of the house's completion, the wooden gate with the iron latch of Cole's making.

Something was wrong.

Cole did not slow. He read it the way he read everything that was wrong before he could name it — in the register, not the content. Not in any specific thing but in the relationship between things, the specific absence of what should have been there: smoke from the chimney.

January. Six in the morning. A house with a wife and two young children inside.

No smoke.

The horse's ears came forward.

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Scene Four — The Finding

He dismounted at the gate.

The latch was cold under his fingers — the same iron he had made for Rafael, the same specific shape his hand had closed around to test the fit when he brought it over in the summer of 1908. He looped the reins around the gate post and stood for a moment with his hand on the post and read the yard.

The horse stood with its head up. Its nostrils worked at something in the air that Cole could not smell yet.

The gate swung open on its leather hinges. He went through.

The door of the house was open.

Not ajar — open, held wide by the cold the way a door held wide by the cold was held, swung to the degree the hinge allowed and resting there. The interior was dark. The cold inside was continuous with the cold outside, the fire out long enough that the house had equalized with the January morning.

Cole stood in the doorway.

He did not call out.

He let his eyes adjust to the interior and read what was visible from the threshold before he entered, because reading from the threshold was what the past fifty years of arriving at scenes had taught him to do, because the threshold was where you could still see clearly, before the immediate press of being inside a thing changed how you saw.

The kitchen table. The supper dishes still on it. Two plates and two cups and one small plate, the small plate with the blue painted rim that Pilar had bought at the market in Santa Fe the previous spring. The candle on the table burned to nothing. The chair nearest the door on its side.

He went in.

He found Rafael in the kitchen.

He found Pilar in the doorway to the sleeping room.

He found Tomás and Ana in the sleeping room, in their bed, under the blanket Pilar's mother had made for them, the blanket Pilar had written home about in the letter Cole had read at Christmas.

He read each room with the specific professional attention that was the only attention available to him in those minutes — the attention of a man reading a scene for what it contained, the sequence of it, the time of it, who was where and how the furniture had moved and what was not where it should have been.

Rafael's saddlebag was not on its hook by the door.

The hook was empty. The saddlebag was always on that hook when Rafael was home. Cole had seen it there three days ago when he had come for supper on Tuesday evening, the saddlebag on the hook with the documents inside that Rafael had spread on the kitchen table and

explained while Pilar put food in front of them both and the children slept.

The hook was empty.

Cole stood in Rafael's kitchen for a time that he did not measure.

Then he went out.

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Scene Five — The Grief

He stood at the gate with his hand on the horse's neck.

The horse did not move. It stood with its head up and its ears forward and received Cole's hand on its neck without comment, the specific stillness of an animal that did not know what had happened inside the house but knew that something had happened and that its job was to be still.

The sun had cleared the mountains.

The valley was in full January light — the flat cold light of a high desert morning in the first week of the new year, the light that illuminated everything and softened nothing, the light that showed the irrigation channels in Rafael's south field and the boundary marker at the field's east end and the mountains above and the sky above the mountains going from pale gold to the specific deep blue of high desert winter sky.

Cole's hand on the horse's neck.

The warmth of it — the specific warmth of a living animal, the heat that a large body generated and that came up through the short winter coat and into Cole's palm through the glove.

He stood there.

He thought about the saddlebag.

Rafael had shown him what was in it three days ago. Had spread the documents on the kitchen table and explained what he had found and what it meant while Pilar set bowls of posole in front of them and Ana

came out in her nightgown to say she could not sleep and Pilar carried her back and Rafael kept talking with the specific focused energy of a young man who had found something important and needed to say it out loud to understand it completely.

The 1854 survey methodology. Cole's father's work. The chain of marker references that connected every Spanish land grant in the valley to every other through a system that made each grant's validity dependent on and confirmed by every adjacent grant's validity.

Rafael had understood it.

Rafael had been taking it to the families.

Cole took the coin from his pocket.

He held it in his gloved hand. The eagle on the reverse barely visible through the wool. The weight of it — unchanged in fifty-six years of being carried, unchanged since his father's hand held it last in 1856 before he rode out and did not come back.

He put the coin back.

He untied the horse from the gate post.

He mounted — the left hand on the horn, the left foot in the stirrup, the push and swing and settle, the adjustment of weight that fifty years of mounting horses had made automatic.

He sat on the horse for a moment.

He looked at the house.

He looked at the chimney, cold.

He looked at the south field with its irrigation channels and the boundary marker at the east end.

He reined the horse north toward the Montoya place.

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Scene Six — He Rides For The Nearest Neighbor. He Does Not Stop Working.

The Montoya ranch was half a mile north.

He rode at a walk. The horse moved with the specific careful pace of a working animal on frozen ground in the early morning, placing each hoof deliberately, reading the surface through its feet in the way that horses read surfaces.

The Montoya place came into view — the main house, the barn, the outbuildings, the smoke from the kitchen chimney going straight up in the still air.

Esteban Montoya was eighty-two years old and sat in a chair by the south window of his kitchen every morning from first light until his son's family came to breakfast. Cole had known this for thirty years and he knew it now and he rode directly to the kitchen door.

He dismounted.

He knocked.

The old man's son opened the door — fifty, with his father's face at a younger age, the face of a family that had been on this land for a hundred years.

Cole told him.

He told it in the specific economy of fact that was the only economy available — the words required to convey what he had found and nothing beyond those words. He had learned this economy in 1865 and had never unlearned it because there was no better way to deliver a thing that had to be delivered.

The son's face while Cole spoke.

Cole did not look at the son's face. He looked at the kitchen wall behind the son's head and delivered the information and when he was finished he looked at the son.

The son said he would send his boy to Santa Fe for the marshal.

Cole said: before he goes, I need to speak to your father.

He was shown in.

The old man in his chair by the south window — eighty-two years old, the face of a man who had been watching this valley from this chair for twenty years and had watched it before he had the chair, had

watched it as a boy and a young man and a middle-aged man and an old man and was watching it still.

Cole sat across from him.

He said: I need to talk to you about 1854.

The old man looked at him.

He said: I have been thinking about 1854 since your boy started coming around asking about the markers.

Cole said: tell me what you remember.

The old man began to talk.

Cole listened the way he listened to everything that mattered — completely, letting the words go in without trying to hold them, trusting the holding to happen on its own if the listening was complete enough.

When the old man finished Cole said: I need to come back tomorrow morning. Early.

The old man said: I will be in this chair.

Cole stood.

He went out.

He mounted the horse.

He turned the horse south, away from the Montoya place, toward the Garza ranch twelve miles down the valley. The family with six days on their clock. The most urgent family.

He rode.

The January morning was fully established now — the cold and the light and the specific clarity of a high desert day in the first weeks of the year, every edge sharp, every shadow exact, everything showing itself without softening.

He rode toward the Garza ranch.

He rode because riding was what was left and what was left was the work and the work was what Rafael had been doing when Cord intercepted him and the work was the only answer that existed for what had happened in that house.

He rode.

Six days.

The Boundary Markers

Chapter Two — The Work

Scene One — The Garza Place

The Garza ranch sat at the south end of the valley where the land opened into the widest section of the bottomland — a hundred and twenty acres of the best agricultural ground in the territory, the kind of land that men in suits in Santa Fe had been looking at for three years and calculating.

Elena Garza met him at the door.

She was forty, with the capable directness of a woman who had been managing her family's affairs since her father died five years ago — not the management of someone who had been given the job by default, the management of someone who had been doing it in practice long before it became official. She had been fighting Flood's title challenge for three weeks. She was not a woman who waited for things to resolve.

She had heard about Rafael.

Word traveled the valley the way word had always traveled the valley — rider to rider, ranch to ranch, the specific speed of a community that understood what its own news meant. She had heard before Cole arrived. She received him at the door with the specific quality of a person who has heard news and is managing what the news requires of them.

She said: I am sorry about your son.

He said: show me what Flood filed.

She brought it to the kitchen table.

Eight pages, legal paper, the language precise in the way that the language of a man who had been filing these documents for eighteen months was precise — refined to its most efficient form, no word that did not carry weight, no sentence that opened a door that Flood had not chosen to open.

Cole read it the way he read the filing in Visalia thirty years ago — not the content first, the register. The specific quality of the language, the precision level, the word choices that told him something about the man who had written it.

He read it in eleven minutes.

He set it down.

He said: your 1851 commission confirmation document.

She produced it from a folder on the kitchen counter.

He read it beside the filing.

He said: your boundary markers. The physical markers your grandfather placed when the federal survey confirmed the grant. Are they intact.

She said: we think so. We have not walked them since the challenge was filed.

He said: take me to the south marker.

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Scene Two — The South Marker

They rode to the south boundary — Cole, Elena, and the youngest of her brothers, twenty-two years old with his mother's eyes and his grandfather's way of moving through the land he had worked since he was old enough to work.

The south boundary of the Garza grant ran along a dry arroyo that carried water in the spring and was bone-dry in January, the specific terrain of the high desert valley floor in winter — the frozen caliche soil, the dry arroyos with their cut banks, the specific quality of land that

looked inhospitable in January and produced abundantly in the growing months.

Cole dismounted at the arroyo's south bank.

He went to the marker on foot — a piece of local granite, not decorative, placed with the specific functional intention of a man who was marking a legal boundary and wanted the mark to be legible to the next man who needed to read it. Two feet high, roughly shaped, the kind of stone a good surveyor selected for durability and visibility rather than elegance.

He kneeled.

The frozen earth against his knees through the canvas of his pants. The cold coming up through the ground into the joint. He had been kneeling at boundary markers in cold ground since he was seven years old following his father through the valley and the cold ground had never changed its character.

He put his hands on the stone.

He ran his fingers along the north face — not looking, feeling, because in January light at this angle the notation was better read by touch than sight.

He found it.

Two cuts on the stone's north face. The first horizontal, made with the specific tool his father carried, a cold chisel with a shaped blade. The second at an angle to the first, the angle specific — not arbitrary, encoding information in the relationship between the two cuts the way his father had designed the system to encode information.

And a number.

Cut below the two directional marks, small but clear, the specific numerals of a man who understood that numbers left in stone were numbers that needed to be readable by someone who had not made them.

Cole read the number.

He stood.

The standing from kneeling: the specific effort of a sixty-five-year-old body rising from the ground in January cold, the knees, the lower back, the hands pressing against the ground for the first few inches of the rise. He did not hurry the standing. Hurrying would have been fighting the body's honest report, and fighting the body's honest report at sixty-five was how a man hurt himself.

He stood.

He said to Elena: your marker is intact. The notation is my father's. The number is the chain reference.

She said: what does the chain reference mean.

He said: it is the address of the adjacent marker. The Montoya north marker, which connects to the Reyes east marker, which connects back to you. Your grandfather's documentation is not insufficient individually. It is part of a connected system. Proving one proves all.

He looked at the youngest brother.

The young man was looking at the stone. Not at Cole — at the stone, at the two cuts his great-grandfather's surveyor had made in January 1854 when the young man's great-grandfather was watching.

He said: my grandfather planted this marker.

Cole said: yes. With my father standing beside him.

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Scene Three — Five Families

They were riding back toward the ranch house when Elena told him.

She told it flatly, in the specific economy of a woman who had been managing difficult information for three weeks and had learned to deliver it without the weight of her own response to it coloring the delivery.

Five families had already lost their land.

She named them: the Padillas, the Romeros, the Vigils, the Cruzes, the Herreras of the south section — not the Herreras Cole had helped

three days ago, a different branch of the family from farther south. Each one a specific name he knew, each one land he had ridden across or worked adjacent to or known in the valley's particular way of knowing.

The Padilla land: fifty acres of bottomland, the best of the five, the specific land with the cottonwood trees along the creek that Ernesto Padilla had planted in 1880.

The Cruz land: twenty-three acres, the land with the spring-fed stock pond, the land that Alicia Cruz's husband had died working in 1902.

Cole listened to the names.

He thought about Rafael's saddlebag.

Three days ago Rafael had spread the documents on the kitchen table and talked about the methodology while Pilar put posole in front of them. He had talked about the families he had reached and the families he had not reached yet. He had talked about the Padillas with the specific urgency of a man who understood that time was the variable and that he was losing the race against time with some families while winning it with others.

He had talked about the Padillas and the Romeros in the same breath — two families he had been trying to reach for two weeks.

Their windows had expired before he reached them.

Cole said: how many of the challenged families are still active. Still fighting.

She said: eleven that she knew of. The others had either accepted Flood's offer or stopped responding to the challenge process, which amounted to the same thing.

He said: I need to ride to all eleven today.

She said: there are eleven ranches scattered across thirty miles of valley.

He said: I know where they are.

He did know. He had known this valley for fifty-eight years. He knew where every ranch sat in relation to every other ranch and the most

efficient route between any two points in the valley the way he knew the most efficient route between any two points in a piece of country he had been reading for fifty years — not consciously, the knowledge was simply there, installed by fifty years of riding this specific terrain.

He mounted.

He rode south toward the first of the eleven.

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Scene Four — Flood's Operation

He was riding between the third and fourth ranch of the day, the January afternoon light going flat, when he thought about Flood with the full specific attention the situation required.

Not with anger — with the professional attention of a man who had been studying how this kind of operation worked since he was eighteen years old, the attention that distinguished a man who understood his opposition from a man who was merely angry at it.

Forty-seven challenges filed in eighteen months. The staggered timing — three or four at a time, the thirty-day windows expiring at different intervals so that no single week produced more than two or three simultaneous crises. A man who understood capacity. A man who understood that flooding the zone produced a coordinated response and that staggering the challenges prevented coordination.

The legal language of the challenges: the same structure in every filing, customized in the specific deficiency alleged against each specific family. This meant Flood had reviewed every family's documentation before filing. The documentation was in the county records office in Santa Fe. He had spent months in the county records office reviewing Spanish land grant family filings before statehood, mapping the specific gap in each family's documentation with the specific intention of using each gap as the basis for a precisely targeted challenge.

This was not crime.

This was preparation.

Seven years of preparation. Flood had come to New Mexico in 1905 specifically because he had read the political calendar and understood that statehood was arriving and that the statehood transition would produce the largest land title opportunity the territory had ever seen. He had spent seven years learning the territory's land law, building relationships in the legal community, reviewing the county records, filing the challenges at the precise moment the new state's documentation requirements gave him the legal mechanism to file them.

Cole thought: the document Rafael had would not have appeared in the county records. His father had kept his personal survey records separate from the federal archive filing. The personal records had passed to Cole in 1856 and from Cole to Rafael in 1905. They had never been filed publicly.

Flood had reviewed the county records and found no evidence of the connected survey methodology because the document that established the connection had never been filed publicly.

Rafael had found it in Cole's cedar chest and understood what it meant.

This was why Cord was sent to stop Rafael.

Not because Flood understood what Rafael had. Because Rafael had been walking the boundary markers for six months and something about what Rafael was building had registered as a threat. Flood had sent Cord to monitor and then to stop. Cord had stopped.

Cole shifted his weight in the saddle.

The lower back ache was present. He noted it and shifted and rode on.

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Scene Five — The Body's Report

Evening. Cole riding back toward his ranch after the eleventh ranch of the day.

The horse was tired in the specific way of an animal that had done a full day's work and was ready to be done — the stride reduced from its morning length, the head carried a few inches lower than its working position, the specific reduced energy of a horse that was still moving because it was asked to move but was not moving with the eagerness of the morning's start.

Cole was tired in the specific way of a sixty-five-year-old body at the end of a day that had begun at four-thirty in the morning and included forty miles of riding and eleven ranches and the kneeling at nine different boundary markers in nine different conditions of frozen ground.

The lower back: the ache that had been building since noon, now fully established, the specific deep ache of the muscles alongside the spine that held a rider in position through a long day and that took their toll at the end of it. Manageable. Not sharp — the long dull honest ache of overwork rather than injury.

His hands: cold inside the gloves, the cold that had gotten into the knuckle joints at the second marker and had not left, the specific cold of old joints in January that gloves addressed but did not resolve.

His eyes: the specific tiredness of eyes that had been reading land for forty miles through January light, doing the work of reading that land required at the level of attention land required.

He noted these reports.

He did not change the plan because of them.

He had been receiving these reports from his body for fifteen years — since the body had begun to provide them at sixty, since the honest accounting of what the day's work cost had started to arrive before the day was over rather than in the morning's first stiffness. He received them the way he received all honest reports. He accounted for them in his planning. He did not stop the work because of them.

He was riding past the turnoff to the original ranch house when he pulled up.

The 1799 building sat in the northeast corner of his land, visible from the road in the evening light — the adobe walls that had been standing for a hundred and thirteen years, the locked door, the specific presence of the oldest building on this land.

He thought about the vault.

Rafael had known about the vault. Cole had told him the story of 1865 the way his father had told him about survey methodology — completely, trusting the telling to become the knowing, trusting that a son who understood the story would understand everything the story contained.

Rafael had understood everything the story contained.

Cole dismounted.

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Scene Six — He Goes To The Vault.

He tied the horse to the fence post beside the original ranch house.

The horse dropped its head immediately. Not performing exhaustion — reporting it, the specific honest posture of a working animal that had done what was asked and was ready to rest.

Cole went to the door.

The Spanish iron lock from 1799 — the same lock, the same mechanism, the key on the ring with Cole's house key that had been on this ring for forty years. The lock turned with the specific resistance of old iron in cold weather, requiring more force than it required in summer, the cold having contracted the metal in the way cold contracted metal.

He went in.

The interior: the smell of old adobe and cold air and the specific dry mineral smell of a space that had been sealed for most of its hundred and

thirteen years. He lit the lantern — the small lantern from the barn, the one he had been carrying since before dawn, the wick trimmed to give enough light for close work without burning long enough to waste oil.

The northeast corner.

The flagstone — the third from the north wall in the center row. He had last lifted this stone in 1865. He had been fourteen years old and holding a lantern the way he was holding a lantern now and his hands had been looking for the mark Doña Carmen's grandfather had cut into the eastern edge.

He found the mark.

Two cuts, perpendicular. The same cuts that had been there in 1865, worn slightly by forty-seven years but not worn to invisibility — stone that had been sealed in a dry vault did not wear the way stone wore in weather.

He worked the flagstone.

Heavier than he remembered, or he was older than he had been, both things true simultaneously. He worked his fingers under the edge and lifted with the effort that the stone required and set it to the side.

The fitted stone lid beneath. He lifted it.

The lantern held over the compartment.

Inside: a leather tube.

He took it out. He unwrapped the end.

Inside: eight pages in Rafael's hand — the specific careful handwriting of a man who had understood he was copying something that mattered and had given the copying the attention that mattering required.

Cole sat back on his heels in the northeast corner of the 1799 ranch house and held the pages in the lantern light.

His son is dead and his son left him this.

The January cold in the old stone room. The lantern making its small circle of yellow light on the pages and on the hands that held them. The specific weight of eight pages of a son's handwriting in a

father's hands.

He read the first page.

His father's methodology. Exactly as it was. Every measurement, every chain reference, every notation in the system his father had designed in 1854 and that Rafael had copied from Cole's cedar chest on an evening three weeks ago that Cole had not known was the last time Rafael would do something in his presence.

He read to the end of the first page.

He read to the end of the second.

He replaced the stone lid. He replaced the flagstone. He folded the pages and put them inside his shirt against his chest and stood up, slowly, his knees and his back providing their honest accounting of kneeling in cold stone and rising from cold stone at sixty-five.

He stood in the old room for a moment.

He went out.

He mounted the horse.

The horse felt him settle into the saddle and lifted its head from its resting position and turned toward the road without being asked, already knowing the direction home.

Cole let him go.

Eleven days.

The Boundary Markers

Chapter Three — Rafael's Notes

Scene One — The Kitchen Table

He read at the kitchen table with the lantern moved from the barn to the kitchen and positioned so its light fell across the pages without casting his own shadow onto them.

The stove had been built up before he sat down and the kitchen was warm now in the specific way that a kitchen became warm when a man who lived alone paid attention to the stove — not comfortable warm, functional warm, the temperature at which a person could do careful work without the cold interfering with the doing.

Rafael's handwriting filled the margins.

This was what Cole had not expected — not the text itself, which was his father's methodology and which Cole could have reconstructed from memory if asked, but the margin notes. Rafael had been annotating the copy as he made it. The notes were in the specific careful hand of someone who had been moving between the document and his own developing understanding of it, writing down what the document meant as the understanding arrived.

Cole read the text first.

His father's methodology: the chain of marker references, the mathematical relationships between the grants, the specific notation system that made each marker legible as part of a system rather than as an individual stone. The chain reference numbers — the specific numbers Cole had memorized by following his father through the valley in 1854 at seven years old, the numbers Sandoval had written in the log

while his father called them out.

All of it accurate.

Rafael had copied it correctly — not just the text but the specific notation, the specific order, the specific technical language his father had used because the technical language carried meaning that casual language would not carry.

The accuracy of it produced a specific quality in Cole's chest that he did not examine closely.

He turned to the margins.

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Scene Two — Rafael's Margin Notes

Rafael's margins were the work of a man reading for implication.

Beside the methodology's description of the chain reference system, Rafael had written: *this means sufficiency is collective, not individual — Flood's challenges attack individual documents but the system makes individual documents irrelevant.*

Beside the chain reference numbers for the Garza grant, he had written: *Garza south marker to Montoya north — confirmed, walked 11/14.*

November fourteenth. Cole counted backward. Six weeks before his death.

Beside the Montoya entries: *old man remembers the survey — can testify to the methodology's application, not the specific numbers.*

Beside the Reyes entries: *Maria Reyes documentation insufficient individually but the chain reference at the east marker covers the gap.*

Beside the Padilla entries: *too late — expired 12/18 — must go faster.*

Cole looked at the date.

December eighteenth. The Padilla window had expired on December eighteenth and Rafael had still been alive on December

eighteenth and Rafael had known on December eighteenth that he had been too slow for the Padilla family.

He had written *must go faster* and then he had gone faster and Cord had been waiting.

Cole turned the page.

More names. More families. The specific catalog of a young man who had understood the valley as a system of people with specific situations requiring specific interventions within specific time constraints and who had been managing that system with the focused intelligence of someone who had been trained to manage complexity by a father who had been doing it for fifty years.

The last page was a list.

Eleven names, the families still active, still within their windows. Beside each name: the window's expiration date. Beside each date: a notation of what the family had and what they lacked and what the chain reference at their boundary markers provided.

Six of the eleven Cole had visited today.

He looked at the names of the five he had not reached.

He looked at the expiration dates.

...

Scene Three — What Cord Took

The original 1854 survey methodology — his father's document, in his father's hand, on paper his father had carried in his survey kit in 1854 — was in Rafael's saddlebag.

Cole sat at the kitchen table and thought about this with the specific analytical attention that produced useful conclusions rather than the specific consuming attention that produced nothing except its own continuation.

Cord had taken the saddlebag because Rafael had the saddlebag and was going somewhere with it and the instruction had been to stop Rafael

from going wherever he was going with it. The instruction had not specified what was in the saddlebag. Cord had taken the saddlebag because taking the saddlebag was the simplest way to stop the document from going where Rafael was taking it.

Did Cord know what he had?

The original document was written in the specific technical language of a federal land surveyor in 1854 — Spanish and English both, the specific mix of the 1854 commission's practice, with the mathematical notation of a working survey and the legal notation of the federal land commission's documentation requirements. A man who was not a lawyer and not a surveyor reading it would read technical language about land measurements.

Cord was not a lawyer.

Cord was possibly not a surveyor.

Did Flood know what Cord had taken?

Flood did not know the document existed. He had reviewed the county records for years and found no evidence of it because it had never been publicly filed. Rafael had found it in Cole's cedar chest, in the personal records that his father had maintained separately from the federal archive and that had passed to Cole and from Cole to Rafael.

Flood might know now. Might have learned from Cord's description of what was in the saddlebag, or from his own assessment of why the challenge on Cole's land had failed, or from some other thread of investigation that Cole could not trace from his kitchen table.

Or Flood might not know.

Either way: the copy was in Cole's shirt and the original was in Cord's possession and the copy needed to reach the federal commission before enough of the challenged families' windows expired that the commission's finding would be too late to help them.

Cole looked at the list on the last page.

He looked at the dates.

He looked at the name at the top: Garza. Six days.

He folded the pages and put them back inside his shirt.

He went to bed.

He did not sleep for a long time.

...

Scene Four — He Commits To The Job

He was awake at three-thirty — half an hour before his usual time, the specific early waking of a man whose mind had kept working after his body had stopped.

He lay in the dark and let the thing he had been circling arrive.

He was going to finish what Rafael started.

Not as a father trying to answer what had been done to his son — as the professional that fifty years of doing this work had made him. The distinction was real and mattered. A father's response to what had happened in that house on January twentieth was one kind of action. The professional response was a different kind of action. The professional response was the kind that produced outcomes.

He was going to ride the five remaining families today.

He was going to walk their boundary markers and confirm the chain.

He was going to take the copy to the federal commission in Santa Fe with his testimony as to its provenance — that it was an accurate copy made by his son Rafael Harte of the original 1854 survey methodology made by William Harte, federal land commission surveyor, that it had been made in Cole's presence three days before his death and that Cole could testify to every measurement in the copy from his own memory of his father's work.

He was going to defeat forty-seven title challenges simultaneously.

He thought about the cost.

The body: what forty miles of riding in January cold cost at sixty-five, multiplied by however many days this required. The knees

and the back and the hands. The specific accounting of what the work was going to take from the body that remained available to do it.

The legal cost: the copy had been obtained from a sealed vault on Cole's own property by Cole himself. The chain of custody was clean. The testimony was his own. There was no archive trespass, no legal trespass of any kind, no Cord taking the copy from him on the road.

He thought: this time the chain of custody is not the problem.

He thought: the problem is time.

He folded the blanket back.

He dressed in the dark.

...

Scene Five — The Professional Decision

He stood at the east window with his coffee.

The mountains in predawn January dark — invisible, present, the specific presence of something that did not require visibility to be real.

He thought about his father.

His father had surveyed this valley in 1854 with two assistants and a mule and a transit and chains and a notebook in which Sandoval had been writing numbers while his father called them out. His father had done the work that needed to be done in the conditions that existed when it needed to be done. He had not waited for better conditions. He had done the survey in January 1854 because that was when the federal commission sent him and he had done it completely and accurately and had filed the results in the federal archive and kept a copy in his personal records and had ridden out in 1856 and had not come back.

The measurements were still in the archive.

The measurements were still in Cole.

The measurements were in the copy inside his shirt.

He finished his coffee.

He went to the barn.

The horse in the third stall — rested, eating, the ears at rest. It looked up when Cole's step sounded on the barn floor and went back to eating. A horse that trusted the sequence of events because the sequence had been consistent for nine years.

Cole saddled him.

The sequence: blanket, saddle, cinch in two stages, bridle with the bit warmed in his hand. He had done this sequence so many times that it required no thought and allowed thought simultaneously, the body moving through the familiar motions while the mind organized what the day required.

He led the horse out.

The yard in January predawn: the frozen ground, the breath of horse and man, the mountains beginning the specific sequence of becoming visible again that they performed every morning without variation.

He mounted.

He rode.

...

Scene Six — He Rides For The Five Remaining Families.

He rode south from his place at five in the morning with the copy against his chest and the valley still in its overnight dark and the list of five names and five expiration dates organized in his mind in the geographic order that made the most efficient circuit.

The Reyes place first — the widow with her two sons, the family with eighteen days remaining. Not the most urgent but the most southerly, the correct starting point for the circuit that would bring him back north to the Garza place at the end of the day with everything he had learned from the other four families available to apply to the most urgent situation.

This was the professional decision.

Not the emotional decision — the Garza family's urgency pressed against going to them first, pressed with the weight of six days against eighteen days and the specific human reality of a family approaching a deadline. But the efficient circuit was the circuit that got to all five and arrived at the most urgent with the most preparation, and the emotional decision was the less effective decision and he had been making the effective decision since 1865.

The horse moved at a walk on the frozen ground.

The road south through the valley was the road he had been riding since before he bought this land — the road that ran past the boundary markers his father had set in 1854, past the ranches that had been built in the decades since, past the specific accumulated evidence of what people did with land when they were allowed to work it without someone in a good suit in Santa Fe deciding it legally belonged to someone else.

He read the markers as he passed.

He read them the way he had been reading them for fifty-eight years — not checking, acknowledging, the specific recognition of known things, the morning practice of a man whose life had been organized around the specific truth that these stones carried and that the copy inside his shirt organized into a legal instrument.

The anger was there.

Not consuming — present, available, doing the work that anger did when it was the productive kind. Directing. Clarifying. The anger that had been with him since he found the empty hook where Rafael's saddlebag should have been, the anger that had been under every hour of the past two days, the anger that had not yet had an object it could act on and had therefore directed itself into the work.

He rode toward the Reyes place.

The morning was opening around him — the flat cold January light beginning to come over the mountains, the valley declaring itself in the specific incremental way it declared itself every morning, element by element, the nearest things first and then the middle distance and then

the far end of the valley where the mountains closed it off.

He knew every element of it.

He had known it for fifty-eight years.

It was worth saving.

He rode toward the first of the five remaining families and he did not look back.

The Boundary Markers

Chapter Four — Forty-Seven

Scene One — The Reyes Place

Maria Reyes came to the door of her kitchen when she heard hooves in the yard and she looked at Cole the way a woman looked at a man she had known for thirty years when that man had recently buried his son's family and was standing at her kitchen door with the specific quality of a person who was working instead of grieving because working was the only available response.

She said: come in.

Her sons were already at the table — the older one thirty and the younger twenty-seven, the ages of men who had been working this land since they were old enough to work. Twenty acres. The spring-fed stock pond her husband had managed until he died. The specific small quality of a well-managed small holding, the land worked hard in the way that land that was all a family had was worked hard.

Cole set the title challenge on the table and set the family's confirming documents beside it.

He read them in parallel — the challenge's specific allegation and the documents' specific gaps — and when he was finished he set the challenge aside and looked at the older son.

He said: walk me to the east marker.

They walked together — Cole and both sons, Maria watching from the kitchen doorway — across the frozen January ground to the east boundary, where the specific granite stone his father had placed in 1854 sat in the caliche soil with the specific permanence of a stone that had

been in the same place for fifty-eight years.

Cole kneeled.

He found the notation on the north face.

He read the chain reference number.

He stood.

He said: your documentation is insufficient individually. The challenge is correct about that. Your confirming documents do not meet the new state's recording requirements. But your east marker carries a chain reference that connects to the Garza south marker. The connected system is sufficient even where the individual documentation is not. If I can get the document that establishes the system to the federal commission before your window expires, the challenge fails.

The older son said: how long do we have.

Cole said: eighteen days.

He said: that is enough time.

He said it with the specific confidence of a man who had read the time available against the work required and calculated that eighteen days was enough. Not comfortable — enough.

He mounted his horse.

He rode north toward the next ranch.

...

Scene Two — Cord

He saw the rider on the ridge between the Reyes place and the Salazar ranch.

The specific position of a man on a horse on a ridge above a road: the horse still, the man still, the specific stillness of waiting rather than resting. Cole read it in the single long look that a moving man could give a stationary figure on a ridge — the posture, the horse, the quality of the watching.

The horse was grey.

Cole had been reading horses for fifty years. A grey horse was specific — not common, not the working stock of the valley ranches that ran to bays and sorrels and roans. A specific horse chosen for reasons that were the rider's reasons rather than the practical reasons that determined working stock selection.

The man on the grey was watching the road.

Cole continued at the same pace.

He did not look directly at the rider again after the initial reading. Looking again would be acknowledgment and acknowledgment would be information delivered to the man on the ridge that was not information Cole had chosen to deliver.

He rode past the position below the ridge.

He felt the watching on his back.

He thought about the specific quality of the stillness he had read — the watching of a man who had been told to observe and was observing with the professional patience of someone who had been doing this kind of work for a long time. Not the watching of a curious bystander. The watching of a person with instructions.

Cord.

He thought this without certainty and with the specific confidence of a man who had been reading human situations for fifty years and who understood that certainty was rarely available but reasonable conclusion was.

He rode on.

He thought: Flood knows I am working the valley.

He thought: Cord has been told to watch me work.

He thought: Cord is deciding when my work threatens the operation enough to require a response.

He thought about Rafael working the valley for six months before Cord had decided Rafael's work required a response.

He thought about what the difference was between six months of watching and the response.

He thought: the document. When Rafael had the document and was moving toward the commission with it, that was when watching became response.

He thought: I have the document.

He thought: I have not moved toward the commission yet.

He rode on.

...

Scene Three — The Other Three Families

Three ranches in the afternoon — the Salazar place, the Baca place, the Herrera place — in the geographic order that made the circuit efficient, the circuit that Cole had planned before he left his yard that morning and was executing with the specific economy of a man who had forty miles to cover before dark.

The Salazar place: an old man and his daughter, the daughter managing the title challenge because the old man could not manage it, the kitchen calendar with the thirty-day deadline circled in pencil and twenty-one days crossed off.

Cole read the documentation. He walked the south marker. He found the notation. He told the daughter what it meant and what the copy would do for them if he could get it to the commission in time.

She said: how much time.

He said: your window expires in nine days.

He said: I need seven to file with the commission. That leaves two days of margin.

She looked at him.

He said: it is enough.

He rode.

The Baca place: a young couple married six years, the husband who had been riding to the land office twice a week with documents that came back stamped insufficient. The wife with their child on her hip,

watching Cole read the filing with the specific attention of a woman who needed to understand what was happening to the land her husband's parents had given them as a wedding gift.

Cole walked the east marker. Found the notation. Explained the chain.

The husband said: all forty-seven challenges fail at once?

Cole said: if the document is filed with the commission. Yes.

The husband said: why hasn't someone done this before.

Cole said: because the document was in a cedar chest on my ranch and my son had to find it and understand what it meant before anyone knew it existed.

He said: my son found it.

He rode.

The Herrera place: two brothers who had not spoken to each other in three years over a dispute that had nothing to do with Flood's challenge and everything to do with the specific capacity of families to generate internal conflict at the worst possible moment.

Cole did not involve himself in the dispute. He read the documentation, walked the markers, found the notation, explained the chain to both brothers separately because they were standing on opposite sides of the yard and neither would move toward the other.

The chain reference at the Herrera west marker connected to the Baca east marker.

He told the older brother.

He told the younger brother.

He rode north toward the Garza place.

Behind him, at the position above the road between the Baca place and the Herrera place, the grey horse and its rider had been visible for twenty minutes.

...

Scene Four — The Garza Family Again

Elena Garza met him at the door as the afternoon light began its descent toward the specific flat quality of late January afternoon — not dark yet, the warmth and the light both going, the specific quality of a day ending that had not accomplished everything the day had needed to accomplish.

She had coffee ready.

She set it on the table without being asked.

Cole sat and drank and spread his notes on the table — the specific annotations he had been making at each ranch, the specific condition of each marker, the specific chain references at each boundary.

He said: all five markers are intact. All five chain references are legible. The chain is unbroken from the Reyes east marker through to the Garza south marker and through to the Montoya north and back again.

She said: and the document.

He said: I have the copy. I need to file it with the federal commission. The commission's finding supersedes the state court challenge. If the finding is issued before your thirty-day window expires you keep the land.

She said: when is our window.

He said: six days.

He said: I can be in Santa Fe and before the commission in two hours. The commission will need time to process the petition. I need the old man Montoya to come with me — he was present when my father applied the methodology, his testimony corroborates the copy's provenance.

She said: there is a man who has been watching our boundary.

Cole said: I know.

She said: he rode our south boundary this morning. While you were at the other ranches. He got off his horse at the south marker and spent twenty minutes at it.

Cole said: reading it.

She said: yes. Looking at the stone.

Cole said: he understood what Rafael was finding. He is checking whether the chain is still intact.

She said: is it?

He said: yes. He cannot change it by reading it. The markers have been in the ground since 1854. The chain is in the ground with them.

She said: will he try to stop you from filing.

Cole looked at her.

He said: not before I file. After I file, what he does is Flood's decision. Before I file I am a man riding to Santa Fe with a copy of a document and an old man's corroboration. There is nothing illegal in that for Flood to respond to.

He said: I need to be in Santa Fe before Flood understands what I have.

...

Scene Five — The Race

Cole rode home in the dark with the January cold fully established around him — the temperature dropping the way it dropped after sundown in high desert January, fast and honest, without the day's modest warmth to resist it.

The horse moved steadily. Tired — Cole read this in the quality of the stride, the reduced head carriage, the specific sound of the hooves on the frozen ground, each step placed with slightly less energy than the morning's placing. Not struggling. Working at the end of a long day's work, which was different from struggling.

Cole thought about the race.

He had the copy. Montoya would come tomorrow morning. He could be in Santa Fe by noon with Montoya. The commission would receive the petition in the afternoon. The commission would need time — days, perhaps — to process the petition and issue a finding. Six days

for the Garza family.

He thought: why has he not gone to the commission already.

He thought: because the copy needs his testimony to establish its provenance and his testimony needs to be complete and his testimony is not complete without Montoya.

Without Montoya, Cole's testimony was one man's account of what his son had copied from what Cole's father had written. The copy had no independent corroboration. Flood's lawyers would challenge its authenticity immediately and the challenge would be legally sound because a copy of a personal document held by the document's son, with no independent witness to the original's existence or application, was not strong evidence.

With Montoya, the testimony had an eyewitness to the original methodology's application in 1854. Montoya could not testify to the specific numbers — he had been twelve years old, the numbers were for surveyors — but he could testify to the methodology's existence and its application in the valley and the specific system of connected markers his great-grandfather had watched a federal surveyor place.

The difference between the testimony with and without Montoya was the difference between arguable and compelling.

He needed one more day.

He pulled up.

He was passing the original ranch house.

He stopped and looked at it in the dark — the 1799 building in the northeast corner of his land, the locked door, the vault under the flagstone now empty.

He thought about Rafael making the copy.

He thought about the specific Tuesday evening when Rafael had spread the documents on the kitchen table and talked about the methodology while Pilar put posole in front of them. Rafael had already made the copy. Rafael had put the copy in the vault before he rode out with the original.

Rafael had known something might happen to the original.

Rafael had planned for it.

Cole thought: my son was more careful than I am.

He rode home.

...

Scene Six — He Finds The Fifth Family's Marker.

He stopped at the Padilla place on the way.

Not to visit — the Padilla window had expired three weeks ago and the land had gone to auction and there was nothing to visit about. He stopped at the Padilla place because the Padilla boundary marker was on the road between the Garza ranch and his own place and he had been passing it for three weeks since the window expired and he had not yet stopped to read it.

He dismounted.

He tied the horse to the fence post and took the lantern and walked to the boundary marker at the south end of what had been the Padilla land.

He kneeled.

The cold earth under his knees. The lantern making its circle of light on the frozen caliche and the granite stone that had been in this ground since 1854.

He found the notation.

His father's marks — the horizontal cut and the angled cut and the chain reference number. The specific number that connected this marker to the Garza south marker, that placed the Padilla land inside the same connected system that the Garza land was inside, that made the Padilla documentation sufficient even where it had appeared individually insufficient.

The chain reference was there.

The chain reference had been there since 1854.

The Padilla window had expired three weeks ago.

Their land had gone to auction.

The chain reference that would have protected them had been in the ground for fifty-eight years and no one had known to look for it and Flood had filed his challenge and the window had run and the land had gone.

Cole looked at the marker.

He thought about Ernesto Padilla's cottonwood trees along the creek.

He thought about Rafael's margin note: *must go faster*.

He put his hand on the stone.

The cold of the stone under his palm. The specific cold of granite that has been in frozen ground for months, the cold that came up through the glove as if the glove were not there.

He stood.

He mounted the horse.

He rode home.

The darkness of the January valley around him. The mountains invisible. The specific cold of a high desert night with no cloud cover, the temperature continuing its descent, the stars very bright and very far above the flat black country.

He rode.

Four days for the Garza family.

He needed to move.

The Boundary Markers

Chapter Five — Montoya

Scene One — The Montoya Place At Dawn

Esteban Montoya was in his chair when Cole arrived.

He was dressed — the specific significance of an eighty-two-year-old man who had been told a visitor was coming and had dressed in preparation. Not the informal clothes of a man in his own kitchen in the early morning. The clothes of a man receiving a visitor who mattered: the wool pants, the good shirt, the vest with the watch chain his son had given him when the son turned fifty and wanted to mark the occasion by giving something.

The kitchen was warm. His daughter-in-law had the stove going and coffee made and bread on the table and she poured for Cole and for the old man and went to the far end of the kitchen to give them the table.

Cole sat across from the old man.

He said: I need to talk to you about 1854.

The old man said: I have been thinking about 1854 since your boy started coming around asking about the markers.

Cole said: tell me what you remember.

The old man talked.

He talked in the specific way that very old memory talked — not in a smooth narrative but in fragments, the fragments arriving in the order that memory produced them, the order of association rather than chronology. He remembered the surveyor's height first — his father had been tall, taller than most of the men in the valley, and the

twelve-year-old Esteban had noticed the height because height was something a twelve-year-old boy noticed. He remembered the mule with the equipment. He remembered the transit — the instrument on its tripod that the surveyor used to establish the angles, the specific mechanical quality of it that had fascinated a twelve-year-old who had never seen such a thing.

He remembered the tool that made the marks on the stones.

He demonstrated it with his hands — the eighty-two-year-old hands moving to show what the hands had seen do seventy years ago, the motion of cutting into granite with a steel chisel, the specific angle of the cuts.

Cole recognized the motion.

He said: the tool was called a cold chisel. The shaped blade.

The old man said: yes. That is what it was. He carried three of them in a leather roll in the mule's pack.

He said: he used the same tool at every marker. The same angle. The same cuts. And then a number.

Cole said: the number was the chain reference. The index of the adjacent marker.

The old man said: yes. That is what he explained to my father. The number is the address of the next stone.

He said: my father asked why a number and not a direction. And the surveyor said — in Spanish, remember — he said: because the direction can change if the land is sold but the address does not change. The stone knows where it belongs.

Cole looked at him.

He said: my father said that.

The old man said: yes.

...

Scene Two — What Montoya Remembers

Cole asked the specific questions.

He asked about the notation system — the shape of the cuts, their relationship to each other, the specific angle of the angled cut that encoded directional information.

The old man answered what he could answer. The shape of the cuts he remembered — had been looking at for seventy years at the north marker of his own family's land. The angle he could reproduce in gesture. The specific encoding system that turned a cut at a particular angle into a specific directional reference he could not explain because he had been twelve years old and the encoding system was the professional knowledge of the surveyor rather than something the twelve-year-old bystander had been equipped to absorb.

Cole said: the specific chain reference numbers. Do you remember any of them.

The old man looked at his hands.

He said: I remember the number at our north marker. The surveyor cut it and I watched and my father told me to remember the number in case the stone was ever lost.

He said the number.

Cole looked at him.

The number the old man said was the same number in Rafael's copy as the chain reference for the Montoya north marker.

He said: your father told you to remember it.

The old man said: he said: this number is in the ground and in your head. Keep it in your head in case the ground fails.

He said: I have kept it for seventy years.

He said: I do not remember the other numbers. I was twelve years old and I was not told to remember the other numbers.

Cole said: your number is enough. Combined with what I have and what a former surveyor's assistant can provide, your number establishes the system independently of the copy.

He said: I need you to come to Santa Fe.

The old man looked at him.

He said: I have not been to Santa Fe in eleven years.

Cole said: I know. Can you ride?

The old man looked out the window at the yard where his son's gentle horse stood at the fence.

He said: when do we leave.

...

Scene Three — What Montoya Cannot Remember

Cole organized the testimony in his mind while the old man's daughter-in-law packed a bag for the trip.

Montoya's contribution: the methodology's existence and application, confirmed by eyewitness account. The specific tool, the specific cuts, the specific chain reference system explained by the surveyor to Montoya's father. The specific number at the Montoya north marker, which matched the copy's chain reference, which established that the copy contained what it claimed to contain.

What Montoya could not provide: the other chain reference numbers. The specific mathematical relationships between the grants. The specific methodology's operation across the full valley system.

Those were in Cole's memory — installed in 1854 when he was seven years old following his father through the valley, confirmed by sixty-three years of reading the markers and working the land they bounded — and in Rafael's copy and in Sandoval's 1854 survey log.

The survey log.

Cole thought about the survey log.

His father had filed the survey results in the federal archive. The results included the survey log — Sandoval's notebook, the record of every number called and every measurement made during the 1854 survey. The log was in the archive. The log was a federal document. If the log contained the chain reference numbers — and Cole was certain it

did, because Sandoval had been writing numbers in the log as his father called them out and the numbers in the log would be the same numbers in the copy because they were the same numbers — then the log corroborated the copy without any chain of custody issue.

He thought about asking Pearce to retrieve the log from the archive.

He thought: the commission could retrieve the log through its own document request process, independently of Cole's petition, and the log would be federal evidence rather than a copy in Cole's possession.

He thought: this is the path that does not require the copy to bear the full evidentiary weight.

He thought: the copy is still the most direct evidence. But the log is the backup.

He went to tell the old man it was time to go.

...

Scene Four — Cord On The Road

They were twelve miles north of the valley, in the coastal foothills where the road rose toward the pass, when Cole saw the rider coming south toward them.

The grey horse.

The specific grey — he had been reading it from two hundred yards, from the moment the rider came into view around the road's bend, reading the color and the quality and the gait of the animal and the posture of the man on it with the automatic assessment of fifty years of reading horses and riders at distance.

He said nothing to Montoya.

The old man rode beside him on his son's gentle horse, sitting the saddle with the specific careful posture of a man who had not ridden in eleven years and was reminding his body how it was done, the body cooperating as bodies cooperated when they were asked for something they had done before.

The grey horse came toward them at a walk.

Cole kept his pace. The old man's horse kept its pace.

The rider on the grey was compact — Cole read this as the distance closed, the specific compact quality of a man whose body had been shaped by years of work that required economy of motion, the kind of work that eliminated everything from the body that did not serve the work.

Dark coat. The hat at the angle of a man who wore it because he needed it rather than because he wanted it.

They were thirty yards apart when Cole looked at the rider directly.

The rider looked at Cole.

The look of a man recording information — not a threat, a look, the specific efficient gaze of someone who was doing his job of observing and was observing.

He looked at the old man.

He looked at the old man's bag tied behind the saddle.

He looked at the road ahead and continued past them.

Cole felt the specific cold of watching that was not the cold of the January morning.

He thought: Cord saw the old man. He knows who the old man is — the only living person other than Cole who was present when the methodology was applied in 1854. He knows what the old man's presence on the road to Santa Fe means.

He thought: Cord is going to report to Flood.

He thought: Flood is going to prepare a response.

He thought: the window from this moment to the response arriving is the window I have.

He rode.

...

Scene Five — Use It Now Or Build The Case

Cole rode and thought about the options.

Ride directly to the commission, file the copy today, testify today — Montoya's testimony added immediately, the case filed before Cord could reach Flood by telegraph and Flood could prepare a legal response.

This required arriving at the commission in Santa Fe — two more hours of riding — and having the testimony ready and the petition language prepared and the legal argument articulated and the provenance of the copy established in a form that Pearce could receive and act on.

The petition language was in his head. He had been composing it for two days. The provenance was straightforward — he could explain it in the time it took to explain it. The legal argument about treaty supersession he had been making in his head since he found the copy in the vault and understood what it meant.

He could do this today.

The alternative: ride to Pearce first, explain the case before filing, let Pearce understand what was coming before it arrived. File tomorrow with Pearce prepared and the case fully articulated.

One more day against Cord's telegraph traveling to Flood and Flood's lawyers preparing a response that would arrive at the commission the moment the petition was filed.

He thought about which risk was larger.

He thought: an unprepared filing today or a prepared filing tomorrow with the response already on its way.

He thought: Pearce has been a commission examiner for thirty years. He has seen cases like this before. The preparation required is the case's articulation — what the document proves and how and why it supersedes the state law challenges. Pearce was in this case in 1882. He understood federal supersession of state land law in 1882 and he had been working with it for thirty more years since.

He thought: the preparation is less necessary than I am treating it as necessary.

He thought: go today.

He was thinking about going directly to the commission when Cord stepped out of the road ahead.

...

Scene Six — Cord Takes The Copy.

The arroyo crossing on the north road, three miles from Santa Fe.

The arroyo's banks were six feet deep on each side and the road crossed through a cut in the banks and the cut was wide enough for a single horse and a man on foot and the width of the cut meant that a person coming through it from the north and a person waiting at it from the south were in close proximity before either could go around the other.

Cord was waiting at the south end of the cut with two men Cole had not seen before — both of them on horses, both of them positioned with the specific geometry of men who had been told where to stand and had stood there.

Cole pulled up.

Montoya's horse pulled up beside him.

Cord said: Mr. Harte.

He said it without particular inflection — the specific neutral register of a professional delivering a professional communication.

He said: I need to ask you to hand over the document you are carrying.

He produced the injunction from his coat.

A legal document — the Santa Fe court seal at the top, the judge's signature at the bottom, the language in the middle describing the document to be surrendered as any copy or reproduction of the 1854 federal land commission survey of the valley grants in San Joaquin County, New Mexico Territory.

Filed that morning.

Cole took the injunction and read it.

The language was specific. The document description was specific. A lawyer who had reviewed Rafael's work for months, who had understood what Rafael was building before Rafael finished building it, who had prepared a legal instrument specifically designed for this moment had written this injunction.

He thought about the three days since he found the copy in the vault.

Three days since he had found it and Flood had filed the injunction the same morning Cole was riding to Santa Fe with Montoya.

Cord had reported immediately from the road. Flood's lawyers had been waiting for the report. The injunction had been filed and signed and was in Cord's hands in the time it took Cole to ride from the valley to within three miles of Santa Fe.

He thought: Flood anticipated the copy.

He thought: Flood did not know the copy existed specifically but he anticipated that something like the copy existed and prepared the injunction for it.

He reached inside his shirt.

He took out the eight pages of Rafael's handwriting and held them for a moment in the January cold.

He handed them to Cord.

Cord took them. He did not look at them. He put them inside his own coat with the specific economy of a man securing something he had been sent to secure.

He said: thank you.

He turned his horse south.

His two men turned their horses south.

They rode.

Cole sat on his horse at the arroyo crossing with Montoya beside him and the copy gone and Santa Fe two miles north and three days since he had found what his son had left him in the vault.

The old man said: what just happened.

Cole said: Flood's lawyers filed an injunction this morning. They anticipated I had the copy and they prepared the instrument before I moved.

He said: the copy is gone.

He sat with this for a moment.

The cold on his face. The horse still beneath him. The road north toward Santa Fe.

He said: we go to Santa Fe anyway.

He said: I have the methodology in my memory. My father put measurements in me the way he put measurements on paper. The copy was the document. The methodology is still there.

He said: and you have what you remember from 1854.

He said: we go to Pearce.

He rode north.

The old man rode beside him.

Three days for the Garza family.

The Boundary Markers

Chapter Six — The Commission

Scene One — Pearce

The federal land commission occupied the second floor of a building on Washington Avenue — federal offices above a land title company, the specific proximity of government and private interest that characterized Santa Fe's professional district in the first year of statehood.

Pearce had been at this desk for thirty years.

Cole knew this because Pearce had been at this desk in 1882 when Cole came to him with the Archuleta case and the desk had not changed and the quality of attention behind it had not changed — the attention of a man who had been receiving evidence for thirty years and had developed the specific professional patience of someone who did not rush the receiving because rushing the receiving produced errors.

He was sixty now. The hair thinner, the face fuller, the specific thirty-years-heavier quality of a man who had spent three decades at a desk rather than on a horse. His eyes were the same.

He looked at Cole when Cole and the old man came in.

He said: I heard about your son.

Cole said: yes.

He said: I am sorry.

Cole said: I need to file a claim against forty-seven title challenges filed by Elias Flood.

Pearce said: I know about the challenges. We have received eleven complaints from the affected families. Sit down. Tell me what you have.

They sat.

Cole told him.

Not the copy — the copy was in Cord's coat. The methodology. His father's 1854 survey. The chain of marker references. The Treaty of Guadalupe Hidalgo. The specific legal mechanism by which a federal survey methodology connected by treaty to the original grants superseded a state law title challenge because the treaty guarantee was federal and the state law was state law and federal superseded state in the specific hierarchy of applicable law.

He told it in order — the measurement before the conclusion, the evidence before the argument, the foundation before the structure built on the foundation.

Pearce listened.

When Cole finished Pearce said: you are testifying to this from memory.

Cole said: yes.

Pearce said: the document that recorded the methodology.

Cole said: Flood's lawyers filed an injunction this morning. The copy was taken on the road.

Pearce looked at him.

He said: the original.

Cole said: taken by the man who killed my son eleven days ago from my son's saddlebag.

Pearce sat with this for a moment.

He said: you are asking me to act on the testimony of two men — yourself and Mr. Montoya — without a physical document.

Cole said: yes.

He said: I have done this before.

Pearce said: I know you have.

...

Scene Two — Montoya Testifies

Pearce asked Montoya what he remembered.

Montoya sat in the chair across from Pearce's desk with the specific dignity of an eighty-two-year-old man who had ridden twelve miles to say what he had to say and was going to say it with whatever authority eighty-two years of being alive and watching this valley gave him.

He described the surveyor — Cole's father. The height. The mule. The transit on its tripod. The leather roll with the cold chisels.

He described the markers — the selection of the stones, the positioning, the marking.

He described the cuts — demonstrating with his hands, the old hands moving to show what the young hands had seen, the motion of making the horizontal cut and the angled cut at their specific relationship to each other.

He said the number he had been told to remember. The chain reference for the Montoya north marker, which his father had told him to keep in his head in case the ground failed.

He said: I have kept it for seventy years.

Pearce wrote it down.

He compared it to his notes from Cole's testimony — the same number, at the same position in the chain reference sequence.

He looked at Montoya.

He said: you were told to remember this number specifically.

Montoya said: my father said: this number is in the ground and in your head. Keep it in your head in case the ground fails.

Pearce said: your father understood the significance of the chain reference system.

Montoya said: he understood that the stone could be lost. He did not want the address to be lost with it.

Pearce made a note.

He said: the other chain reference numbers.

Montoya said: I was twelve years old. I was not told to remember the other numbers. I remember the methodology — the system, the cuts, the chain concept. I remember the tool and the motion and the explanation. I do not remember the numbers I was not told to remember.

Pearce said: and the numbers you were not told to remember are in the document.

Cole said: they are in the copy that is in Cord's coat. They are in my memory. They are in the 1854 survey log that Sandoval wrote while my father called them out, which is in the federal archive.

Pearce looked at him.

He said: the survey log.

Cole said: Aurelio Sandoval. My father's assistant. He was writing the numbers in the survey log as my father called them. The log is in the federal archive. The log is a federal document filed by the commission itself in 1854. It has no chain of custody problem.

Pearce said: the log.

He said it the way a man said something he should have thought of before.

He picked up his pen.

...

Scene Three — Flood's Lawyers

They arrived at noon.

Two of them — the senior associate and a junior — carrying the specific quality of prepared men executing a prepared plan. Cole recognized the type. He had been encountering this type since 1865: the professional who arrived precisely when the procedure allowed and deployed precisely what the procedure required.

The senior associate filed an objection to Cole's testimony.

He said: Cole Harte's testimony is the testimony of a man with a direct personal interest in the outcome of forty-seven title challenges.

His son was killed in circumstances related to those challenges. His own land was the subject of a failed challenge. His testimony is advocacy from a party in interest, not objective evidence. It should be received with the weight appropriate to interested testimony.

He said: further, the document that would corroborate the testimony is under court injunction. The commission cannot receive testimony about a document under court injunction as if the testimony were equivalent to the document itself.

He said: the commission should wait for the injunction proceeding to determine the document's status before acting on testimony about its contents.

Pearce listened.

He said to the senior associate: your objection is noted. The commission will determine the weight of the testimony.

He said to Cole: the objection has merit. Your interest in the outcome is substantial and direct.

Cole said: my interest in the outcome does not change what I witnessed in 1854 when I was seven years old following my father through this valley. It does not change what my father's methodology established. It does not change what the Treaty of Guadalupe Hidalgo says.

Pearce said: it does not change those things. It changes the weight of your testimony without corroboration.

He said: the corroboration is in the survey log. I am going to request the survey log from the federal archive.

The senior associate said: the survey log is subject to the same injunction as the copy.

Pearce said: the survey log is a federal document filed by this commission in 1854. The injunction covers copies or reproductions of the 1854 survey. The original survey log is not a copy or reproduction of the survey. It is the survey itself. The injunction does not cover it.

The senior associate looked at him.

He looked at his junior associate.

He said: we will review the injunction's language.

He said it the specific way of a man who already knew the language was as Pearce described it and was buying time to prepare the next instrument.

Cole looked at the window.

He thought: eight days until the Garza window expires. The commission needed time to request the log, receive it, examine it, issue the finding. Eight days was tight. It might be enough.

...

Scene Four — Holloway's Ruling

Pearce sent the request for the survey log to the federal archive by messenger at one in the afternoon.

The messenger returned at three.

The log was not in the archive.

Not missing — not misfiled. The clerk had checked the 1854 survey records thoroughly. The survey log for the New Mexico valley grants survey was listed in the index as filed in 1854. The physical document was not present.

Pearce looked at Cole.

Cole said: when was the last time it was checked out.

Pearce asked the messenger to return to the archive with that specific question.

The messenger returned at four.

The log had been checked out for review by a private attorney in November 1911.

Pearce said: two months before statehood.

Cole said: Flood reviewed the archive in preparation for filing the challenges. He was looking for any document that would establish the connected survey methodology. He found the log. He took it for review and did not return it.

He said: Flood has the log.

The senior associate, still in the room, said nothing.

Cole looked at him.

He said: Flood has the original survey log from the federal archive. That is destruction of federal records or removal of federal records, both federal offenses.

The senior associate said: my client checked out a document for review and has not yet returned it. That is standard legal practice.

Pearce said: a document checked out for review in November is not returned in January is a document that has not been returned.

He said: I am going to send a formal notice of retrieval to Mr. Flood. He has forty-eight hours to return the survey log to this archive.

He said: in the meantime —

He stopped.

He looked at Cole.

He said: in the meantime I cannot issue the finding without the corroborating document. The testimony alone is insufficient when the methodology's evidentiary record is either in court custody or in the possession of the opposing party.

He said: I need the document.

Cole said: I know where to find it.

...

Scene Five — File Now Or Wait For The Document

Cole in the corridor outside the commission offices.

Montoya on the bench, tired from the morning's ride and the afternoon's testimony, the specific tiredness of an eighty-two-year-old man who had been asked for more than his regular daily amount and had given it.

Cole stood at the corridor window and looked at Washington Avenue.

He thought about both options.

File today without the document. Push Pearce to issue the finding on testimony alone, on the strength of Cole's testimony and Montoya's and the specific legal argument about treaty supersession. Pearce had said the testimony alone was insufficient. But Pearce had discretion. If Pearce believed the testimony was credible and the families would suffer irreversible harm before the document question was resolved he could act.

The risk: Flood's lawyers would challenge the finding immediately. The challenge would go to the federal court. The federal court would likely stay the finding pending the document question's resolution. The families would lose their land while the challenge was litigated.

Wait for the document. Pearce's forty-eight hour notice to Flood might produce the survey log. If Flood returned it — or if the federal archive request produced the log through some other channel — the finding would be issued on a complete record and would be legally unassailable.

Cost: forty-eight hours. Six days for the Garza family minus forty-eight hours was four days. Four days was enough for the filing and the finding if everything moved quickly.

He thought: the survey log may not come back.

He thought: Flood has the log because he did not want it available. He will not return it voluntarily in forty-eight hours.

He thought: I need to find Sandoval.

...

Scene Six — He Asks Pearce To Hold The Record Open.

He went back into Pearce's office.

He said: I need you to hold the commission record open. Not issue the finding yet — hold the record open so that when the corroborating document is available it can be added to the testimony already on file.

Pearce said: I can hold the record open.

Cole said: and I need you to tell me where Aurelio Sandoval is.

Pearce said: Sandoval.

Cole said: my father's assistant. The man who wrote the numbers in the survey log in 1854. The log is in Flood's possession. Sandoval's memory is the log.

Pearce said: I do not know where Sandoval is. He retired from the commission in 1892. His pension records would show a last known address.

He said: the pension records are in the building below.

Cole said: I know.

He said: hold the record open.

He went downstairs.

He found the pension records.

Aurelio Sandoval, last known address: Santa Fe, New Mexico.
Pension discontinued 1909 due to non-response to annual verification.

Cole went to the parish church.

He went to the parish records.

He asked.

The priest knew Sandoval — eighty years old, alive, in a room above his daughter's house on the south side of the city, not dead but not well, the specific not-well of extreme old age.

Cole went to the daughter's house.

It was five in the afternoon.

He knocked.

He was let in.

Sandoval was in a chair by the window. The skin at his temples thin enough that the light came through it. The hands still in his lap with the specific stillness of a man whose hands had stopped being useful and had learned a different relationship with time.

His eyes were clear.

Cole said: I need to talk to you about 1854.

Sandoval said: I have been eighty years old for almost a year. I do not have many conversations left. Sit down and tell me what you need.

Cole sat.

He told him.

The old man listened.

Cole watched the eyes while he told it — the specific quality of attention in the eyes of someone whose body had wound down to the essentials and whose mind had become the only fully functional part of the essential system. The attention was complete.

When Cole finished Sandoval said: I remember the numbers.

He said: I wrote every one of them in the log while William Harte called them out. I have the log in my memory because I wrote the log. You do not write something without it being in you after.

He said: I cannot travel to the commission. I cannot leave this room.

He said: but I can write a sworn statement.

He said: give me paper.

Cole produced paper from his coat.

Sandoval's daughter held it while her father wrote.

The writing was slow — the hand shaking with the specific tremor of extreme old age, each letter placed with the deliberate effort of a man who could not write quickly but could write accurately. The numbers he wrote were the numbers in Rafael's copy. The same numbers. Written by the man who had written them the first time in 1854 in a survey log that Flood now had in his possession.

Sandoval wrote for twenty minutes.

Three pages.

He put the pen down.

He said: is that enough.

Cole said: it is more than enough.

He said: thank you.

Sandoval looked at him.

He said: your father was a good man. He explained his work to the people who helped him. Most men don't.

He said: I remembered the numbers because he explained why the numbers mattered.

Cole took the three pages.

He went back to the commission.

He filed the Sandoval statement with Pearce.

He rode back to the valley with Montoya beside him in the January dark.

Two days for the Garza family.

The Boundary Markers

Chapter Seven — Two Days

Scene One — The Ride Back

They rode south from Santa Fe in the dark.

The January night: the temperature well below freezing, the specific cold of a high desert night with no cloud cover, the stars sharp and numerous in the way they were only on the coldest nights when the air carried no moisture to soften their edges. The road south through the foothills toward the valley was a road Cole had ridden so many times that the horse knew it by feel and Cole could ride it without the deliberate attention that unfamiliar roads required.

Montoya rode beside him.

The old man rode with the careful posture of a man who had been on a horse for twelve hours and was accounting for what twelve hours on a horse cost at eighty-two. He did not complain. He had not complained at any point in the day — not at the riding, not at the waiting in the commission corridor while Cole talked to Pearce, not at finding out that the survey log was in Flood's possession instead of the archive.

Cole said: your testimony was good.

Montoya said: I told what I remembered.

Cole said: that was what was needed.

They rode.

After a mile Montoya said: what happens now.

Cole said: I have the Sandoval statement. Combined with your testimony and mine it may be enough for Pearce to act. If Pearce acts

before the Garza window expires the Garza family keeps their land.

He said: the Garza window expires in two days.

Montoya said: two days.

Cole said: yes.

The old man was quiet for a moment.

He said: how many days has the Padilla family been off their land.

Cole said: three weeks.

He said: Ernesto Padilla planted cottonwoods along his creek in 1880.

Montoya said: I know. I watched him plant them.

He said: thirty-two years of trees.

They rode.

The valley opened below them as they came through the last of the foothills — the specific opening of the terrain as the road descended from the high ground, the valley floor dark below, the mountains on the east side darker against the dark sky.

Cole read the landscape without looking at it directly — in the way he had been reading it for fifty-eight years, the reading that happened below the level of conscious attention, the landscape entering him through peripheral awareness and depositing itself as knowledge.

He knew where he was.

He knew where everything in this valley was.

He rode.

...

Scene Two — The Telegraph From Pearce

A rider came from Visalia at noon the following day with a telegraph Pearce had sent from Santa Fe.

Cole was at the south boundary of his own land when the rider found him — kneeling at the south marker, reading his father's notation

for what felt like the hundredth time since January twentieth, the specific notation that connected his own land to the Garza land to the south, the chain that was intact and that the copy had encoded and that Sandoval's statement had encoded and that Cole carried in his own body.

He stood and took the telegraph.

Flood's lawyers filed emergency motion this morning challenging Sandoval statement admissibility on grounds that Sandoval was not disclosed as a witness before today and that the statement was prepared outside the commission's formal evidence process. Judge Hennessey — state court — issued temporary restraining order blocking commission from receiving Sandoval statement pending hearing scheduled for next Tuesday. Garza window expires tomorrow. Cannot act before then. Working on stay of expiration. — Pearce

Cole read it twice.

He looked at the south marker.

He thought: Tuesday. The Garza window expires tomorrow. The restraining order blocks the Sandoval statement until Tuesday.

He thought: Flood's lawyers filed the emergency motion this morning. This morning. They had been waiting for the statement to be filed with the commission. The moment it was filed the motion was ready to go.

He thought: the preparation is complete on their side. Every document Cole produces, Flood has a prepared response to it. The injunction for the copy. The emergency motion for the Sandoval statement. The removal of the survey log from the archive.

He thought about what Pearce had written: *working on stay of expiration*.

A stay of the expiration date. A federal mechanism to pause the state law clock while the commission proceeding resolved. The same mechanism that had protected the Archuleta family in 1882 while the investigation proceeded.

He rode to the Garza place.

...

Scene Three — The Speech In Praise Of The Villain

Elena Garza met him at the fence line.

She was walking the south boundary — not inspecting it, walking it, the specific walking of a woman who needed to be in contact with something real after two days of legal language and procedural motions and clocks running down.

He dismounted.

He walked beside her.

He told her about the restraining order and the stay petition and what Pearce was working on.

She listened.

She said: have you ever heard of a man named Harland. A Santa Fe lawyer.

Cole said: I know who he is.

She said: he came to see me yesterday. He said he wanted me to understand something about Flood.

She said: he said Flood had been in the federal archive reviewing land grant records for years before statehood. He said Flood had reviewed every Spanish land grant family's documentation in this valley with the specific intention of identifying the documentation gaps that the new state's requirements would expose. He said Flood had built forty-seven perfectly tailored challenges — each one designed around the specific gap in each specific family's records — and had filed them in a staggered sequence specifically designed to prevent the families from organizing a collective response.

She said: Harland said Flood was the best land title lawyer he had ever seen in this territory.

Cole said: yes.

She said: Harland said if you were trying to defeat Flood through the legal system you should understand that Flood had been inside the

legal system for seven years preparing for exactly this kind of challenge.

Cole said: I know.

She said: does Harland know something you don't know?

Cole said: Harland knows how good Flood is. That is the thing he knows. I know it too.

She stopped walking.

She looked at the south marker — the granite stone her grandfather had planted in the ground when Cole's father showed him where the boundary was.

She said: my grandfather put this stone in the ground.

Cole said: yes. With my father standing beside him.

She said: Flood's lawyers can file their motions. The stone is still here.

Cole said: yes.

She said: will the stay come through before tomorrow.

Cole said: I do not know. Pearce is working on it. He has done this before.

He said: if the stay does not come through before tomorrow, we will seek the stay from a different court. There are federal mechanisms beyond the commission. I am not out of mechanisms.

He said it with the specific confidence of a man who had been running out of mechanisms for fifty years and had always found one more.

...

Scene Four — Too Late For The Garza Family

The stay did not come through before tomorrow.

Cole was at his kitchen table at eight in the morning when the rider came from Visalia with the notice.

The Garza family's thirty-day window had expired at midnight. The enforcement mechanism was active. A man from the Santa Fe court had ridden to the Garza place at first light with the enforcement order.

Cole read the notice.

He sat with it.

He thought about the Garza south marker. The chain reference at the Garza south marker connecting to his father's system — intact, legible, in the ground since 1854. He thought about the cottonwood trees at the Padilla place. He thought about Maria Reyes's spring-fed stock pond and the Herrera brothers' west boundary and the Baca couple's wedding gift land.

He thought about Rafael's margin note: *must go faster*.

He rode to the Garza place.

Elena was at the fence line when he arrived — the same fence line where he had walked with her yesterday. She had not gone inside. She had been here since the court officer left.

She looked at him when he dismounted.

He said: the stay didn't come through.

She said: no.

He said: Pearce is filing a federal stay petition today. A different mechanism — commission-initiated rather than court-initiated. It may come through within forty-eight hours.

She said: and in forty-eight hours.

He said: the enforcement order is being served. Your family has thirty days to vacate the south bottomland under the order.

He said: if the federal stay comes through in forty-eight hours it supersedes the enforcement order. You do not vacate.

She said: and if it doesn't come through in forty-eight hours.

He said: then we seek a third mechanism. I am not out of mechanisms.

She looked at him.

She said: are you sure about that.

He said: no.

He said: I am sure that I am going to use every mechanism that exists before I tell you the mechanisms are exhausted.

She said: the Sandoval statement. The restraining order.

He said: Pearce is challenging the restraining order. The hearing is Tuesday. If the hearing goes right the statement is admitted and the finding is issued and the stay is confirmed and your family does not vacate.

She said: Tuesday is five days.

He said: yes.

The youngest Garza brother came out of the barn. He stood beside his sister and looked at Cole.

He said: is the south marker still there?

Cole said: yes.

He said: is the chain reference still readable?

Cole said: yes.

He said: then the marker is saying what it has always said regardless of what any court order says.

Cole looked at him.

He said: yes. Exactly.

He mounted.

He rode back toward Santa Fe.

He had work to do and he needed to do it in a direction.

...

Scene Five — The Race Against The Clock

Cole riding north toward Santa Fe.

Not toward Pearce — he had already told Pearce everything Pearce needed. Toward the federal archive.

He had been thinking about the survey log.

Flood had checked the log out in November and not returned it. Pearce had sent a formal notice of retrieval — forty-eight hours, Flood had the log and forty-eight hours to return it.

The forty-eight hours had passed.

The log had not been returned.

Cole rode to the federal archive.

He asked the clerk: has the 1854 valley survey log been returned.

The clerk checked.

He said: the retrieval notice was served on Mr. Flood's office yesterday morning. His lawyers responded that the log was unavailable for return at this time pending a legal review of its contents.

Cole said: unavailable for return pending legal review.

The clerk said: yes. That was the language.

Cole said: the archive's procedures for unreturned documents under retrieval notice.

The clerk said: a second notice is issued after forty-eight hours. A third after seventy-two. After seventy-two hours the matter is referred to the federal attorney's office for action.

Cole said: how long since the first notice was served.

The clerk said: thirty-six hours.

Cole thought: twelve more hours until the second notice. Thirty-six more until the third. Then the federal attorney's office.

He thought: by the time the federal attorney's office acts the Tuesday hearing will have passed and the restraining order on the Sandoval statement will have been resolved one way or the other.

He thought: the survey log is not the path. The survey log is what Flood is using to buy time.

He rode back toward the commission.

He needed to talk to Pearce about the Tuesday hearing.

...

Scene Six — He Files The Statement. He Waits.

Pearce was in his office.

Cole sat across from him and told him what he had learned at the archive.

Pearce listened.

He said: Flood is managing the survey log's return to control the timing. As long as the log is unavailable the commission cannot corroborate your testimony with the log. The Sandoval statement is blocked by the restraining order until Tuesday. Your testimony alone is not sufficient.

Cole said: the Tuesday hearing.

He said: tell me exactly what the Tuesday hearing will determine.

Pearce said: the restraining order blocks the commission from receiving the Sandoval statement. The Tuesday hearing will determine whether the restraining order should be lifted and the statement admitted, or whether the restraining order should be made permanent and the statement permanently excluded.

He said: the grounds for lifting the order are that the statement is legitimate evidence from a qualified witness — Sandoval was the surveyor's assistant, he has specific knowledge of the survey's methodology from direct participation, his statement is the equivalent of expert testimony from the original source.

He said: the grounds for making it permanent are that Sandoval was not disclosed as a witness before the statement was filed, that the statement was prepared outside the commission's formal evidence process, and that the statement's admissibility should be determined by the court rather than accepted by the commission unilaterally.

Cole said: who is the judge on Tuesday.

Pearce said: Harland. Federal district court. Not a state court — Flood's lawyers filed the restraining order in state court but the commission has removed the proceeding to federal court on grounds of federal question jurisdiction.

Cole said: federal jurisdiction.

Pearce said: yes. The commission invoked federal question jurisdiction because the underlying case involves the Treaty of Guadalupe Hidalgo, which is a federal treaty. The state court restraining order was removed to federal court this morning.

He said: Harland is a federal district judge. He will evaluate the statement on federal evidence standards.

Cole said: and federal evidence standards.

Pearce said: are less restrictive about late-disclosed witness statements than state court standards when the witness has unique personal knowledge of the matter in question.

He said: Sandoval has unique personal knowledge of the 1854 survey because he conducted it. No one else alive has that knowledge.

Cole said: then Tuesday.

Pearce said: Tuesday.

Cole said: and the Garza family.

Pearce said: the federal stay petition I filed this morning. The federal court will rule on it — possibly tomorrow, possibly not until Monday. If the stay is granted the enforcement order is suspended. The Garza family does not vacate while the commission proceeding is pending.

He said: I have done this before.

Cole said: I know. I was there.

He said: hold the record open. I am going to go build the backup.

Pearce said: what backup.

Cole said: the complete reconstruction of the methodology from memory. Organized, specific, in the form of a written account that the commission can receive as context for whatever the Tuesday hearing produces.

Pearce said: you are going to write it down.

Cole said: I have been carrying it in my head for fifty-eight years. It is time to put it on paper.

He went to find a hotel room in Santa Fe.

He sat at the desk in the hotel room with paper and a pen.

He began to write.

Tuesday was five days away.

Five days was long enough to write everything he knew.

The Boundary Markers

Chapter Eight — The All-Is-Lost

Scene One — The Hotel

He wrote for four days.

The hotel room: the iron bed pushed against the wall to give the desk more space, the desk brought to the window for the light, the specific quality of a Santa Fe hotel room in January — the cold in the mornings before the stove took hold, the thin walls, the sound of the street below arriving in specific registers that told him the time without needing to look at anything.

He wrote the way he had written everything that mattered since his range detective days — in the specific order that served the argument rather than the order the memory produced the material. He organized before he wrote. He spent the first morning organizing and the remaining three days writing.

The methodology: complete, precise, the chain reference numbers from memory and from the copy of Sandoval's statement he had made before filing it, the specific mathematical relationships between the grants laid out in the order that established the logic of the connected system rather than the geography of the valley.

The treaty connection: the Treaty of Guadalupe Hidalgo, Article VIII and Article IX, the specific federal guarantee of existing Mexican land grants, the legal mechanism by which a federal treaty superseded a state law that conflicted with the treaty's guarantee, the specific case law that had established this supersession principle in California land disputes and that applied equally to New Mexico under statehood.

The marker readings: his own account of what he had found at each boundary marker in the valley during the past two weeks — the notation at each marker, the chain reference number at each marker, the specific condition of each marker, the corroboration the physical markers provided for the methodology described in the copy.

His own background: the specific knowledge he carried and why. His father's 1854 survey. Being seven years old and following his father through the valley. The methodology entering him in 1854 as measurements entered him — completely, through the specific quality of attention that his father had taught him to give to things that mattered.

He included the archive trespass in 1865. He included the contempt citation. He included what the record had produced.

He included Cord.

Not as allegation — as fact. The copy taken. The survey log not returned. The injunction filed. The emergency motion against the Sandoval statement. The specific sequence of legal instruments designed to prevent the commission from receiving the evidence that defeated the title challenges.

He wrote it all.

He wrote it in the specific order that a person who needed to understand it would need to read it to understand it.

He put it in order and he put it on paper and when it was finished he had twenty-two pages in his own hand that contained everything he knew.

He filed it with Pearce on Monday evening.

...

Scene Two — Cord In Santa Fe

He saw Cord on Tuesday morning.

The plaza in Santa Fe, nine in the morning, the specific quality of a territorial capital's central plaza in January — the buildings around it,

the foot traffic of a city going about its business, the gas lamps still burning in the flat overcast light.

Cole was crossing the plaza toward the federal building.

Cord was on the far side of the plaza, not moving.

Not watching the plaza generally — watching the federal building's door. The specific watching of a man who had been told to know who came and went through that particular door and was knowing it.

Cole crossed the plaza.

He walked toward Cord.

Cord watched him come.

Cole stopped in front of him.

The specific close distance of two men stopping to speak: close enough for speech at a normal volume, far enough that neither was in the other's physical space. Close enough that Cole could see the specific quality of the face — the compact face of a man who had been doing this kind of work for twenty years, the face that had been at whatever angle it needed to be at on the morning of January twentieth.

Cole said: you killed my son.

Cord looked at him.

He said: I do not know what you are talking about.

His voice was even. Not nervous. The specific even voice of a man who had been trained to be even in circumstances that produced evenness as a professional quality rather than an emotional one.

Cole said: yes you do.

Cord said: you are making an accusation without evidence. I would be careful about that.

Cole looked at the specific face.

He thought: this is the man. This is the face that was in Rafael's kitchen on January twentieth. This is the man who looked at the hook by the door where the saddlebag should have been and took it.

He said: you have been following me for two weeks. You have watched me build what I have been building. You know that the

document is in court custody and the hearing is today and everything I have put in the record is there regardless of what today produces.

He said: you killed my son. I want you to know that I know it and that the record will contain it when the time comes.

Cord said nothing.

Cole turned and walked toward the federal building.

He did not look back.

...

Scene Three — The Night Before The Hearing

Monday night. Cole in the hotel room with the written account filed and the hearing the next morning.

He reviewed the notebook — not the filed version, the working version, the version with his own markings and organizational notes and the specific shorthand he had used when composing rapidly.

He read it the way he read everything important — not the content, the register.

It was complete.

He had put everything in it that belonged in it and nothing that did not belong in it. The methodology, the treaty connection, the marker readings, his own background, the sequence of events from January twentieth to the present day. The archive trespass. The copy taken. The survey log not returned. The injunction. The emergency motion.

The record as Cole had built it was the strongest record he had built in fifty years.

He thought: this is what fifty years produces. Not speed — completeness. The ability to build a record that contains everything relevant and nothing irrelevant, in the order that makes it comprehensible to the person who needs to receive it.

He thought about Rafael.

Rafael had been building this record for six months before Cord intercepted him. Rafael had understood the methodology, understood the chain, understood the treaty connection, understood the families. Rafael had been walking the boundaries and building the corroboration and preparing the petition.

Rafael had been faster than Cole.

Cole was sixty-five years old and he had never been the fastest person doing this work. He had always been the most complete.

He put the notebook down.

He went to bed.

He did not sleep for a long time.

When he slept he slept without dreaming.

...

Scene Four — The Hearing

The Santa Fe federal court at nine in the morning.

Cole in the gallery — not a party, not testifying, watching.

Federal judge Harland on the bench — fifty-five, appointed by Taft, the specific quality of a federal judge in the first year of New Mexico statehood who understood that his court was setting precedents that would govern land disputes in this state for a generation.

Flood's lawyers: the senior associate, polished, specific, deploying a prepared argument with the efficiency of a man who had prepared it thoroughly and was executing it precisely.

Pearce at the other table.

The argument about the Sandoval statement took two hours.

Flood's lawyers argued: late disclosure, informal preparation process, the statement should not be admitted.

Pearce argued: unique personal knowledge, no other source for the information, the commission's evidence standards were appropriate to the statement's character.

Harland asked seven questions. Specific, precise, the questions of a man who had already read the briefs and had specific concerns that the argument had not fully addressed.

Pearce answered each.

At eleven-thirty Harland said he would issue his ruling after a brief recess.

Cole sat in the gallery.

He looked at the courtroom ceiling.

He thought: either way the written account is in the commission record. Pearce received it yesterday. Whatever Harland rules, the twenty-two pages are in the record.

He thought: the record survives the ruling.

He thought about his father.

Harland returned.

He said: the restraining order is lifted. The Sandoval statement is admitted to the commission record. Mr. Sandoval's participation in the 1854 survey gives him unique personal knowledge that cannot be obtained from any other living source. The late disclosure was a product of extraordinary circumstances — the death of the petitioner's son and the removal of the primary documentary evidence through injunction proceedings. The commission may receive the statement.

Flood's senior associate was on his feet immediately.

He said: we file notice of appeal.

Harland said: noted.

He said: I further note that the commission may proceed on the record as it stands — the testimony, the written account, and the Sandoval statement — without waiting for the appeal to be resolved.

He said: the appeal does not automatically stay the commission's authority to act.

He said: this hearing is adjourned.

Cole stood.

He was moving toward the courtroom door when the courier arrived.

...

Scene Five — ALL IS LOST

The courier came through the courtroom door as Cole was going out.

He was moving against the traffic of the courtroom emptying — going in rather than out, his purpose different from everyone else's purpose in that moment.

He went to Flood's senior associate.

He produced a document.

The senior associate read it.

He looked at the document.

He looked across the emptying courtroom.

He saw Cole.

He walked toward Cole.

He said: the appeal includes an emergency application for a stay of Harland's ruling. The application was filed simultaneously with the notice of appeal — the court of appeals judge has granted the stay.

He produced the stay order.

Signed twenty minutes ago.

The Sandoval statement — admitted by Harland eleven minutes ago — was stayed pending the appeal of Harland's ruling.

Cole took the stay order.

He read it.

He looked at the senior associate.

He said: the stay covers the Sandoval statement.

The senior associate said: yes.

Cole said: and the written account I filed with the commission yesterday.

The senior associate said: the stay covers any evidence received by the commission in relation to this proceeding, pending the appeal's resolution.

He said: the commission cannot issue a finding while the stay is in effect.

Cole stood in the emptying courtroom with the stay order in his hand.

He thought: the written account is blocked. The Sandoval statement is blocked. The copy is in court custody. The survey log is in Flood's possession.

He thought: I have my testimony. Montoya's testimony. Both received by the commission before the stay. The stay covers evidence received after the hearing — but the testimony was received before the hearing.

He thought: is the testimony sufficient without the corroborating documents.

He thought: Pearce said no. Without corroboration the testimony alone is insufficient.

He said to the senior associate: the testimony.

The senior associate said: the testimony was received before the stay. The stay does not retroactively block evidence already in the record.

He said: but the commission cannot issue a finding on testimony alone that was expressly found insufficient by the commission's own examiner pending the receipt of corroborating documents. The testimony's insufficiency was on the record before the corroborating documents were blocked. Blocking the corroborating documents does not make the testimony retroactively sufficient.

He turned and walked away.

Cole stood in the courtroom.

The courtroom was empty.

The light through the windows was the flat overcast light of a January morning in Santa Fe, the specific light that softened nothing.

He stood.

He had: his testimony. Montoya's testimony. His twenty-two-page written account — blocked from commission use by the stay. The Sandoval statement — blocked. The copy in court custody. The survey log in Flood's possession.

He was sixty-five years old and his son was dead and the record he had built for three weeks was sealed behind a stay order filed by lawyers who had been preparing for this moment for months.

He stood in the empty courtroom.

He thought: I am the document.

He thought: I have always been the document.

He thought: go to Pearce.

...

Scene Six — He Goes To Pearce. He Has His Memory.

He found Pearce in his office.

He told him about the stay.

Pearce had already heard — the commission's legal counsel had been notified simultaneously with the courtroom.

Pearce said: the stay covers the written account and the Sandoval statement. It does not cover the testimony already in the record.

He said: the testimony alone is not sufficient to issue the finding.

Cole said: I need to testify from memory.

Pearce said: you have testified from memory. That testimony is in the record. The record was found insufficient pending corroboration.

Cole said: I need to testify again. Completely. From the beginning. The full methodology in the specific technical detail that distinguishes it from approximation. The chain reference numbers, which are in my memory as they are in Sandoval's and as they are in the copy in court

custody.

He said: I need to testify until the testimony is complete enough that the commission can act on it without the corroborating documents.

Pearce looked at him.

He said: that is a higher standard than the testimony you have already given.

Cole said: then I give higher testimony.

He said: put me under oath. Get your stenographer. I will testify until there is nothing left that belongs in the record that is not in it.

He said: the stay blocks the documents from the commission. The stay does not block what is in my body.

Pearce looked at him for a long moment.

He said: sit down.

He called for the stenographer.

Cole sat.

He started from the beginning.

He testified for three hours.

He gave the methodology in the specific technical detail that distinguished it from approximation. He gave the chain reference numbers in order — every one, the complete sequence, the specific numbers his father had called and Sandoval had written and the seven-year-old Cole had absorbed and the sixty-five-year-old Cole had been carrying for fifty-eight years.

He gave the treaty connection in the specific legal language of a man who had been working with federal land law since 1865 and who understood not just the argument but the specific provisions and the specific case law and the specific mechanism of federal supersession.

He gave the marker readings — every marker, every notation, every chain reference he had read with his hands on his knees in the January cold.

When he finished Pearce sat with the stenographer's record and did not speak for a time.

Then he said: this is the most complete testimony I have received in thirty years of commission work.

He said: I need to determine whether this testimony, standing alone, is sufficient to issue the finding.

He said: the standard for issuing a finding on testimony alone without documentary corroboration is high.

He said: this testimony may meet it.

He said: I need a day.

Cole said: the Garza family.

Pearce said: the federal stay of enforcement — the one I filed for the Garza family — was granted this morning before the hearing. The Garza family does not vacate while I am deliberating.

He said: go find somewhere to sleep.

Cole went back to the hotel.

He sat in the chair by the window.

He thought about the stay order in the empty courtroom.

He thought about everything blocked behind it.

He thought about the twenty-two pages filed with the commission yesterday — blocked from use.

He thought about Flood's office on Palace Avenue.

He thought about what was in Flood's office on Palace Avenue.

He sat in the chair.

He thought.

The Boundary Markers

Chapter Nine — The Weight Of It

Scene One — Morning

He was at the south boundary at dawn.

Not his south boundary — Rafael's.

He had ridden there in the dark, before the light, because the south boundary of Rafael's land was where his thinking was clearest and where the thinking that needed to be done this morning needed to be done clearly.

The irrigation channels were below him in the flat predawn grey — the channels his grandfather had built in 1862 that Rafael had maintained since he took over the land in 1905 and that Pilar had walked with the children in the summer evenings pointing out the specific things that grew along the edges. The grade of them catching no light yet — present but not illuminated, existing in the specific way that things existed before light confirmed them.

He had been here since five.

He thought about the stay order.

The stay covered the written account and the Sandoval statement. The testimony already in the record was not covered. Pearce was deliberating on whether the testimony alone was sufficient to issue the finding.

If Pearce found it sufficient, the finding would be issued and challenged immediately and the challenge would proceed through the appeal process while the families lived in uncertainty.

If Pearce found it insufficient, the record was stuck — everything behind the stay, the testimony alone not enough, the finding not issued, the families living in uncertainty while the appeal ran its course.

He thought about Flood's office on Palace Avenue.

He had been thinking about Flood's office since he sat in the hotel room chair the previous evening. He had thought about it through the night in the specific way that a thing thought about through the night was thought about — not with the analytical clarity of daytime thinking but with the deeper attention of a mind that had stopped editing itself.

He knew what was in Flood's office.

He had been building a picture of Flood's operation for three weeks — the staggered challenges, the prepared responses, the injunction, the emergency motion, the stay. A man who ran an operation with this precision kept records of every aspect of the operation. The communications with Cord. The instructions regarding Rafael. The specific words that connected the legal operation to the thing that happened on January twentieth.

The record of what Cord did to his son was in that office.

Cole stood at Rafael's south boundary in the January predawn and thought about going into that office.

...

Scene Two — He Understands What Leaving Means

He thought about not going in.

Not going in meant trusting the testimony to be sufficient. Pearce was deliberating. The testimony was the strongest Cole had given in fifty years. If Pearce found it sufficient the finding was issued and the challenge proceeded and eventually the appeal ran its course and eventually the families knew.

Not going in meant Cord remained unconnected in the legal record to January twentieth. The murders were facts. The connection between

Cord and the murders was known to everyone who understood the situation. The legal record did not contain the connection because the legal record contained only what was put in it and no one with standing had put the connection in it.

Not going in meant Flood was inconvenienced. His operation in this valley was over — the testimony and the finding, if Pearce issued it, would defeat the challenges. But Flood was a lawyer with a law degree and three associate attorneys and seven years of experience in New Mexico land law. An operation that was defeated in New Mexico was an operation that moved to Arizona.

The families in Arizona who would face him next year were not protected by anything Cole had built here.

He thought about Option A in the specific terms it deserved.

He thought: the testimony may be sufficient. Pearce may issue the finding. The finding may survive the appeal. The families may keep their land through the legal process that Cole had been building for three weeks.

He thought: and Cord goes to Texas and Flood goes to Arizona and January twentieth is in the family's memory and in Cole's body and nowhere in the federal record where it belongs.

He thought: the record needs to be complete.

He had been saying this for fifty years.

He thought about what complete meant at sixty-five.

...

Scene Three — He Understands What Staying Means

He thought about going in.

Going in meant going into Flood's office at three in the morning the way he had gone into the original ranch house in 1865 and the federal archive in San Francisco in 1882.

He was sixty-five years old.

He had been going into locked buildings at three in the morning since he was eighteen.

The specific physical cost of this at sixty-five: he had been on his feet in the cold for two hours already and his lower back was providing its honest report and his knees were providing their honest report and his hands inside the gloves were providing their honest report. Going into a locked building at three in the morning required a body that could move quietly and quickly and in the dark and at sixty-five those requirements were not impossible — he had been doing it since he was eighteen — but they required more from the sixty-five-year-old body than they had required from the eighteen-year-old body.

He thought: I have done this before. I will do it again.

He thought about what going in produced if it went right.

Flood's records of his communications with Cord. The specific language of the instructions regarding Rafael. The connection between the legal operation and January twentieth in a form that the federal marshal could use to open an investigation and eventually a prosecution.

He thought about what going in produced if it went wrong.

If Cord had a watch on the office. If a neighbor saw Cole going in. If the entry was discovered and reported before Pearce issued the finding.

Cole's twenty-two-page written account was blocked by the stay. If the entry was discovered the night before Pearce issued his finding, the discovery would reach Pearce. Pearce would know that the man whose testimony he was deliberating on had broken into the opposing party's office the previous night. The deliberation would be affected by the knowledge.

He thought: the finding is the families' land.

He thought: the communication record is Cord's prosecution.

He thought: both things matter. I cannot rank them.

He stood at Rafael's south boundary as the January dawn arrived — the mountains east going from black to grey to the specific pale gold of the first light, the valley declaring itself in the incremental way it always

declared itself.

He thought about his father.

His father had put measurements on paper because measurements put on paper were measurements that survived the surveyor. The surveyor died. The measurements remained. The measurements were for whoever needed them after the surveyor was gone.

He thought: I have been putting things in the record for fifty years. The record is what survives.

He thought: the record of what Cord did to Rafael needs to be in the record.

He thought: an incomplete record is not the record I build.

He turned from the boundary.

He walked back to his horse.

He was deciding.

...

Scene Four — The Coin

That evening in the hotel room.

He was not in the bed — in the chair by the window, looking at the Plaza, the January night outside, the gas lamps making their yellow circles on the frozen adobe.

The coin in his hand.

He was not rolling it. He was holding it in his palm — the full weight of it, the specific weight of a Mexican silver peso that had been carried by two men for more than sixty years and was worn smooth on the high points by all that carrying.

The eagle on the reverse barely visible now. He knew it was there. He had been reading it for fifty-six years and it was in him the way all measurements were in him — not requiring confirmation, simply known.

He thought about his father.

He thought: my father carried this coin for however long before he left it to me. He had it when I was born. He carried it through the 1854 survey — every marker placed in this valley, every number called out and written down by Sandoval, every chain reference cut into granite with the cold chisel — this coin was in his pocket.

He thought: he left it to me at nine years old and I have been carrying it since.

He thought about the weight.

The coin weighed the same it had always weighed.

He was not the same weight he had been at nine years old.

He thought about what he had done with the fifty-six years.

He thought: I have been putting things in the record. In 1865 and in 1882 and every time between and every time since. The record is what I have been doing. The record is what I am.

He thought: the record of what Cord did to my son needs to be in the record.

He put the coin in his pocket.

He stood.

He put on his coat.

He went out.

...

Scene Five — He Sits With Both Options

He was standing on Palace Avenue outside Flood's office at eleven in the evening — not yet three, not yet the hour, thinking still.

He stood across the street from the frosted glass door with the name in gold letters dark at this hour and he thought about both options with the full weight that both options deserved.

Option A: do not go in. Trust the testimony. Pearce deliberates and issues the finding and the appeal proceeds and eventually the families know. Cord goes to Texas. Flood goes to Arizona. The record Cole built

contains the testimony and the written account and the Sandoval statement — three pieces, all of them pointing at the connected survey methodology, all of them establishing that Flood's challenges were invalid, none of them establishing what Cord did to his son's family.

The families here are protected by the finding if the finding holds.

The families in Arizona who face Flood next year are not.

Cord is free.

Option B: go in. Find the communication record. Take it to the marshal. Disclose the entry before Pearce issues the finding. Trust the complete record to produce the right outcome — the finding and the prosecution both, because the complete record is the complete record and the complete record is what Cole builds.

The risk: Pearce knows about the entry before the finding is issued. The finding may be affected by the knowledge. The families may live in longer uncertainty while the entry's effect on the proceeding is resolved.

He stood on Palace Avenue.

He thought: the finding is the families' land. The communication record is Cord's prosecution. Both things matter. I cannot rank them.

He thought: in 1865 I went to the court and said the true thing in a room where it was not wanted and it cost Don Vega three days and produced a federal investigation.

He thought: in 1882 I stayed in the Archuleta valley when Elena asked me to leave and it cost the family six months of uncertainty and produced a commission finding that saved the land.

He thought: at sixty-five the cost is not my land. It is not my career. The cost at sixty-five is the finding being affected by the disclosure.

He thought: but the finding, once issued, is in the record. The record survives the challenge. The appeal runs its course and the finding is affirmed or it is not and either way the record is there.

He thought: the record with the communication record in it is more complete than the record without it.

He thought: an incomplete record is not the record I build.

He crossed the street.

He went to the west wall of the building.

He put his hands on the window frame.

...

Scene Six — He Finishes Sitting.

He stopped at the window frame.

He stood with his hands on it in the January cold and thought one more time.

He thought: I am going to disclose this. Whatever I find in there, I am going to take it to the marshal and I am going to tell the marshal where it came from. I am going to tell Pearce what I did before Pearce issues the finding.

He thought: I am not going to build an incomplete record and I am not going to build it dishonestly.

He thought: the record needs to contain the truth about what I did to build it. The record of the trespass is part of the record. The record with the trespass in it is more credible than the record without it because a record that omits what its builder did to build it is a record that is hiding something.

He thought: I hide nothing.

He found the tolerance in the window frame — the specific warping of five New Mexico winters in wood that had been installed without adequate expansion gaps.

He worked the frame.

The frame gave.

He went through.

The going through at sixty-five: the shoulder first, the torso, the legs, the specific careful negotiation of a body that was larger than it had been at eighteen and that the window was not designed to admit, the body cooperating because it had been cooperating with similar requests

for forty-seven years and knew how.

He was inside.

He lit the lantern.

He went to the filing cabinets.

He found the section marked PERSONNEL AND CONTRACTORS.

He found the hanging file marked CORD, J.

He opened it.

He read.

He took what he needed.

He replaced the file.

He went to the window.

He went out.

He walked toward the federal marshal's office.

It was two in the morning.

The marshal's office was closed.

He left an envelope at the door with a note inside describing what the envelope contained and where the contents came from.

He put no name on the note.

He walked back to the hotel.

He was not going to sleep.

He was going to sit in the chair and wait for morning.

In the morning he was going to go to Pearce and tell him what he had done.

That was the plan.

That had been the plan since he crossed the street.

That was the only plan that was consistent with everything he had been doing for fifty years.

He sat in the chair.

He waited for the morning.

The Boundary Markers

Chapter Ten — The Crisis

Scene One — Three In The Morning

He did not go back to the hotel after he left the marshal's door.

He went to the plaza instead.

The Santa Fe plaza at two-thirty in the morning in January 1912: empty, the gas lamps making their specific circles of yellow on the frozen adobe, the buildings around the perimeter dark at their upper floors and dark at their lower floors, the specific silence of a city that had gone to sleep and not yet begun to wake. The cold at this hour had reached its lowest point of the night — the temperature in its final descent before the predawn slight warming that was not warmth but was the end of the descent.

He sat on a bench on the plaza's south side.

He had the communication letters inside his coat. Three pages of Flood's specific careful language, the language of a lawyer who understood what he was writing and had written it carefully enough to be deniable and specifically enough to be readable by anyone who needed to read it.

He held the coat closed over them.

He thought about what the letters were and what they were not.

They were not a confession. Flood had not written: instruct Cord to kill Rafael Harte. He had written: instruct Cord to prevent Rafael Harte from reaching the commission with any documentation related to the valley survey challenges. He had written, in the third letter: the matter

has been handled in a way that creates complications I had not anticipated.

The matter.

The complications.

The specific language of a man who understood that the language would be read someday and had written it to be deniable while being specific.

Cole could read the letters. The federal marshal could read the letters. A judge could read the letters. What the letters said was what the letters said.

He sat on the bench in the cold plaza and looked at the federal building across the plaza where Pearce's office was dark and Pearce was somewhere sleeping and the commission record was sitting in its file with the testimony and the written account blocked by the stay.

He thought: in the morning I go to Pearce.

He thought: I tell him what I did last night.

He thought about the specific conversation that would be.

He thought about what Pearce would say.

He thought about what Pearce had said in 1882 when Cole had ridden to his office in the Archuleta case and told him things that a man of lesser professional fortitude might have found inconvenient.

Pearce had listened.

Pearce had always listened.

Cole sat in the cold plaza.

The night advanced toward morning.

...

Scene Two — He Understands What Leaving Means

At three he thought about leaving.

Not the city — the situation. Not going to Pearce in the morning. Taking the letters to the marshal in a way that did not connect them to Cole's name. Letting the anonymous note at the marshal's door speak for itself.

He thought about this option with the full attention it deserved.

If he did not go to Pearce in the morning — if the disclosure of the entry stayed anonymous — Pearce issued his finding on the testimony without knowing about the entry. The finding was issued clean. The appeal proceeded without the complication of the entry's disclosure affecting the proceeding. The families kept their land more quickly, more cleanly, without the additional uncertainty of the entry's effect on the proceeding.

And the marshal had the anonymous note and the letters. The marshal was a federal officer who had been working New Mexico land disputes for twenty years. He knew how to read what the letters said. He could open an investigation based on the letters alone, without needing to know where the letters came from.

The entry could stay anonymous.

He thought about this and he thought about what anonymous meant in the context of the record he had been building for fifty years.

He thought: an anonymous record is not a complete record.

He thought: if the entry is anonymous the record contains evidence obtained by a trespass that no one will acknowledge. The evidence will be questioned. The investigation will be questioned. The prosecution will be challenged on the grounds that the evidence's origin is unknown and therefore its chain of custody cannot be established.

He thought: Cord's lawyers will argue that the letters were fabricated by an unknown party.

He thought: the letters in a record with a known provenance — obtained by trespass by Cole Harte, disclosed by Cole Harte to the marshal — are more credible than the letters in a record with an anonymous provenance.

He thought: the record needs to know where things came from.

He thought: I am where things came from.

He stood from the bench.

He walked toward the hotel.

He needed a few hours of sleep before the morning.

...

Scene Three — He Understands What Staying Means

He lay in the hotel bed and thought about going to Pearce in the morning.

Going to Pearce meant: Pearce knew about the entry. Pearce, who was deliberating on whether to issue the finding, knew that the man whose testimony he was deliberating on had broken into the opposing party's office the night before.

What did Pearce do with that knowledge?

He thought about Pearce.

Pearce had been a commission examiner for thirty years. He had seen people do things outside the normal procedures in the course of building the record that the procedures could not build fast enough. He had seen it in the Archuleta case. He had received Cole's testimony in 1882 knowing that Cole had committed federal archive trespass to obtain the survey record, and he had received it because the testimony itself was credible regardless of what else Cole had done.

He thought: Pearce evaluates evidence on its merits.

He thought: Pearce will evaluate the testimony on its merits.

He thought: the finding issued after the disclosure of the entry will be a finding that has accounted for the disclosure. The appeal will challenge the finding knowing that the court has already been informed of the entry. The challenge will be harder to sustain because the finding has already addressed the relevant facts.

He thought: the finding issued without the disclosure of the entry will be a finding that has not accounted for the entry. The appeal will

discover the entry. The court will review a finding that was issued without accounting for a relevant fact. The finding will be more vulnerable.

He thought: transparency produces more durable findings than non-transparency.

He thought: I have always known this.

He closed his eyes.

He slept.

At four-thirty his body woke him.

He lay still for a moment.

He rose.

He dressed.

He went to the commission.

...

Scene Four — The Decision Already Made

He was at Pearce's office at seven-thirty, before the building opened.

He sat on the steps outside and waited.

The Santa Fe morning in January: the cold, the flat overcast sky, the gas lamps still burning in the early light, the specific quality of a city beginning to wake in its winter rhythm.

He thought about nothing specific.

He had been thinking specifically for nine days — for twenty-three days since he found the bodies in Rafael's kitchen. He had been thinking in the specific directed way that the work required, each thought connected to the next thought in the specific chain of problem-solving that had been his professional method for fifty years.

This morning he was not thinking specifically.

He was sitting on the steps of a federal building in Santa Fe in January and he was sixty-five years old and his son was dead and he had

been carrying the coin in his pocket for fifty-six years and the morning was the morning.

The building opened at eight.

He went in.

He went to Pearce's office.

Pearce was at his desk.

He looked at Cole when Cole came in.

He said: you look like you haven't slept.

Cole said: I need to tell you something.

Pearce said: sit down.

Cole sat.

He told him.

...

Scene Five — THE FULL STORY CRISIS

He told Pearce what he had done the night before.

He told it completely — the window frame, the file, the letters, the note at the marshal's door.

He told it the way he told all true things: in order, without editing, with the full specific detail of what had happened and why.

When he finished Pearce was quiet.

The quiet lasted long enough that Cole could hear the building around them — the specific sounds of a federal commission office in the morning, the other clerks arriving, the doors, the footsteps.

Pearce said: the letters.

Cole said: three pages. Flood's language to Cord. The instruction to prevent Rafael from reaching the commission. The response to the matter being handled.

He said: the matter.

Pearce said: yes.

He said: you left them at the marshal's door.

Cole said: an unsigned note describing their contents and origin. I am going to the marshal this morning to disclose the entry formally.

Pearce said: before the finding is issued.

Cole said: yes.

He said: I want you to hear this before you issue the finding because the finding should be issued with complete information.

He said: I went into that office last night. I took those letters. I am telling you because the record needs to contain what I did. A record that omits what its builder did to build it is a record hiding something.

He said: I do not hide things from the record.

Pearce looked at him across the desk.

Cole thought about what was in Pearce's face — the specific quality of attention in the face of a man who had been receiving evidence for thirty years, the attention that evaluated what it received against thirty years of received evidence and determined where the present thing sat in the range of what had been received.

He thought about the two options.

Option A: he had not gone into Flood's office. He had not taken the letters. He had not disclosed anything. The finding was issued clean. The appeal proceeded without complications from the entry. The families kept their land — or did not keep it — based on the testimony alone. Cord went to Texas. Flood went to Arizona.

The record was missing what had been done to his son.

Option B: he had gone in. He had taken the letters. He was disclosing it now, before the finding was issued, because the record needed to be complete and he was the record's builder and the record's builder did not hide from the record.

The finding would be issued with the disclosure accounted for. The appeal would proceed knowing the court had addressed the disclosure. The finding would be more durable, not less.

And the communication record was in the marshal's hands and the prosecution could begin.

He thought: I cannot rank these options.

He thought: I have never been unable to rank the options before.

He thought: the inability to rank them is the answer.

He thought: when I cannot rank the options I build the complete record and trust the complete record to produce the right outcome.

He thought: that is what I have always done.

He thought: that is what I am doing now.

He said to Pearce: issue the finding on the testimony. Include in the commission record the disclosure of the entry and the letters. Let the record be complete and let the court evaluate the complete record.

He said: the complete record is what I build.

He said: I trust the complete record.

Pearce looked at him.

He said: I have known you for thirty years, Cole Harte.

He said: sit here while I think about this.

He sat back.

He thought.

Cole sat across the desk and did not rush him.

The morning moved through the building around them.

Pearce thought.

At nine-fifteen he said: the testimony you gave yesterday is the most complete testimony I have received in thirty years of commission work. The chain reference numbers are internally consistent and consistent with Montoya's independent number and with the Sandoval statement — which I am treating as a received document despite the stay, because it was filed before the stay was issued and the stay's language covers documents received after its issuance, not documents received before.

He said: the entry and the letters are in the commission record as you have described them. The marshal has the letters. The court will have the disclosure.

He said: I am going to issue the finding.

He said: the finding will note that the commission received Cole Harte's disclosure of the entry and that the disclosure reflects the same commitment to complete record-keeping that characterizes the testimony itself.

He said: I am going to call my legal counsel.

He said: this will take until afternoon.

He said: go to the marshal.

Cole stood.

He went to the door.

He stopped.

He said: Pearce.

Pearce said: yes.

Cole said: thank you.

Pearce said: go.

Cole went.

...

Scene Six — He Goes To The Marshal.

The federal marshal's office was two blocks from the commission building.

The marshal was at his desk when Cole came in.

He was a man who had been doing this work for a long time and it showed in the way that this kind of work showed — not in damage but in the specific settled quality of a person who had processed enough of what human beings were capable of that new information added to the existing picture rather than changing its character.

He had the envelope from the night before on his desk.

He looked at Cole when Cole came in.

He said: Cole Harte.

Cole said: yes.

He said: sit down.

Cole sat.

The marshal said: I found this at my door this morning. I assume you left it.

Cole said: yes.

He said: I went into Elias Flood's office last night through a window on the west side of the building. I found the file marked Cord, J. in the personnel section of his filing cabinets. The three letters in the envelope are from that file. I copied them accurately — there may be minor transcription variations but the substance is exact.

He said: the originals are in Flood's filing cabinet. The originals can be obtained through a proper search warrant.

The marshal read the letters.

He read them the way Cole had read them — slowly, in the specific reading mode of a man who was reading for what the language was saying beneath the language it was using.

He looked up.

He said: the instruction to stop Rafael from reaching the commission.

Cole said: yes.

He said: the response to the matter having been handled.

Cole said: yes.

He said: you committed trespass to obtain these.

Cole said: yes. I am disclosing the trespass now. Before anything else happens that might be affected by not disclosing it.

He said: I need the originals obtained properly. The transcriptions are accurate but the originals carry the physical evidence that the transcriptions cannot carry.

The marshal said: I will obtain a search warrant today.

He said: you understand the disclosure does not eliminate the trespass.

Cole said: yes.

He said: what it does is give you an investigation that is honest about how it started. That is worth more than an investigation that is not honest about how it started.

The marshal looked at him.

He said: you committed trespass and disclosed it to a federal officer on the same morning.

Cole said: yes.

The marshal said: sit down. I need your full statement.

Cole sat.

He gave the full statement.

He gave it the way he had given all statements since 1865 — in order, without editing, with the full specific detail of what happened and why.

When he finished the marshal said: I am opening a criminal investigation into Elias Flood and a man known as Cord regarding the deaths of Rafael Harte, Pilar Harte, Tomás Harte, and Ana Harte on January twentieth.

He said: I will note in the investigation file that the initial evidence was obtained by trespass and disclosed voluntarily. The admissibility of the transcriptions and the originals will be determined by the court.

Cole stood.

He said: thank you.

He went back to the commission to wait for Pearce's finding.

It was ten in the morning.

He had not slept since Tuesday.

He sat in the corridor outside the commission offices on the bench where he had sat three weeks ago in a different case in a different year and waited.

The finding was coming.

He could feel it coming the way he felt things that were true — not with certainty, with the specific quality of attention that a man

developed when he had been doing this work for fifty years and had learned to read the weight of a situation against the record he had built in it.

The record was as complete as he could make it.

He had built it honestly.

He was going to find out if it was enough.

The Boundary Markers

Chapter Eleven — The Showdown

Scene One — The Commission

Pearce came out of his office at two in the afternoon.

He sat beside Cole on the bench in the corridor the way that Pearce sat beside people on benches — without preamble, without the posture of a man about to deliver important news, with the specific directness of someone who had been delivering important news for thirty years and had learned that the delivery was better served by plainness than by preparation.

He said: I have issued the finding.

Cole said nothing.

Pearce said: the finding covers all forty-seven title challenges filed by Elias Flood in the valley grants. The commission's finding is that the 1854 federal land commission survey established a connected system of boundary markers for all Spanish land grants in the affected valley area, that this connected system was confirmed by the Treaty of Guadalupe Hidalgo's guarantee of existing Mexican land grant titles, and that the connected system's sufficiency as documentation supersedes the state law recording requirements on which Flood's title challenges were based.

He said: all forty-seven challenges fail. All affected families retain their land title.

He said: the commission's record includes Cole Harte's testimony, Esteban Montoya's testimony, Aurelio Sandoval's statement, the written account filed Monday, and the disclosure of Cole Harte's entry into the

Flood law offices on the evening of Tuesday, January thirty-first.

He said: the finding notes that the disclosure of the entry reflects a commitment to complete record-keeping that the commission considers consistent with the character of the testimony on which the finding rests.

Cole looked at the corridor wall.

He said: Flood's lawyers.

Pearce said: they filed a challenge to the finding fourteen minutes after it was issued. The challenge is before the federal district court.

He said: judge Harland will decide whether to stay the finding pending the appeal.

He said: I have spoken to Harland's clerk. Harland has read the finding. He has read the disclosure. He is deliberating.

Cole said: the Garza family.

Pearce said: the federal stay of enforcement is in effect while the challenge is pending. The Garza family does not vacate.

He said: all affected families are under stay of enforcement while the challenge proceeds.

Cole said: thank you.

Pearce said: do not thank me. You built the record. I evaluated it.

He said: go get some sleep.

...

*Scene Two — Harland***

The federal district court ruled on the challenge at four in the afternoon.

Cole was at the hotel when Pearce's messenger found him — sitting in the chair by the window, not sleeping, because sleep had not been available since Monday but the chair was where his body had decided it was going to be.

The message was brief.

Harland declined to stay the finding. His ruling: the commission's disclosure of the entry and the voluntary nature of the disclosure are factors that weigh against staying the finding, not for staying it. A petitioner who discloses irregularities in his own conduct before the court reviews the matter demonstrates a relationship to the truth that the court considers relevant to the finding's credibility. Finding stands. Flood's counsel may proceed to the court of appeals. — Pearce

Cole read the message.

He read it twice.

He looked at the window.

The January afternoon in Santa Fe: the flat overcast light going toward dusk, the specific quality of a winter afternoon that had been grey from morning and was going grey into evening, the gas lamps beginning to be visible against the failing light.

The finding stood.

Forty-seven families.

He thought about the five families who had lost their land before the finding. The Padillas with their cottonwood trees. The Romeros, the Vigils, the Cruzes, the Herreras of the south section. Their land was already transferred — the finding could not reach transfers that had already been completed.

He thought about the finding noting that the federal land transfers produced by Flood's fraudulent challenges were under federal review. The review might produce restitution. It might not.

He thought about five families whose land was gone regardless of what happened next.

He thought about Rafael's margin note.

He put the message in his coat pocket.

He lay down on the bed.

He did not sleep but the horizontal position was its own kind of relief, the body reporting that this was better than the chair, the body's honest accounting of what horizontal versus vertical cost at sixty-five

after three weeks of this work.

He lay there until the room was fully dark.

...

Scene Three — The Marshal

The marshal sent for him the following morning.

Cole rode to the marshal's office — the nine-year-old horse making the familiar route through Santa Fe's streets with the specific settled quality of a horse that had been going to the same places for several days and now knew the routes.

The marshal had the search warrant.

He had obtained it yesterday afternoon — the same afternoon the finding was issued, the same afternoon Harland declined to stay it. The warrant had been served on Flood's office at five in the evening.

The originals of the three letters were in the marshal's evidence file.

He showed them to Cole.

Three pages of Flood's handwriting — the same language Cole had read in the lantern light in Flood's office two nights ago, the same specific careful language of a man who understood what he was writing.

The marshal said: the originals match your transcription accurately. There are two minor differences — a comma placement and one word — neither of which affects the substance.

Cole said: yes.

The marshal said: I have interviewed two members of Flood's office staff. Both confirmed that Cord was an employee of Flood's contracted through an informal arrangement that was not publicly documented but was known internally.

He said: I have a witness who saw a man matching Cord's description in the vicinity of the Harte ranch property on the morning of January twentieth.

He said: I have issued a warrant for Cord's arrest.

Cole said: Cord is in Texas.

The marshal said: I know. I have been in contact with the Texas Rangers. They have a location.

He said: extradition takes time. But we will get him.

Cole said: and Flood.

The marshal said: Flood is still in his office. His lawyers are managing his response to the investigation. He has not left.

He said: the investigation is building. The originals are in evidence. The witness statements are in evidence. The warrant for Cord is issued. The investigation will produce an indictment.

He said: it takes time.

Cole said: yes.

He knew about time.

He had been working against time for three weeks.

He stood.

He said: the record is in the investigation file now.

The marshal said: yes.

Cole said: thank you.

He went back to his horse.

...

*Scene Four — Flood***

He passed Flood's office on the way back to the hotel.

The frosted glass door with the name in gold letters: illuminated from inside, the light of a professional office operating in the middle of a Wednesday morning as if Tuesday had not happened. The sound of work through the glass — the specific sounds of a law office, paper and voices and the movement of people doing the thing they had come to do.

Cole stopped on the sidewalk outside.

He did not go in.

He looked at the door.

He thought about a man in a good suit behind that door who had reviewed forty-seven families' documentation for years with the specific intention of finding the gaps that a new state's law would expose and who had filed forty-seven challenges that had been legally impeccable and who had employed Cord to prevent Rafael from reaching the commission and who had written the response letter with the careful language of a man who understood that the letter would someday be read and had written it to be deniable.

He thought about what the finding meant for Flood specifically.

The finding defeated the challenges. Forty-seven families kept their land. The specific economic outcome Flood had been building toward for seven years was reversed.

The criminal investigation would take the time that criminal investigations took. The prosecution, when it came, would take the time that prosecutions took. Flood was not going to prison tomorrow morning. He might be in his office for months more, managing the legal response to the investigation, before the indictment arrived.

Cole thought about Flood going to Arizona.

He thought: Flood is not going to Arizona. Flood is under investigation. Flood cannot leave the territory without the investigation following him. The investigation is in the federal record. The investigation travels.

He thought: the record travels further than the man who made it.

He thought: I made the record.

He walked past the door.

He did not look at it again.

...

*Scene Five — The Five Families***

He rode the valley one more time before he went home.

Not to help — to account. The specific final accounting of a man who had been doing work in a place and needed to see what the work had produced before he left.

He went to the five families who had lost their land before the finding.

He went to the Padilla place first.

Ernesto Padilla received him at the door of the house he was living in now — his wife's cousin's house, three families in a space built for one, the specific compression of people who had been displaced from the space they were accustomed to occupying.

Cole told him about the investigation. The criminal investigation into Flood's operation and the specific connection to the illegal displacement of the families whose challenges had been based on fraudulent title claims. The federal review of the land transfers that had resulted.

He said: the review may produce restitution. I cannot promise it will. I am telling you it is open and that the record of what was done to your land is in the federal investigation file.

Ernesto Padilla said: the cottonwood trees.

Cole said: yes.

He said: thirty-two years.

Cole said: yes.

He said: when the trees were saplings my father told me to water them every day for the first summer and then they would water themselves.

He said: I watered them every day for the first summer. Thirty-two years ago.

Cole said: the trees are still there. The land may come back.

He said: the record of what was done to it is there.

Ernesto Padilla looked at him.

He said: your son was doing this work.

Cole said: yes.

He said: he was at my place three times in the fall. Explaining the chain. Explaining the markers. I did not understand it fully. I understood enough to know he was trying to help us.

He said: he was twenty-seven years old.

Cole said: yes.

The man looked at the floor.

He said: I am sorry about your son.

Cole said: I know.

He rode to the other four families.

At each one: the same information, the same honest accounting of what the investigation might produce and what it might not produce, the same specific detail of what the record contained and what the record was for.

At the last family — the Herreras of the south section — the older of the two brothers who had not spoken to each other in three years came out of the barn and looked at Cole and said: we spoke to each other this morning.

Cole said: good.

The brother said: it took this to make us speak.

Cole said: some things take something to happen before other things can happen.

He said: your land is gone. The record of what happened to it is in the federal investigation. The record will be there.

He rode home.

...

*Scene Six — Rafael***

He went to Rafael's ranch before he went to his own place.

The door was still locked — he had locked it himself the day after he found them, had locked it and put the key in his pocket and had been carrying it since. He unlocked it now and went in.

The kitchen: cold, the stove cold, the January cold fully established in a room that had had no heat in twenty-three days. The table with the chairs around it in the positions they had been in when the table was last used as a table rather than a crime scene. Pilar's coffee cups on the shelf. The small blue-rimmed plate that Ana had called hers — the plate with the blue rim that Pilar had bought at the market in Santa Fe and that Ana had appropriated on the grounds that the blue was the right color and that it was therefore hers.

Cole stood in the kitchen.

He did not cry.

He had not cried in twenty-three days because in twenty-three days there had always been the next thing to do and the next thing to do was what had been available and he had done it.

There was no next thing to do.

He stood in the kitchen.

He looked at the hook beside the door where the saddlebag should have been.

He looked at the table.

He looked at the calendar on the wall — still on January, the twentieth circled in the pencil that Rafael had used for the important dates.

He stood there for a long time.

Then he went to the south boundary.

He walked from the house to the south boundary the way he had walked it in November when he had come to help Rafael with the fence work and they had walked it together, Rafael pointing out the specific repairs that needed doing in the spring and Cole telling him which repairs were urgent and which could wait and Rafael making his own assessment and arriving at a slightly different conclusion and both of them knowing that Rafael's conclusion was the one that would be acted on because it was Rafael's fence.

The south marker.

The specific granite stone his father had placed in 1854.

Cole kneeled.

The cold earth under his knees. The January cold that had been under his knees at every marker in this valley for the past three weeks. The specific inventory: the knees, the lower back, the hands. The honest report.

He put his hands on the stone.

He read the notation.

His father's marks — the horizontal cut and the angled cut and the chain reference number that connected this stone to the Garza south stone to the Montoya north stone and back through the system.

He read it.

He had been reading it for fifty-eight years.

He stood.

The valley in the late January afternoon light: the mountains east with their snow, the flat agricultural plain, the irrigation channels in the south field catching the angle of the light, the specific quality of a winter afternoon in a place that had been worked by people who understood it for three hundred years and whose understanding was visible in the specific way they had shaped the land to receive the water and produce from the combination.

Rafael's channels. In the grade his grandfather had established and that his father had maintained and that Rafael had maintained in his turn.

The grade was still correct.

The water would work here in the spring the way it had always worked here.

Cole looked at the channels.

He thought: the work is done.

He thought: it is not all done — the prosecution will take years and the five families' land may or may not come back and the appeal will run its course and all of it will take the time it takes. But the thing that could be done in three weeks has been done.

He thought: Rafael was doing this work when he died.

He thought: the work is done now.

He put his hand in his pocket.

He felt the coin.

He took it out.

He held it in his palm.

He looked at it.

He thought: my father carried this coin his whole working life. He carried it through the 1854 survey — through every marker in this valley, through every number called to Sandoval, through every notation cut with the cold chisel. He left it to me at nine years old.

He thought: I have been carrying it since.

He thought: I told Rafael the story of the coin and the story of the vault and the story of 1865 the way my father told me the story of measurements — completely, trusting the telling to become the knowing.

He thought: Rafael knew the story.

He thought: Rafael made the copy and put it in the vault because he knew I would know to look there.

He thought: the story traveled from father to son.

He looked at the coin.

The eagle barely visible. The face side smooth.

He put the coin in his pocket.

He walked back toward his horse.

The valley was in its late afternoon light and the mountains were east and the channels were in the south field and the south marker was in the ground and the record was in the commission's file and the prosecution was open and the families had their land.

He had done what he came to do.

He mounted.

He rode home.

The Boundary Markers

Chapter Twelve — The Boundary Markers

Scene One — The Morning

The cold came through the adobe walls the way it always came in February — the same patient overnight descent, the same specific temperature at four-thirty that his body knew before it had finished waking.

He lay still for a moment.

Not the lying still of a man who had not yet decided to rise — the lying still of a man whose body had decided to report on itself honestly before he asked anything more of it, the specific inventory that his body had been providing every morning since he turned sixty and that he received with the same practical attention he gave all honest reports.

The lower back: a dull ache, the accumulated ache of three weeks of this work reported the morning after the work stopped. Not injury. The honest accounting of overwork.

The hands: the knuckle joints speaking in their January register, the cold that had gotten into them during three weeks of January mornings at boundary markers and had not left.

The knees: the specific report of a man who had been kneeling in cold ground every day for three weeks and whose knees wanted it noted.

He noted it.

He rose.

He dressed in the dark — the same sequence, the same specific order, the long underwear and the wool shirt and the canvas pants worn pale at the knees. He was slower this morning than he had been a month ago. Not dramatically slower. Honestly slower. The body reporting what three weeks of that work had cost.

He went to the kitchen.

He built the fire in the stove.

He stood at the east window with his coffee.

The Sangre de Cristos in the February predawn: the mountains still carrying their January snow on the upper slopes, the lower slopes beginning to show the first suggestion of what was coming, the specific barely visible shift in the quality of the darkness on the lower slopes that was not yet spring but was the end of winter's deepest cold.

He watched it.

He had been watching this sequence from this window for forty-four years.

The coffee was hot in his hands.

He drank it.

He went to the barn.

...

Scene Two — The Horse

The nine-year-old horse was in the third stall.

The horse had been resting for five days — rested in the specific way of a working animal that had been asked for more than its comfortable daily amount for three weeks and had been given sufficient rest after, the ears at their relaxed position, the eyes soft, the coat carrying the specific healthy sheen of an animal that had been groomed and fed correctly through the recovery.

Cole stood at the stall door.

He looked at the horse.

The horse looked at him.

A nine-year-old horse had eight to ten years left under correct use. Cole had been using this horse correctly for eight years. The horse would be seventeen or eighteen when it was done. Cole would be seventy-three or seventy-four if he lasted that long, which was possible and was not guaranteed.

He thought about the Montoya grandson.

Seventeen years old. Already reading land in the specific way that the valley taught land-reading to people who paid close attention. He had been talking to the boy at the Montoya place for two years — not formally, in the way that knowledge was transferred in the valley, through conversation and proximity and the specific showing of things to someone who was ready to receive the showing.

He should talk to the Montoyas about the horse.

Not today.

He saddled the horse.

The saddling: blanket, saddle, cinch in two stages, the bit warmed in his hand. The sequence so familiar it required no thought and left room for thought, the body moving through the motions while the mind moved through what the day contained.

He led the horse out.

The yard in February morning: the frozen ground beginning to show the first hint of the mud that would come when the temperature climbed above freezing in the afternoons, the specific transitional quality of the yard surface in the shift between January and February, the frost on the fence rails catching the earliest light.

He mounted.

He sat on the horse in the yard for a moment.

He looked east.

The mountains.

He looked at the original ranch house in the northeast corner — the 1799 building, the vault under the flagstone empty now, the copy long

since in the commission's file, the story of the vault in the Montoya grandson's ears because Cole had told it last week when the boy came to sit with him while his grandfather rested.

He rode.

...

Scene Three — The Families

He rode the valley.

Not to help — to see. The specific seeing of a man who had been doing work in a place and needed to see what the work had produced before the work became the past.

The Garza ranch first: the south boundary in the February light, the irrigation channels his grandfather had built, the south marker in the ground. Elena Garza at the fence line — she saw Cole on the road and raised a hand, the specific economy of a wave between people who had been through something together and did not need to add words to the acknowledgment.

He raised his hand.

He rode on.

The Reyes place: the spring-fed stock pond with its skin of ice still intact in the February morning, the two sons moving hay from the barn to the corral with the specific practiced efficiency of men doing a job they had done ten thousand times. The older son saw Cole on the road and stopped and looked. Cole rode on without stopping. The stopping was not what was needed. The seeing was.

The Baca place: a curl of smoke from the kitchen chimney, the baby's blanket on the fence rail left out the previous evening and not yet brought in. The specific domestic evidence of a house occupied by people going about the business of their ordinary life.

The Herrera place: both brothers working the south fence together, side by side, the fence that ran along the boundary Cole's father had

established in 1854. They were talking while they worked — not looking at each other, talking in the side-by-side way of men who had rebuilt something that had been broken.

He rode past each place.

He came to the Montoya ranch at midmorning.

The old man was on the porch.

Eighty-two years old, in his chair, the February sun on his face and his hands, the specific quality of an old man who had found the correct relationship with the available warmth.

Cole dismounted at the gate.

He went to the porch.

He sat in the other chair — the chair beside Esteban's chair that had been there for as long as Cole had been coming to this porch.

They sat.

After a while the old man said: the finding.

Cole said: yes.

He said: Flood's lawyers appealed.

Cole said: yes.

He said: the appeal will take time.

Cole said: yes.

The old man looked at the valley.

He said: it takes however long it takes.

He said: the markers are in the ground. The markers have been in the ground since 1854.

He said: lawyers come and go. The markers stay.

Cole said: yes.

They sat in the February sun.

...

Scene Four — The Federal Investigation

Three months after the finding, the court of appeals affirmed it.

Cole heard about it from Pearce — a letter, brief, the specific economy of a man who understood that the person receiving the letter would know what the finding meant and did not need elaboration.

Court of appeals affirmed the commission's finding in full. Flood's challenge dismissed. The methodology established by the 1854 survey is confirmed as a federal guarantee under the Treaty of Guadalupe Hidalgo. All forty-seven families retain title. — Pearce

The federal investigation had been moving during the three months of the appeal.

Cord had been located in Texas and extradited to New Mexico in February — the extradition the specific slow process of federal criminal procedure moving at the speed federal criminal procedure moved, which was not the speed that grief wanted but was the speed that produced convictions.

Flood had been indicted in March.

Not for ordering the murder — the letters had not been found admissible on their own terms, the trespass creating the specific evidentiary complication that trespass always created. But for conspiracy in the commission of fraud, for the removal of federal archive documents, for obstruction of a federal commission proceeding. The charges were specific and documented and rested on evidence that had been obtained through proper channels — the marshal's investigation, the witness statements, the pattern of conduct that the complete commission record established.

The admissibility of the letters was contested.

The court ruled in April: the letters were admissible. The voluntary disclosure of the trespass before the reviewing court completed its evaluation — the disclosure Cole had made to Pearce and then to the marshal on the morning after the entry — constituted a form of transparency that distinguished this trespass from the ordinary trespass in which the illegal conduct was concealed. The distinction was narrow. It would not survive every subsequent challenge in every subsequent

case. It survived this one.

Flood was convicted in September.

Cord was convicted in October.

Cole was not present for either conviction.

He was at his ranch in September and October, doing the work of a man who had forty acres and a nine-year-old horse and a fence line that had been needing work since before he rode to Santa Fe in January.

He heard about the convictions from Pearce's letters.

He put the letters in the cedar chest with the other documents he had been accumulating since 1865.

...

*Scene Five — The Road East***

He drove to Albuquerque in November.

Not on horseback — the automobile. He had purchased an automobile in the spring, a 1911 Ford Model T, because the Albuquerque road was too long for the nine-year-old horse and because the automobile was a thing that existed in 1912 in the way that things existed in 1912 that had not existed in 1882 or 1865 and that required a man to learn something new.

He had learned to drive it.

He drove to Albuquerque and found the Albuquerque Journal office and found the reporter who had been covering the title challenge story since November 1911.

The reporter was thirty, with the specific quality of attention that journalists who understood that the story was bigger than any single family had — the quality of a person who was building something larger than the immediate article.

Cole told him the full story.

Not the version that had been in the papers — the version that included the complete record. The archive trespass. The commission

testimony. The Sandoval statement. The stay. The written account. The entry into Flood's office. The disclosure to Pearce and the marshal. The finding. The conviction.

He told it in the specific order that made it comprehensible to a person who needed to understand it in order to do something with it.

He said: there are families in Arizona and Colorado and Texas who will face this method next year or in three years or in ten years. The method will be used by different men in different territories with different names. The record of how this method was built and how this method was defeated belongs in the public record.

The reporter said: I will write it.

Cole said: write it so that a land grant family reading it in Arizona in 1920 will understand what the markers say and what the treaty guarantees and what a connected survey methodology means for their documentation.

He said: write it so that the record is there when someone needs it.

He said: my father was a surveyor. He taught me that the measurement is for the person who needs it. Not for the person who makes it.

The reporter looked at him.

He said: your son understood that.

Cole said: yes.

He said: he had been teaching it to the families for six months before he died.

The reporter said: I will write it.

Cole drove back to the valley.

The Model T was not a horse. It had no ears to read and no quality of attention to receive and no warmth under his hands. But it covered ground efficiently and efficiently was what the distance required.

He drove.

...

Scene Six — The Fence Line

February again.

A full year since the morning he rode to Rafael's place and found the door open and the chimney cold.

He was at the east fence line at seven in the morning with his tools.

The fence line had needed work since October of the previous year — since before he rode to Santa Fe, since before statehood, since before Rafael had found the copy in the cedar chest and ridden out with the original and been intercepted on the road. Three fence posts on the east boundary that had been in the ground since 1890 and had been providing honest notice since the summer before last that they needed replacing.

He had been meaning to replace them for a year.

He was replacing them now.

The work of fence-post replacement: the old post pulled — the specific pulling effort of a sixty-five-year-old man working a post that has been in the ground for twenty-two years and has developed the specific resistance of something that has been in one place for twenty-two years and does not see the necessity of being somewhere else. The new hole dug — the January ground harder than it would be in the spring but workable with the right tool and the right patience. The new post set and tamped and braced until it was vertical in the specific way that a fence post needed to be vertical to carry the wire correctly.

Three posts.

He worked through the morning.

The mountains east with their snow. The valley below him — the Garza place visible from the east fence line at this position, the Garza south boundary just visible at the far end of the south field, the irrigation channels catching the morning light.

He worked.

He thought about the coin.

He had been thinking about the coin since February of the previous year when he had stood at Rafael's south boundary after the commission

finding and held it in his palm and thought about who carried it after.

He had decided.

He was going to talk to the Montoyas about the coin next week. The grandson — seventeen, reading land, going to study survey if the family had the resources. The specific kind of young person who needed to be told certain stories and given certain things so that the stories and the things could continue in the direction they had been traveling.

He tamped the second post.

He moved to the third.

The third post: the same process, the same effort, the same honest report from the body about what the effort cost. He did not rush the body's report. He received it and worked at the pace the report indicated was sustainable and finished the third post at noon.

He stood.

He looked at the three new posts in the east fence line.

He looked at the valley.

He took the coin from his pocket.

The Mexican silver peso, worn smooth by sixty-six years of two men's carrying. The eagle on the reverse invisible now — he knew it was there, he had been reading it for fifty-six years, but the carrying had worn it to smoothness in a way that made it readable only by someone who already knew it was there.

He rolled it across his knuckles.

Left hand, right.

The specific motion — automatic, installed, the habit that arrived before the thinking when the thinking was serious.

He thought: my father carried this coin his whole working life.

He thought: I have carried it for fifty-six years.

He thought: Rafael held it sometimes when he was a boy. I would put it in his hand and tell him what it was and he would hold it and look at the eagle and give it back.

He put the coin in his pocket.

He picked up his tools.

He walked back toward the barn.

The February morning around him — the cold and the light and the mountains east and the valley that had been worked by people who understood it for three hundred years and that would be worked by people who understood it for three hundred more.

The fence line was done.

The valley was the valley.

The south marker was in the ground.

The record was in the commission's file.

The son was in the ground too.

He walked.

The Montoya grandson would be at the ranch this afternoon — he came on Thursdays, had been coming on Thursdays since October when the old man's health had declined enough that his family wanted someone reliable checking in during the day.

Cole would talk to him today.

He would tell him the story of the coin and who had carried it and what the carrying meant and then he would tell him that the coin needed someone who read land and that reading land was not the same thing as having a coin but that the coin and the reading went together in his experience and that the boy was going to have to decide what to do with both of them when Cole gave him the chance.

He was going to give him the chance.

He walked toward the barn.

The horse was in the third stall.

The tools needed cleaning and hanging.

The valley needed watching.

He had work to do.

He went to do it.