

# BENEATH THE SAME STARS

*An Excerpt*



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## CONTEXTUAL NOTE

WHAT FOLLOWS IS the trial scene at Camp Release, excerpted from the heart of the novel. American troops established Camp Release following the final battle of the 1862 war. There the army took custody of hundreds of white and “mixed-blood” captives whom the warring Dakota faction had held prisoner. The army also accepted the surrender of any Dakotas willing to submit. They guarded those Indians in nearby Camp Lookout.

In Chapter 7 *Ćaske*, the Dakota captor/protector of Sarah Wakefield and her children during the war, is called before a U.S. military tribunal to answer for alleged war crimes. *Ćaske* is his birth order name, meaning *Firstborn Son*. The court tries him under his given name *Wićañǰpi Waštedañpi*, *He Who Is Liked By The Stars*. The only specific charge against him is the murder of George Gleason, the clerk who was driving the Wakefields’ wagon when they were attacked on the first day of the outbreak.

In Chapter 8 Sarah appears as a witness in *Ćaske*’s defense. In the end she will be the only former white captive to have testified on behalf of a Dakota man during more than 300 such trials.

Taoyate Duta (*His Red Nation*), referenced during the trial, is the Dakota name for Little Crow, the chief who reluctantly led the Dakota people in the uprising. Stephen Riggs is a longtime Presbyterian missionary to the Dakota nation and an acquaintance of Sarah’s.

## PART III, CHAPTER 7

SEPTEMBER 30, 1862

"MA'AM." The armed sentry bars Sarah's entry into the tent.

"I'm to testify, soldier." She tries to shoulder past.

He shoves her back with his gunstock. "You'll remain here till you're called, Mrs. Wakefield. Rules are rules."

*So, he knows who you are.*

She steps aside, biting her tongue. "Rules are rules"—meant as a barb, or not? After so much innuendo and outright slander, she can't tell anymore. "Pretty specimen of a white woman," Sibley had called her, with derision. How she'd been tempted to toss his dreadful letter into the stove!

Sibley's new Military Commission has summoned her to appear. She has made herself as respectable as any woman could in a military camp in wartime. But she's tired. As soon as she wins justice for Caske, she will make her way back to Shakopee. She has no house there to go home to—John sold it before their move to the reservation—but in her mind she has already settled into new lodgings. It has a bedchamber with a door, where a hundred randy soldiers can't peer in; a warm bed instead of straw to sleep in; a bathtub and hot water to bathe in; a closet full of clean dresses—her own, instead of a dead woman's; beef and bread to eat, instead of beans and hardtack; quiet and calm, instead of vicious backbiting....

"Sarah Wakefield and her Indian were lovers," the gossips say. "She told me herself she was his woman. She shared his bed from the first. She cooked his food and greased his hair. She ran his bullets and filled his powder. She sang as she sewed for him. She always talked Indian, and

wore paint on her face, and danced like a squaw. She's in love with that Indian, it's to be expected, since savage blood courses through her veins—"

From the direction of the jail, a mounting gale of shouts. Sibley has ordered his troops not to pelt prisoners with stones and waste along the gauntlet to the Court. But they still line the way, heckling and jeering, chanting in cadence, "Left!... Left!... Left, right, left!"

Ćaske scuffles into view, hands bound in front of him, legs in irons. His escort is William Forbes, in a major's uniform, acting as Provost Marshal. Owner of stores at both Agencies, Forbes had left most of his trading to his clerks. But with the other traders he attended the last council with the Sioux before the war. "You are not men," he told the Indians. "Eat grass or your own shit," Andrew Myrick said. By the day of the outbreak, everyone on the reservation must have heard some version of the traders' insults.

No wonder that Sioux warriors attacked the traders first. Forbes wasn't at his store, but the Indians murdered all his clerks and brought his business partner George Spencer to Heaven's door. As for Myrick, whom the Sioux called *Waćinko*, *The Greedy One*, the story of his demise will certainly outlive them all: Shot dead in the back as he ran, and his mouth stuffed full of grass.

As Ćaske limps by in his shackles, Sarah feels their spirits meet in the unacknowledged space between them. His left eye is swollen shut. His face, mottled purple and black. His hair, matted with dried blood. She shudders to think of the injuries his clothing might conceal; to think of the angry boots that might have kicked his ribs and groin as he lay on the floor of the jail, his ankle chained to another Indian.

The fuzzy-faced sentry salutes Forbes. When he draws aside the flap to admit the Major and Ćaske, she slinks around the corner of the tent. She hunkers down between some barrels and a rank of firewood, close enough to the tent to hear a military voice shooting thin and sharp through the canvas: "—convened to try, summarily, any prisoners who may be brought before them by direction of the colonel commanding, and pass judgment upon them, if found guilty of murder or other outrages upon the whites, during the present state of hostilities."

*God help us, this is no hearing. This is a full-fledged trial.*

"The Military Commission," the voice reads on, "meeting pursuant to Order Fifty-Five, will now be seated according to rank: Colonel William Crooks, Sixth Regiment, Minnesota Infantry, President of the Commission ... Lieutenant Colonel William Marshall, Seventh Regiment ... Captain Hiram Grant, Sixth Regiment ... Captain Hiram Bailey, Sixth Regiment ...

and I am Lieutenant Rolin Olin, Third Regiment, Judge Advocate. Also present are Lieutenant Isaac Heard, Adjutant, Cullen Guards, acting as Recorder, and Antoine Frenier, Interpreter. I would ask the Court to please stand."

Wooden chairs creak, boots chafe, swords and buckles rattle and clink. "Sirs, please remove your gloves and raise your right hands.... Do you swear that you will well and truly try and determine, according to the evidence, the matter now before you, between the United States of America and the prisoner to be tried, and that you will duly administer justice without partiality, favor, or affection, so help you God?" A low grumble of I-dos. "You may be seated."

The Judge Advocate himself is then sworn, and the Recorder and Interpreter, in turn. No officer is tasked with representing Ćaske.

"This Court is hereby called to order." Olin clears his throat. "Case Number Three, We-chump-wash-tee-dun-pay," butchering Ćaske's name.

"THE ACCUSED IS ARRAIGNED UPON THE FOLLOWING CHARGES AND specifications: that on or about the eighteenth day of August, 1862, he did kill George H. Gleason, a white citizen of the United States, and has likewise committed sundry hostile acts against the whites between the said eighteenth day of August and the twenty-eighth day of September, 1862. This, near the Redwood River, and at other places on the Minnesota frontier. What does the prisoner say in answer to these charges—guilty or not guilty?"

Sarah strains to hear a reply, whether from Ćaske or from the interpreter Frenier, who had served Thomas on the Upper Agency staff. The half-breed is fluent in both English and Dakota, but the language of the Court is a tongue unto itself. With little or no experience of the white man's laws and legal customs, how will he ever comprehend the proceedings and explain them sufficiently to Ćaske?

Frenier's muffled voice: "He says the charges aren't true."

"The plea of not guilty will be recorded. Does the prisoner wish to make a statement?"

Frenier: "Yes."

"The prisoner will be heard."

The chink of chains. A cough. Fraught silence.

"Wakaŋtaŋka has brought me alive to this day. I will tell the truth of what happened." Ćaske's voice pours through the wall of the tent, atop the monotone of Frenier's interpreting. "I was with another Indian. The other

Indian shot the white man. I aimed my gun at the white man as he fell, but I did not fire. I have had a white woman in my charge. She is called Doctor Wife."

"Mrs. Dr. John Wakefield?"

"I could not care for her like a white man, but I protected her and her children until I could return them."

"And concerning the other hostile acts with which you are charged?"

"I would have run off with Taoyate Duta if I had done bad things. I was present when the white man was killed. That is all."

"Did you know Mr. Gleason before the outbreak began?"

"I saw him sometimes in the warehouse at Redwood. One time we went hunting."

After a pause, Olin says, "Please explain again how you came to kill Mr. Gleason."

"I did not kill him."

"Then please tell the Court again who killed Mr. Gleason, and how."

"Two of us were in the war party. A wagon came toward us, and the other Indian said, 'Brother, let us shoot the American.' And he did. He shot the white man twice. I aimed at him, because I was told I must kill Americans, or be killed."

"Who said you must kill the whites?"

"Taoyate Duta and the soldiers' lodge."

"When were you told this?"

"That was the order given from the start. Kill the whites, or pay with your life."

"This Indian you say shot Mr. Gleason ... is he now in the Indian camp?"

"No. He went away with Taoyate Duta."

"Does this Indian have a name?"

Silence.

"The prisoner will please tell the Court his name."

A mumble.

"The prisoner will please speak up."

Frenier: "Hepan, he says—Second Son. Like there aren't a hundred of them."

"WERE YOU PRESENT AT ANY BATTLES?" OLIN PICKS UP, AFTER A LULL.

"Yes."

"Where did you fight?"

Ćaske confers a long time with Frenier. At last Frenier says, "Fort Ridgley, New Ulm, Lone Tree Lake. He fought only soldiers. He never killed anyone in cold blood. He *says*."

"Let's return to Mr. Gleason.... Why didn't you stop the other Indian from shooting him?"

"He was wild with fire water. He shot before I knew. I could only stop him killing Doctor Wife and her children."

"Did you fire at Mr. Gleason?"

"I pulled the trigger. It snapped but failed to go off."

"Why didn't it go off?"

"Sometimes a gun does not fire."

"Why did you try to shoot him?"

"The other Indian said I was afraid to shoot."

"So ... it *wasn't* because you'd been ordered to kill whites." Frosty triumph in Olin's voice.

"Yes. I had to shoot."

"Because you didn't like being called a coward."

"I am not a coward."

"How many times did you shoot?"

"I shot over the white man when he fell."

*No, only Hegan fired! Tell him about the runaway wagon—*

"What do you mean, you 'shot over him?'"

After discussion with Ćaske, Frenier says, "The prisoner claims he missed Gleason *on purpose*."

"So your gun *did* fire," Olin says.

"Yes."

*No! Only Hegan fired—two shots—*

"Your gun *did* go off."

"Yes."

*But there wasn't a third shot—*

"A moment ago you said your gun misfired."

"It fired the first time, when the white man was in the wagon. It misfired when he was on the ground."

"You attempted to shoot Mr. Gleason again, when he lay wounded?"

*Tell them why. Out of mercy—*

"Yes. When he was on the ground, my gun did not fire."

"Is this everything the prisoner wishes to say in his defense?"

Frenier interprets.

"No," Ćaske says to the Court, in English. "I want speak."



AMONG MY PEOPLE I AM CALLED HE WHO IS LIKED BY THE STARS. I AM Mdewakantonwan, from the village of Śakpe Daŋ. I am the first son of my parents. My father was from the band of Śakpe. My mother is the daughter of Eagle Head, a respected chief. Our spirits come from the Creator down the spirit road.

There is a prophecy among us, passed down from the grandfathers. I will tell it short. Long ago, one of our holy men had a vision. In this vision the buffalo and all the four-leggeds were going back into the earth, and a great spider's web was being woven over the people. When the day came when all this would happen, the holy man said, we would live in little square houses in little pens of barren land. And we would starve and die, because it is not our way to live like that.

It is said that this vision filled the holy man with such sorrow, after sharing it with the people he went back into the earth. Now his vision has come to pass. The dark web has been spun. We have been confined behind fences and made to live in houses that do not move. The animals are gone. The trees are leaving.

Your people have come to our lands to take revenge on where you came from. You think you can defeat whatever has hurt you by turning your backs on your ancestors. You abandon the hunting grounds and graves of your grandparents. You run away and become strangers to your own birthplace. You intrude with giant feet upon our lands, bringing your bad spirits with you. We did not ask you to come. But in the beginning, we welcomed you. We shook your hands. We shared our food. We hunted and traded with you. We smoked the pipe with you. We let you have our women as wives and raised up your children among us.

But now you want to recast us in your image. We are the lead you melt and pour into your bullet molds. You do not respect us. You make us live like you. You make us give up Wakąŋtaŋka for the white God. You make us give up the hunt, our old villages, our medicine bundles, our dances and ceremonies.

You bring us sickness. You bring us fire water. You bring guns and cannon and force us to put our marks on papers we cannot read. Then you break all your promises. Your tongue is forked. One of your words can mean seven things.

We have lost our world, because you did not come to us in a good way. Some day my people will be as the buffalo and the trees.

Our prophecies said you would come from the east, from far across the sea. They said you would arrive by boat on the shores of Turtle Island and march in all directions, devouring everything in your path, like grasshoppers. They said you would have pale skin, and wear odd clothes, and be covered with hair. They said when you spoke, no one would understand. It is all true.

When I was a boy, I would lie awake at night and watch the stars through the smoke-hole of our lodge. "The big, bright stars," the elders would say, "are the wise old warriors, the mightiest hunters. The many small stars are young boys, learning to be men. They are learning to have courage, to be generous, to show

*respect and compassion. They are learning to be Dakota." I am still learning to be Dakota. Who is left to teach me?*

*I hear the elders weeping. The earth is weeping, the rivers are weeping. The stars are falling from the sky. Who can put them back?*

*I am not a wise man. In my dreams I take myself again to a lonely spot and cry for a vision. I paint my face black with soot and stand shoulder-deep in the river, begging the spirits to instruct me. I pray there will be another world. I pray your people and mine will all live again, with good hearts. I pray we will walk together, in good ways. When the winter wind howls at the smoke-hole and ducks down the flaps to make the fire jump, we will keep each other warm and dry. We will tell stories as our lodge rocks, and it will not blow down. The ropes and poles will be too strong, the pegs too many and too deep in the ground. All winter long, while the earth sleeps, we will have plenty to eat. And in spring, when the river ice cracks with a boom, our children will want to be born. The flowers will bloom beneath the melting snow, and our children will run and play together. They will watch the prairie grass change colors as it bows before the breeze. They will watch the ghost-lights leap and dance in the northern sky. They will listen to the cries of the eagle, and honor their ancestors, and grow up to be good relatives of all that lives.*

*I am not an old man like my grandfather, but the world I grew up in has vanished. I have walked in a great circle and come back to my first steps. I am nothing but a child again. I pray to the spirits to help me walk in a good way. If I cannot walk true, then like the holy man after his vision I should go back into the earth.*

## PART III, CHAPTER 8

"THE COURT CALLS Mrs. Dr. John Wakefield."

Sarah enters the makeshift courtroom, still unnerved by Časke's oration. He'd sounded like a man touched by Wakaŋtaŋka; a man ordained to utter holy words laid upon his heart. "Gird up thy loins," God told the prophet Jeremiah, "and speak unto them all that I command thee: They shall fight against thee; but they shall not prevail, for I am with thee...."

Up at the front, congregated around a large table, are the five Commission members, in military regalia. Among them is Captain Grant, whom she threatened to shoot dead. At a field desk to the Commission's left sits a militiaman with ink, pen and paper. He must be the Recorder, Lieutenant what's-his-name. And standing ramrod straight before the Commission, watching her approach, is a slim, clean-shaven officer—Olin, the Judge Advocate. His broad forehead is chalky white above his hat line.

Časke is shackled in a chair between Olin and a tiny gallery of onlookers. She stops beside him and clasps his bound hands. He raises his chin but doesn't meet her eyes. "Tiwaŋiŋ da," she wants to say, in the manner of a wife, *I care for you*. But she doesn't dare, with Frenier so near. "Waćiŋ taŋka ye," she whispers, and lets him go.

"Mrs. Wakefield, please step forward and place your right hand upon the Bible.... Do you swear that the evidence you shall give, in the case now in hearing, shall be the truth, the whole truth, and nothing but the truth, so help you God?"

"I do."

Olin returns the Bible to the table. "Mrs. Wakefield, I'll ask you to please state what you know concerning the conduct of the accused regarding the said charges."

"Which are?"

"The murder of George Gleason. Committing hostile acts against whites."

Among the few official guests of the Court she notices both Stephen Riggs and John Williamson, the missionary son of Thomas and Margaret. Young Williamson informed her only yesterday that his parents are alive. They had narrowly escaped their mission station with the help of friendly Indians. Loath to believe the Sioux would ever harm them, they waited almost too long to flee.

"Mrs. Wakefield, I'll ask you again. Please state what you know."

"I assume my testimony will be interpreted for *Ćaske*?"

Frenier raises an eyebrow at Olin, who nods.

She lengthens her spine. "I was with Mr. Gleason when he was killed. My children and I were riding with him to Fort Ridgley, where I wished to take the stage. I was distressed all the way down from Yellow Medicine—we'd heard rumors of an outbreak—but Mr. Gleason refused to turn back. I pleaded and pleaded. Had he listened to me, he might still be alive."

"Where were you attacked?"

"Near the Half-Way House, above the Lower Agency. It's an inn run by Joseph and Valencia Reynolds."

"Please tell the Court what happened."

"We met two Indians on the road. This man, *Ćaske*, and another, *Hepañ*, who'd been drinking."

"Is the *Hepañ* in question among the Indians now in the Sioux camp?"

"I don't know. I haven't been down to Lookout since it was declared off limits."

"Was he there the day you were liberated by Colonel Sibley?"

"I doubt it. He and his wife were said to have fled with Little Crow after the last battle."

"This *Hepañ* was a hostile Indian?"

"Yes."

"And the defendant"—Olin points at *Ćaske*—"was he not also a hostile?"

"*Ćaske* saved my life, and my children."

"But he was, in fact, a hostile."

"Not to us."

Olin pinches the bridge of his nose. "Please continue with the events of August eighteenth."

"We were approaching the Half-Way House, and we met these two Indians coming up the road from the direction of Redwood. Heparj shot Mr. Gleason outright—twice, in the shoulder and in his middle. Mr. Gleason fell out of the wagon. The horses bolted at the gunfire. They were totally out of control, reins dragging the ground, and Ćaske—you're calling him Wićañĥpi Waštedañpi, but I know him as Ćaske—he ran after the wagon and managed to stop it. Had he not, we might have rolled—"

"Please confine your statement to the facts."

"I'm stating the facts as I see them, Lieutenant."

"Continue."

"Heparj had shot both barrels into Mr. Gleason. He reloaded while Ćaske ran after us."

"At this point, was Mr. Gleason still alive?"

"When we drove up, he was writhing on the ground in his death agony."

"What happened next?"

"Heparj shot him again, in the head. Then he aimed at me. He was about to pull the trigger when Ćaske knocked away his gun."

"When exactly did Ćaske shoot at Mr. Gleason?"

"He didn't. I mean, he *did*, but only later. You see, we were about to leave that awful place when a sound came from Mr. Gleason."

"After three bullets, he wasn't yet dead?"

"Ćaske told Heparj to shoot Mr. Gleason again, in pity. But Heparj insisted they both shoot. They got down from the wagon, to put Mr. Gleason out of his misery. Ćaske told me later he'd have wanted the same done to him, were there yet a flicker of life."

"So Ćaske put the last bullet into Mr. Gleason."

"No, Heparj did. Ćaske snapped his gun at him, but it didn't fire."

"Then?"

"We left. In the wagon."

"Mrs. Wakefield, please, if you could shed some light.... The prisoner maintains he shot *over* Gleason, earlier in the attack."

"I saw him shoot just one time, in mercy. That shot failed to fire."

"You're certain?"

"Absolutely."

Olin closes his eyes a moment, as if considering how to proceed. Then: "The Court believes the defendant to be a blanket Indian."

"To the contrary, he lived in a house before the war and farmed his fields. He has had a little schooling, both in English and Dakota."

"Please describe what the defendant was wearing on August eighteenth."

"Shirt, leggings and breechcloth."

"Is that not the dress of a blanket Indian?"

"With all due respect, every man in Little Crow's camp was dressed like a blanket Indian. Everyone had been ordered to wear traditional clothing—to show loyalty, I suppose, or submission. I myself had to wear Sioux dress. So you see, Lieutenant, Časke had no choice but to put on the breechcloth. I suggest you forget his clothing and pay more attention to his hair."

"His hair?"

"Not as short as yours, but not nearly as long as the prisoner's you marched in here yesterday. Časke is a cut-hair."

"Is he not wearing a braid?"

"A small one. His hair began to grow out during the war. He had to wear it the traditional way."

"Hm, yes, to *show loyalty*.... Mrs. Wakefield, is the defendant a Christian?"

"I've seen him in church. He knows right from wrong. He tries to treat others as he would like to be treated."

"That isn't the question."

"He isn't a savage. He didn't want to kill. He didn't go into this war willingly—he told me so. And he didn't want to attack our wagon."

"I'll remind you again to confine yourself to the facts."

"The *fact*, Lieutenant, is that twice on the government road, Hepan raised his gun to kill me, and twice Časke stopped him. The *fact* is that throughout the war, Hepan, Little Crow and others never ceased to threaten me and my children, and Časke always protected us. The *fact* is, were it not for Časke, my bones would be bleaching on the prairie, moldering into dust, and my babies either dead or headed for the plains. The *fact* is, even if Časke had killed Mr. Gleason, I'd have forgiven him, because of the great mercies he showed me—"

"I'm sorry, perhaps I misheard ... did you state you would have *forgiven* him? For *murder*?"

"Yes."

Olin looks at the Commission, then back at her.

"Is it possible, Mrs. Wakefield, that this Indian might have saved you for selfish purposes?"

"Such as?"

"To trade you for clemency, for example ... or to use you, shall we say, in *other* ways."

Captain Grant brushes a trace of lint from his uniform's lapel. Colonel Crooks, presiding from the center seat at the table, crosses his arms upon his chest, his face wrinkled in plain disgust.

"Lieutenant Olin, the defendant did not *use* me, in *any* way, and I resent your implication."

"Mrs. Wakefield, to your knowledge, was the defendant in possession of any plunder?"

She considers how to answer. "Among the Sioux, it's common for goods to be shared, especially with those in need, and there was great privation among the people."

"So your answer is yes?"

"His possession of plunder isn't proof that he plundered."

"Among his spoils, did the defendant have a smoking pipe? A *white man's* pipe?"

She glances at Riggs in the gallery.

"Mrs. Wakefield, I believe the Reverend Riggs conferred with you yesterday."

"We've spoken a few times since my release. Presumably in confidence."

"Tell us, please, about your discussion yesterday as regards a certain smoking pipe."

Her mouth aches for liquor. "May I have a drink of water?"

An orderly dips a cup into a bucket.

"Ćaske had a pipe," she says, after a swallow of river water.

"Had?"

"He asked me to destroy it."

"When?"

Ćaske tips his head closer to Frenier, intent on the interpreter's words.

"Last night, at the jail. When I told him whose pipe it was, he gave it to me and told me to burn it."

"To destroy evidence."

"Don't put words in my mouth."

"What other reason could there be?"

Her head is suddenly a drum. "It was a dead man's pipe."

"Louder, please."

"The pipe had belonged to a settler, a man killed the first day of the war. Ćaske wasn't aware of that till I told him last night. He was sick-

ened to hear it. He told me to burn the pipe, out of respect for the dead."

"Those were *his* words—'respect for the dead?'"

"Of course not, he spoke in Dakota, but that was his meaning."

"And how did *you* learn the provenance of the pipe?"

"Reverend Riggs told me yesterday. Some woman had noticed Ćaske smoking the pipe in the jail, and she recognized it as her dead husband's."

"She went mad with grief, seeing it."

"So Mr. Riggs gave me to understand."

"The pipe must have been quite distinctive. Would you please describe it for the Court?"

"I hardly see how it matters."

"I should think it matters a great deal to the dead man's widow." Olin turns toward the gallery. "Mrs. Martha McConnell Clausen, would you please stand?"

A woman rises from the bench beside Riggs. She's so frail, she might blow down in a slight wind. As Frenier's interpreting catches up with the Court, Ćaske turns to look back at her.

"God have mercy," the woman breathes.

"Mrs. Wakefield, this is the widow of the late Frederick Clausen. She saw him shot dead by Indians in their yard. He'd been out haying in his field. At the sound of shooting, he came running."

Sarah tightens Uŋćíśí's shawl around her shoulders. "I'm not uncaring, Lieutenant. My own husband was long rumored to be among the dead. I felt his loss keenly. I only meant ... I don't see how a description of the pipe—Mr. Clausen's pipe—pertains to these proceedings."

"The Court will decide what's pertinent and what isn't.... Mrs. Clausen, the Court extends our sympathies. You may be seated." After the woman settles herself, Olin proceeds. "Mrs. Wakefield, I'll ask you again: please describe the pipe."

Sarah can't rid herself of the vision of Mrs. Clausen's stricken face.

"Madam, *please*."

She gulps down the rest of her water. "The bowl was bright red clay, with diagonal ribbing."

"And the stem?"

"A long reed stem, with a fine polish."

"Would you say it was a handsome pipe?"

"I suppose. Much used, but handsome, and light in the hand. It gave a good smoke."



"You sound like a woman who enjoys a pipe.... Did you ever smoke the pipe in question?"

"Yes."

"You borrowed the pipe from the defendant?"

She rubs the scruff of her neck, and hooks on. "We shared it."

"You and the defendant smoked the pipe *together*."

"Yes." She fastens her gaze on a horsefly crawling up the wall of the tent.

"Once?"

"More than once."

"Let me be clear. This defendant—your captor—would draw on the pipe, then pass it to you, and you would place your lips—"

"Where *his* lips had been, yes!" She glowers at the Commissioners. "Which of *you* hasn't smoked a pipe with a Sioux?" She wheels around to face the gallery. "Which of *you*?"

"But *you*, Mrs. Wakefield—"

"I've smoked with Sioux women for years!"

"But this was no squaw you were smoking with! And the buck was a *murderer*, to boot!"

She locks eyes with Riggs.

"Madam, I must ask you to turn around and face the Court."

She complies, slowly, trying to steady herself.

"Now, you say the defendant asked you to destroy the pipe."

"Out of respect, yes. When I told him where the pipe had come from, he was distressed. He said he was tired of the killing and didn't care anymore whether he lived or died."

"You never asked him how the pipe came to be in his possession?"

"No."

"That seems curious."

"A pipe's a pipe."

"It didn't look white to you?"

"Many Indians smoke white pipes, Lieutenant."

"When the defendant asked you to destroy the pipe, what did you do?"

"I disposed of it."

"Where?"

"In a tent stove."

"Where you sleep?"

"We don't have a stove. I don't know whose tent it was."

"You didn't consider giving the pipe to Reverend Riggs, to return to Mrs. Clausen?"

The Recorder's mouth is contorting as he writes. His pen scratches loudly, letting in some words, leaving out others, inventing history. Lieutenant *Heard*, she remembers all at once.

"Mrs. Wakefield?"

"No, I didn't consider it. I wish I had."

"It seems you had more concern for the feelings of a savage than those of Mrs. Clausen, a former captive, and a white woman, like yourself."

"Lieutenant, for six weeks I was a prisoner of the Sioux. I saw terrible things. I lived day and night with the fear of being killed, or worse. I had to do things I would *never* have done but to preserve the lives of my children. My hair turned white from the strain. I lost considerable flesh from my bones. Now my husband is said by some to be dead, by others to be alive. I've no home to go home to. I can't sleep, can't eat, can't think straight. What life do I have left? Tell me!" Olin is trying to break in, but she rushes on. "If my actions seem curious to you, Lieutenant—if the dictates of my conscience offend you—you'd do well to remember that in wartime, any woman in my position—a *man*, even—would do whatever is necessary to remain alive."

"Are you suggesting that you destroyed Mr. Clausen's pipe out of fear for your life? I'll remind you, the defendant was confined. He couldn't have harmed you."

She cradles her head in her hands. "You're not hearing me!" She pulls up her chin to address the Commissioners. "I didn't—I *don't*—fear *Ćaske*. He's a good man. We first met years ago, in Shakopee. My husband even saved his life after a battle, with a pittance of help from me. Now *Ćaske* has returned that kindness, many times over. He and his mother, others in his family, put themselves at risk repeatedly to protect me and my babies. They made certain we were warm and fed, even if they had to go around begging, or do without, themselves—"

"Has the defendant a wife?" Olin asks, talking over top of her.

The question slams her up against a wall. "A wife?"

"Yes. Does the defendant have a wife?"

"You mean ... oh ... no, his wife is dead. Since midwinter, I believe. They didn't have enough food—"

"So, let me understand. The defendant has no wife, his bed is empty, and suddenly you're living in his tipi, enjoying his care and protection, and sharing his pipe.... What *else* did you share, Madam? Just how did you thank the killer of George Gleason for his many *kindnesses*?"

*If only, like a man, you had a pocketwatch to glare at and snap shut, to display your displeasure. But then, were you a man, this nonsense would have ended long ago. Indeed, were you a man, Caske wouldn't have been charged at all. Like the Caske who saved George Spencer, he would have remained the hero Sibley first pronounced him, for having preserved a white man's life. But you, Mrs. Dr. John Wakefield, are merely a white man's wife.*

Olin picks up his *Manual for Courts-Martial*. He must be near done, she thinks, as he's leafing through. She is weary of standing, of being put to the test, of feeling like she's the one on trial. At the initial inquiry Sibley's officers wanted to prove her a victim. Now the Commissioners want to prove her a whore. Some men will twist a woman to suit any purpose.

"Let's address the second charge." Olin lays his handbook on the table beside him. "To your knowledge, did the defendant fight in any battles?"

"He was forced to, like a conscript."

"Why do you believe he fought under duress?"

"Many times he expressed his regret about the war. He told me he'd always considered himself a friend of the whites. But the camp crier would go around before battle, saying every Indian who could carry a gun must fight or be shot—"

"Yes, 'kill or be killed'—we've heard that line before." Olin is strutting back and forth. "A convenient argument, but it justifies nothing. Killing is killing, whether by a savage or a saint."

"You can't say for certain that Caske ever killed anyone. I, for one, never saw him with a scalp in his belt, or wearing a new feather. I never saw him in black paint."

"Black paint?"

"Any Indian who has killed during battle must put on black paint before reentering camp."

"For what purpose?"

"I don't know. It's their way."

"Yet you would offer this *lack of paint* as proof of the savage's innocence?"

"Lieutenant, you seem to have little regard for my testimony concerning Caske's character. So, I suggest you ask Joseph Reynolds. He's soldiering in this camp."

"What has he to do with this case?"

"As I said before, he and his wife ran the Half-Way House, near where Mr. Gleason was killed. He's an uncle of one of the captives. He's lately spoken with me, and—"

"Mrs. Wakefield—"

“—he confessed to me that he’s well acquainted with Caske, and considers him a fine man—”

“Hearsay is not permitted!”

“Those were his words—‘a fine man.’ Ask him yourself!”

“Mrs. Wakefield, I beg you to obey the Court!”

“And I would beg you to listen!”

Her demand hangs in the tent like breath in winter air. Olin shows her his back.

“This Court,” she says, under her breath, “has ears of stone.”