



## No Report

*By S. Omar Barker*

**Border Patrolman McPhail plays out a hunch to its lead-swapping conclusion.**

**B**ORDER PATROLMAN Gragg McPhail had keen eyes, and right now, to help them, a pair of powerful field glasses. But in the growing dusk, even this combination was not quite keen and powerful enough to see what he wanted to see. From the little high spot in the sandhills where he sat on his horse, he could make out the dull sheen of sluggish water in the Rio Grande, and on both of its banks he could see the movement of men. One man, on the American side, hurried out onto the sand-flats of the half dry river, and from the water's edge, threw something across to two men on the Mexican side; following which he speedily disappeared into the brush.

So much McPhail's field glasses pulled to him out of the distance—so much and a little more: something about the man on this side of the river looked familiar. What bothered McPhail was that he could not be sure whether this familiarity was real or imagined. He shoved the glasses back in their leather case as the figures, too dusk-blurred and distance-dwarfed to be recognized, moved indistinctly out of sight. Still uncertain, he reined his horse around and hit off across the sandhills westward.

With a tipped-off smuggler crossing in prospect at Macho Gully some time within the next few hours, McPhail could not take time to drop down to investigate what he had seen. His assignment was to be at Macho Gully by nine o'clock. Besides, this other suspicious business was not strictly on his beat. Down the river was in the patrol of Hank Johns—old Silent Hank, they called him. Johns had not been with the Patrol long, but he was a veteran cowpuncher and knew his stuff.

Patrolman McPhail's whangy-muscled body sat the saddle easily as he followed the rough, trailless route westward toward Macho Gully in the darkness. But his mind was not so easy. That hombre on the American side had looked too damned familiar.

The ambush at Macho Gully turned out to be a cold party. Four Border patrolmen—three besides McPhail—lay crouched in hiding until the chill of the desert night got into their cramped bones, but the expected smuggler train did not show up. The tipoff had been considered a good one, too. This was but the second time a word from Nico Mike, working under cover south of the Border, had failed to bring fish to their net.

Nine o'clock passed, ten, eleven. At midnight McPhail crawled out of hiding, said a low word or two to the others, hurried to his horse and mounted.

"Playin' a hunch, boys," was all he had told them. He had his own reasons for not saying more.

Like a tall black wolf he streaked off through the starlit night, back the way he had come. He loped past the lookout spot whence he had watched the Rio through the glasses, without pausing. But instead of heading on downriver, he took out farther northeast. If the smugglers, whatever their load, had taken advantage of the Patrol's concentration at Macho Gulch to sneak over at Ox Tail, they would already be across by now, and either they or their accomplices would be well on their way—probably up Ox Tail Arroyo, en route to a delivery point somewhere on the road north of the sandhills.

McPhail knew that he was violating standing orders by snooping without call or special order into another patrolman's beat. Hank Johns might even get sore about it—he was such a touchy old ram—but McPhail did not let that stop him tonight. He passed near enough to Hank's camp to have stopped and called him, but he did not. With a certain grim, purposeful speed he hurried on, lone-handed, toward the upper end of Ox Tail Arroyo.

His hunch had evidently been right, but he got there a jiffy too late—just in time to hear the hum of a car and glimpse the flash of its lights as it turned and sped back up the road. He let it go, whirled his lathered horse and sped on around to the head of the Arroyo, where the only passable trail up from the Ox Tail Crossing tops out to the mesa. He drew sharp rein and listened. Sure enough, his ears caught the faint *clangy-clank* of horses' hoofs on the rocks. Evidently the

smugglers had made their delivery—dope, probably—and were already on their way back, secure in the knowledge that the Border Patrol would be watching for them at Macho Gulch instead of here. But why so secure? How should they know Patrolman Johns would be asleep?

McPhail kicked spurs to his horse and clattered down the trail after them. To his surprise the hoof sounds stopped. McPhail rode on down to the arroyo bottom, then got off and pussyfooted ahead in the darkness. Suddenly, around a curve of jutting rock he came upon a small campfire, just in the making. Two men were bending over it. McPhail stepped, quickly toward them, his hand ready for his gun. But the two hombres only gazed at him casually.

"Hullo, Mac," grinned one of them. "Lookin' fer somebody?"

The Border officer recognized them both now. Bat Hennepin, who had spoken, and Tito Solano, the other, both notoriously suspicious characters, but both American citizens.

"Howdy, boys!" he drawled. "Put 'em up!"

Grinning, they obeyed. McPhail searched them and their saddle bags. He found nothing.

"Nosey, ain't yuh?" remarked Hennepin with a half sneer. "I thought this was Hank Johns' beat? Or maybe yuh've been promoted to Sergeant-Inspector so yuh kin coyote around where all yuh please? Ketch any runners this evenin'—over to Macho Gulch?"

Bat's voice carried a taunting note.

McPhail did not bother to answer. He knew these birds were smugglers, but he had nothing on them. He got his horse and took out at a lope for Ox Tail Crossing. The night was graying into morning but still too dark to see tracks. McPhail used his flashlight. There was plenty of sign of

a smuggler crossing, but McPhail was looking for other tracks, and he found them: the footprints of the man he had glimpsed through the glass the evening before. He had been a large-footed man, in his sock feet.

McPhail reached the shack camp of Patrolman Hank Johns just as the gray morning twilight broke into the salmon pink of sunrise. He spoke at the door, then went in. Hank Johns, grizzly, weather-beaten, almost old-looking, was just rolling out.

"What the hell, Mac?" he asked. "Yuh been out all night?"

McPhail nodded. He was watching Hank dress. Hank pulled on his socks and gave them a casual brush with his hand. A little fine sand dusted off onto the floor. Hank, cowboy-like, turned up each boot topside down and gave it a little shake before he drew it on. More sand.

McPhail suddenly felt mighty damn sorry for old Hank Johns. What the hell would make the old fool all at once turn traitor to the Border Service? For a second McPhail considered telling him, out and out, his suspicions, and give the old boy, if he was guilty, a chance to clear out. But for all his tender heart, Gragg McPhail's sense of duty was strong—duty and loyalty to the Service.

"No ketchum on the Macho last night," he remarked. "Anything hot on your beat?"

Hank shook his head.

"In that case you better ride in with me today. The chief—" McPhail hated to lie, but if old Hank was guilty, as he suspected, of tipping off the smugglers, he'd better get him in to the Chief without arousing his suspicions. The Chief would give Hank his chance to explain, but as for his own report, he'd have to make it. The Border Patrol couldn't survive double-crossing in its own ranks.

"The Chief," lied McPhail, "wants all hands in for a confab, see?"

Old Hank grunted. McPhail thought he looked nervous.

"All right," he said. "Soon's we git some breakfast. I was goin' in anyhow, today or tomorrow."

He mumbled something about personal business.

On the trail in, old Hank rode slumped down in his saddle, his grizzled face gloomy. After awhile he began to talk.

"Don't never git married, Mac," he said. "An' if yuh do, don't have no kids; an' if yuh do, don't have no boys; but if yuh do, by God, whale the hell out of 'em, Mac, whilst they're, still little enough to learn somethin' frum it! Raise 'em right, fer if yuh don't—"

Gragg McPhail, turning in surprise at Hank's unexpected jump into the subject of matrimony, topped a little hill all unprepared for what smacked up into his face from down in the next draw. It was the *crack—crack—crack* of rifle fire. The bullets fell a little short, spitting into the gravelly sand just ahead of him.

One look as he whirled his horse back out of sight, told him what was up. They had stumbled onto a southbound pack train loaded with firearms and ammunition, like as not, to be traded in Mexico for dope or liquor; four pack mules and four riders with them, all in broad daylight! Even as he yanked out his rifle to answer their fire, McPhail remembered grimly that this was on Silent Hank's beat. It confirmed his suspicions.

Of course, he couldn't count on Hank any more now. He would be tackling them practically single-handed, for like as not old Hank would only stall at helping him, just to make a showing. Then suddenly he realized that Hank was clearing out—already getting out of his sight.

For half a second he hesitated over

whether to go after him or the smugglers. Then with a grim, short-clipped oath, he kicked the hooks to his horse, slanted up the ridge and crossed it. The next instant he was charging down a shallow draw toward the smugglers, partially protected from their bullets by its banks.

The pack mules were on the move now, at a high gallop, rushed forward by the whacking of two riders behind them. The other two smugglers had dropped into the gully and with their rifles speeding lead in the direction of the charging Border patrolman, were covering the retreat of their pack train.

McPhail reined to an abrupt stop, stepped down from his horse, flung himself flat behind a bank of the arroyo and opened fire in answer. He could not see the two men in hiding, so he sent his bullets whizzing after the two with the pack train.

Already they were out of easy range. McPhail saw his first few shots miss. Then one of the pack mules went into a somersaulting tumble and lay kicking. Almost at the same instant McPhail became aware that somebody had opened fire on him from somewhere back in the sandhills to his right. He wondered if it could be old Silent Hank, throwing in with the smugglers against him. Even in the excitement the idea gave him a sort of a sinking, sorrowful ache inside, rather than anger. He had always liked Silent Hank—and respected him.

But Patrolman McPhail had no time now to give to his feelings. Bullets showered around him like hailstones. Apparently the hidden hombre back to the right, whether Hank Johns or a rear guard of the smugglers, was shooting with a six-gun, instead of a rifle, for his bullets were falling short. But with every volley they came closer. With no cover from that side, McPhail saw that he would have to move

out. With a last shot from his position back of the bank, he leapt down to the arroyo bottom where his horse was and jumped into the saddle.

Sure-footed, jumping and zigzagging over the rough spots like a mountain goat, his horse sped down the side arroyo to the main draw. The shooting had stopped. McPhail could hear nothing except hoof sounds. When he came out into the open sand-flat, trying to watch both directions at once, his first glimpse showed him that all four of the smugglers, driving their remaining three pack mules before them, were fleeing at a gallop down the main draw Borderward.

It was like trying to aim at running jackrabbits, but McPhail nevertheless swung up his rifle, yet he did not fire. Almost simultaneously with the pow of a six-gun somewhere back of him, his eyes seemed to see a sudden ball of fire, then blackness. Down he tumbled, gun and all, onto the sand-flat. There was a hole in his hat where a sluggish bullet had torn through, struck his head at an angle and glanced off, leaving a little blood-oozing rip in his scalp.

IT was nearly five minutes before McPhail came to. When finally he staggered to his feet, his head throbbed so that the gripping pain seemed to clamp his eyes down into a blurred squint. Even if he had been able to see clearly, he would have caught no sight of the smugglers. They were gone.

Dazed as he was, McPhail was not too woozy to feel his former pity for old Silent Hank changing now to an anger that was as grim and cold as a blue gun barrel. He wanted to kick himself for not disarming the treacherous patrolman and taking him in a prisoner—even dodging these smugglers and passing them up in order to make sure that the Patrol should be rid of

its snitcher. But now there was nothing left to do but take one more whack at these smugglers.

He didn't know how long he had been "out," but there was still a faint haze of dust in the air where the last smuggler had passed from the sand-flat down into another hilly break-off. His horse had not left him. There still might be a chance to catch them. McPhail wobbled to his horse, got on somehow, hung to the saddle horn with one hand and rein-lifted him into a lope with the other. Within a hundred yards the gait became a dead run. In another jiffy he was joggling down the steep trail where the broad sand-flat funnels into a narrow arroyo.

Two minutes later he heard shots ahead. If he had been himself he would have slowed up and approached cautiously. As it was he rounded a curve to gallop almost headlong into the midst of the smugglers, five of them now. Even so, the advantage of surprise was his more than theirs. They had left him for dead back on the sand-flat—one "*maldito oficial*" out of the way for good. But the chief reason that McPhail's charge hit them on their blind side was that they were busy. Crouching behind boulders and bushes, they were talking back sharply to some hidden gun on down ahead behind a cliffy narrows in the arroyo.

McPhail left his horse in a swift leap that sent him tumbling, but his hand grabbed the rifle from its scabbard as he leapt. In a tenth second he was on his feet, shooting. One smuggler, turning to fire at him, went down with a thirty-thirty slug through his middle. A second leaped up to scramble for cover on the opposite side of his boulder, and the next second a bullet from the hidden gun down at the narrows stretched him out.

McPhail wondered grimly who the hell his help could be coming from. At any rate

he—or they—savvied how to shoot. It wouldn't be long now. Just three of them left and—

All at once bullets began to spang into the rocks from behind him. McPhail's right leg went suddenly out from under him. He felt a sickish sensation at the pit of his stomach. They'd get him now—got him already, maybe. He shook his head violently as if to clear it of its foggishness, and raised himself to his elbow. The crouching figure of a man, a familiar figure, appeared from up the draw. McPhail knew him well enough. Behind him came another. McPhail knew him, too. There was no doubt which side of the fight they were on. One of them had furnished him a bullet wound already. But evidently, seeing him go down, they thought they had him.

Swiftly they edged in behind a brush clump. McPhail eased up his carbine, centered the brush clump in his sights and pulled the trigger. A man leapt out like a shot rabbit and fell prone.

McPhail felt a grim satisfaction at the success of his blind shot. But he knew now that, for him, the jig was up. They would be closing in on him in a jiffy from both directions. If he could have gotten up he would have preferred to take it standing, but he couldn't. A bullet spurted up the sand at his very nose.

Like a suddenly loosened log on a steep hillside, McPhail rolled over and over. In a jiffy he was over the edge of a pebbly little pothole in the arroyo, and down he went. Of course, they'd get him sooner or later, but from here he might well crack down one more of them first as they came.

Even in this last-minute pinch that seemed to promise him certain death, McPhail felt strangely relieved in one respect: at any rate, he had been saved the painful duty of reporting suspicion of one

of his own comrades for treachery.

Then another thought occurred to him: the smugglers might get him in another minute or two, but he wasn't dead yet. And as long as he lived duty was duty. Grimly he fished for notebook and pencil, found them and started to write. Maybe some of the boys would find the notebook when they checked up on this battle—which they would be bound to do within the next few hours—or days. He would make his report and stick the whole notebook under a rock. He began to write, hurriedly.

The sounds of shooting, lulled for a moment, broke out anew up in the draw. McPhail felt himself getting dizzy again.

"Attacked smuggler train," he scrawled. "Think Hennepin, Solano outfit. Check up close on Patrolman Johns, because—"

There was a sudden movement up beyond the edge of the pothole. McPhail dropped pencil and notebook and tried to grip his forty-five. It wobbled in his hand. The end of a rifle barrel appeared over the edge of the bank. But Patrolman McPhail did not see it. A dancing wall of dizziness seemed to spring up before his eyes. The world went black. The forty-five dropped from his hand. He did not even hear the *pow* of a forty-five somewhere up over the bank, perhaps not two dozen yards away.

When Patrolman McPhail came to, somebody was mopping his forehead with a wet bandanna. The face that bent over him was grizzled, weather-lined. It was haggard and streaked with blood. There were other streaks down from the eyes, too, that looked like tears might have made them. It was the face of old Silent Hank Johns. He grinned a sort of wry, twisted grin as McPhail opened his eyes, and patted him gently on the back. But he said nothing.

"Hank? Hank? You—you—I thought

you—" McPhail's puzzlement showed plainly through the grime on his face.

"Yeah, I did. Ditched yuh. Then I seen frum a ridgetop back aways how yuh flew into 'em all by yerself an' it kinder got me. So I circled south an' headed 'em off here. Aimed to hold 'em, drive 'em back or go to hell tryin'. When you showed up, I figgered we had 'em—till ol' Bat an' Tito come bustin' in back of yuh frum up the draw. Then I seen yuh go down. That's when I started crawl in' up on 'em. Jest in time, too, I reckon. Ol' Tito was jest pokin' his gun over the edge here to pot yuh, when I plugged him. He was the last 'un. We cleaned 'em out, Mac—all seven of 'em!"

There was a strange mournful note in old Hank's voice.

He helped McPhail out of the sinkhole, set him up against some rocks and dressed his wound. Then he went shuffling, stoop-shouldered, among the dead smugglers. Six of the bodies he let lie. One, that of the first smuggler McPhail had brought down, he picked up and placed tenderly under the shade of a brush clump. He took off his own shirt and spread it gently over the dead boy's face. Then he came back to McPhail. He looked older and more haggard than ever, but his bloodshot eyes looked his fellow patrolman square in the eye.

"Listen, Mac," he said. "I seen what you wrote in your notebook. Yuh had it figgered right, Mac. I've been tippin' off to Bat an' Tito. Twice. Throwed 'em the word on Macho Gully, last evenin'. Soon's you kin ride, yuh better take me in to the Chief. I was goin' in today myself to resign. But now I'll take my medicine. You'll git a promotion outa this an'—"

"Damn the promotion!" McPhail's eyes were steady, too, now, and beginning to clear. "What I want to know is why the hell yuh done it? You ain't the kind

that'd—"

"Mac," interrupted Hank Johns, "if you had a son that'd growed up wrong, took to outlawin', smugglin', maybe shot a man or two, an' somebody—say, like Bat Hennepin—was goin' to deliver him in if yuh didn't come through with a snitch or two fer him, an' you knowed it'd mean hangin' fer the kid if yuh didn't come through, then—"

"You mean that's him—that you just covered up?" McPhail nodded gravely toward the dead smuggler lying under old Hank's shirt.

Silent Hank nodded.

McPhail reached for the notebook that Hank had stuck back in his pocket. He ripped out the leaf he had written on down

in the sinkhole. Facing almost certain death, Patrolman McPhail had considered duty above his own personal feelings. Now he tore the little sheet of paper into bits. Somehow, now that he understood, now that the cause of Silent Hank's defection lay dead here on the sands of the Border, now that Hank Johns stood ready to go in and take his medicine like a man, Patrolman McPhail changed his mind. He did not believe that there would be any more smuggler tips from this man who, knowing his own son was among them, had, in the pinch, headed off these smugglers, stepped out into the midst of their smoking guns and wiped them out.

Patrolman McPhail decided to take this matter of his duty into his own hands.