

The Held Land  
A Fractional Fiction

David Boles

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## THE HELD LAND

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**Fractional Fiction by David Boles**

*The Dying Grove*

*The Inheritance*

*The Kinship of Strangers*

*The Held Land*

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# THE HELD LAND

## A Fractional Fiction

David Boles

David Boles Books New York

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This is a work of fiction. Names, characters, places, and incidents either are the product of the author's imagination or are used fictitiously. Any resemblance to actual persons, living or dead, events, or locales is entirely coincidental. The historical framework draws on documented events, but all characters, specific locations, and narrative incidents are invented. Embedded documents depicting dates beyond 2026 are fictional records within the narrative frame.

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*For those whose names were erased, and for those who put them back.*

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“Some memories are realities, and are better than anything that can ever happen to one again.” —Willa Cather, *My Ántonia*

“Men are like rivers: the water is the same in each, and alike in all; but every river is narrow here, is more rapid there, here slower, there broader, now clear, now cold, now dull, now warm.” —Leo Tolstoy, *Resurrection*

“I’ve known rivers ancient as the world and older than the flow of human blood in human veins.” —Langston Hughes, “The Negro Speaks of Rivers”

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## Part One: The Ground Claimed (1867-1872)

### Chapter One

The land did not know his name.

Ezekiel Washington walked the last four miles to the survey marker because the mule had died two days back, somewhere east of the forks where the Platte divided. He had buried her in sandy soil that would not hold a proper grave, knowing the wolves would have her before nightfall, and he had shouldered what he could carry and left the rest. The discharge papers he kept folded inside his shirt, against his chest, where the sweat of walking would not reach them. The papers were what mattered. The papers said he was a man who could claim land.

The prairie in April was the color of old rope, the winter-killed grass lying flat under a sky so large it made him dizzy. He had grown up in Virginia, in country that had trees and hills and limits. Here there was nothing to stop the eye. The horizon was not a boundary but an absence, a place where the earth simply gave up and became air. He had heard men say the prairie was like the sea, but he had never seen the sea, so the comparison meant nothing to him. What he thought was: this is land that has never been held by papers. This is land that does not know what deeds and surveys mean.

He was wrong about that. People had held this land for longer than any deed could measure—had planted it, hunted it, known its rhythms in ways no survey could capture. The stakes in the ground were just the latest claim, and not the first theft.

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The survey marker was a wooden stake driven into a slight rise, the numbers burned into its face already weathering toward illegibility. N.E. Quarter, Section Fourteen, Township Nine North, Range Seven West of the Sixth Principal Meridian. The language of division, of portioning, of cutting the earth into pieces that could be owned. Ezekiel stood beside the stake and turned in a slow circle, trying to see where his land ended and the rest of the world began, but there was nothing to see. No fences. No walls. Only grass running out in every direction until it met the sky.

He remembered the clerk in Brownville, the way the man's face had changed when Ezekiel presented his documents. The clerk had made him wait. Had called for the supervisor. Had examined the papers with the careful attention of a man looking for a reason to refuse. But the papers were in order. The Homestead Act did not say white men only. It said any citizen, any person who had borne arms in the service of the United States, could claim one hundred sixty acres of the public domain.

The supervisor had stamped the claim. Ezekiel had paid his eighteen dollars. And now he stood on land that was his, that would be his, that the government of the United States had promised would be his if he lived on it and improved it for five years.

One hundred sixty acres. A quarter section. He tried to hold the number in his mind, to give it shape. Back in Virginia, the Ashford plantation where he had been born and held for the first nineteen years of his life had been four thousand acres. He had worked those acres without owning a single square foot of the dirt that crusted his hands. Now he owned one hundred sixty acres, free and clear, or would own them once he had proved up. The mathematics of justice: four thousand acres of bondage, one hundred sixty of freedom.

He laughed, alone on the prairie, and the wind took the sound and gave nothing back.

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That first night he dug a hollow in the lee of the rise, pulling dead grass around him for insulation. The temperature was dropping. He could feel it in his shoulder, in the scar tissue where the ball had passed through at Petersburg, the old wound tightening like a warning. By full dark the wind had teeth.

He had matches. He had enough dead grass to burn for hours. But a fire on open prairie could be seen for miles, and he did not know who might be watching. The nearest human settlement was the cluster of sod buildings twelve miles northeast that would

become the town of Aurora. Between here and there: nothing he could count on, and much he could not predict.

A man from the regiment, a sergeant named Rawls, had warned him about this. "You going to put yourself where white folks can find you? Out there with no neighbors, no witnesses, no one to see what they do?"

Ezekiel had said: "They found us in Virginia too."

Rawls had shaken his head. "At least in Virginia you know which ones will kill you."

But Ezekiel had looked at the maps, had read the reports from the Freedmen's Bureau, had calculated distances and probabilities. There were Black homesteaders already in Kansas. There would be more. The railroad was coming, and with the railroad would come towns, and in towns there would be schools and churches and the beginning of something that might, in time, become safety. He was not naive. He knew that white men killed Black men in the West as they did everywhere else. But he also knew that there was land here, and that land was the only thing that had ever protected anyone.

His father had told him that, in the years before his father was sold south: "Land is the only freedom."

Ezekiel pulled the grass tighter around himself and did not light the fire. He would be cold. He would not sleep well. But he would not announce himself to the darkness, not on his first night, not until he knew what else lived out here.

The stars were so thick they seemed to press down on him, a weight of light. The wind did not stop. Sometime after midnight he heard wolves, distant but present, and he was glad he had buried the mule deep enough that they would have to work for her. Toward dawn he heard a sound he could not identify, a kind of drumming or thumping, and he rose to his knees with his hand on the knife at his belt before he understood: prairie chickens, somewhere out in the grass, performing their mating dance. He had read about them in a book borrowed from the Freedmen's Bureau office in Nashville. The males had orange air sacs on their necks that they inflated to make the booming sound. They danced in groups, competing for females who watched from the edges.

He listened until the sound faded with the sunrise. His body was stiff, his shoulder aching. Nearly two years since he had mustered out at Nashville, and the wound still told him the weather before it arrived.

He stood, and began to walk his land.

---

It took him most of the day to walk the perimeter. A quarter section was half a mile on each side, two miles around, and he walked slowly, stopping often to look, to kneel and touch the soil, to pull up handfuls of grass and examine the roots. The grass was what the clerk in Brownville had warned him about. "Prairie grass has roots that go down ten feet," the clerk had said, not unkindly, once the supervisor had approved the claim. "You'll break three plows before you break that sod."

Ezekiel had nodded as if he understood, but he had not understood. Now, pulling at the grass, feeling how the roots gripped the earth like fingers, he began to. The land did not want to be plowed. The land had spent ten thousand years building this skin of roots and would not surrender it easily.

He thought of the men he had known in the regiment, the ones who had talked about what they would do when the war ended. Most of them wanted to go back to where they came from, to find family, to reclaim what had been taken. A few had talked about cities: New York, Boston, Philadelphia, places where a Black man could find work and walk on paved streets and not be alone. His sister Josephine had written from Philadelphia that he was a fool for leaving the East where there were people and churches and streets with lamps.

He had written back: *I have seen the land. It is more than enough.*

She had written: *Enough for what?*

He had not answered. He did not know how to explain that what he wanted was not a quantity but a quality. He wanted land that had not been worked by enslaved hands. He wanted to dig a well and drink water that his own labor had brought up from the earth. He wanted to plant a crop and harvest it and know that every grain belonged to him. He wanted to stand somewhere and know that no one could move him. To be fixed. To be held by the land instead of held on it.

---

By late afternoon he had chosen the site for his soddie. A slight rise in the southeastern corner of his claim, where the land lifted just enough to shed water. He would cut the sod from the lower ground to the north, drag it up the slope, stack it into walls. The clerk had explained the method, and Ezekiel had seen a sod house once, near Brownville, a low

dark structure that seemed to grow from the earth rather than sit upon it. The roof would be sod too, laid over a frame of whatever wood he could find. There were no trees on his claim. He would have to walk to the creek bottoms, miles away, for timber.

He had enough money for a plow, a basic one, and seed for a first planting. He had flour and salt pork to last a month. After that he would need the land to feed him, or he would need to find work in one of the settlements to the east, leaving his claim for days or weeks at a time, risking abandonment.

Five years. That was what the law required. Five years of residence and improvement, and then the land was his, fee simple, forever.

He knelt on the rise where his house would stand and pressed his palm flat against the earth. The soil was cold still, not yet warmed by spring. Beneath his hand he felt the dense mat of roots, the life that had accumulated here over centuries, the slow patient work of grass becoming soil becoming grass again.

“I am Ezekiel Washington,” he said aloud. He had never spoken his full name to the land before. It felt like a contract, like the words the preacher spoke over a marriage. “I claim this ground.”

The wind blew. The grass bent and rose. The land did not answer, because the land did not know his name, did not know any name, did not know that it had been divided and numbered and given away by men who had never seen it to other men who had just arrived.

The land only knew what it had always known: sun and rain and the roots of grass and the bones of the animals that had lived and died here since the ice retreated.

It would come to know Ezekiel Washington. It would come to know his labor and his hope and his sorrow. It would come to know others after him, would hold what they built and what they lost.

The land would hold all of it. The land was what held.

But that evening in April 1867, Ezekiel Washington knew none of what was coming. He knew only that he was tired, and that he had walked far, and that tomorrow he would begin the work of turning grass into a home.

He slept that night on the site where his house would stand, and for the first time since mustering out at Nashville, he did not dream of the war.

---

Before he slept, he took out the papers.

The wind had died enough that he risked it, cupping his hands around the folded document to shield it from any gust. The creases were soft now, threatening to become tears. He had handled it too many times, had shown it too many times, had unfolded and refolded it in railroad stations and land offices and the doorways of rooming houses where the proprietor wanted proof before renting a bed to a Black man.

He unfolded it carefully, holding the corners down with his fingertips. In the last light he could just make out the signatures, the stamps, the language that made him a man who could own things. *This is to Certify, That Ezekiel Washington, a Private of Captain James Morton's Company...* The words he had memorized, that he could recite in darkness, that he spoke sometimes to himself when he needed to remember what he had earned.

The paper was wearing out. He would need to have it copied. There was a lawyer in Brownville who did such work, for a fee. He would go back in the summer, when he had a crop in the ground, and pay the lawyer to make a copy on fresh paper, and he would put the original somewhere safe, somewhere it could not be lost or stolen or worn through by handling.

He folded it again, carefully, matching the creases exactly, and returned it to its place against his chest. The paper that said he had served. The paper that said he was a citizen. The paper that said he had earned the right to claim land.

His heartbeat pressed against it like a signature.

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**[DOCUMENT: War Department, Adjutant General's Office]**

*Certificate of Discharge*

*This is to Certify, That Ezekiel Washington, a Private of Captain James Morton's Company (E), 5th Regiment of U.S. Colored Troops, who was enrolled on the twenty-third day of August, one thousand eight hundred and sixty-three, to serve three years or during the war, is hereby Discharged from the service of the United States, this fourteenth day of July, 1865, at Nashville, Tennessee, by reason of General Orders No. 94, Adjutant General's Office, June 28, 1865 (Mustering out of Colored Troops).*

*Said Ezekiel Washington was born in Ashford County, in the State of Virginia, is thirty-one years of age, five feet ten and one-half inches high, black complexion, black eyes, black hair, and by occupation when enrolled a Laborer.*

*Given at Nashville, Tennessee, this fourteenth day of July, 1865.*

*[signed] J. Morton, Captain [signed] T.H. Williams, Lt. Col. Commanding*

## Chapter Two

He cut the first sod on the third day.

The plow was a walking plow, single-blade, purchased in Brownville with nearly the last of his army pay. It had taken him a full day to retrieve it from the freighting station at Grand Island, where the clerk had looked at him the way clerks always looked at him and then checked the bill of lading twice before releasing the implement. Ezekiel had hitched himself to the plow with rope across his chest because he had no animal to pull it, and he had dragged it the long miles back to his claim. The grass cut at his shins through his trousers. The distance lied: what looked like a mile turned out to be two, what looked close receded as he walked, the horizon sliding away from him like something that did not want to be reached. He arrived after dark with the rope burns bleeding through his shirt and the taste of grit between his teeth.

Now he stood at the north edge of the rise, where the ground was flat and the grass grew thick, and he set the blade.

The clerk in Brownville had told him about sod. "Cut it three inches deep, twelve inches wide, as long as you can manage. Grass side down when you stack it. The roots will knit together and make your walls." It had sounded simple when the clerk said it. It had sounded like something a man could do.

The blade bit into the earth, and Ezekiel leaned his weight into the handles, and nothing happened.

He tried again. The roots held the soil like a clenched fist. He put his shoulder into it, felt the scar tissue protest, pushed harder. The blade moved perhaps an inch. He was trying to cut through ten thousand years of accumulated growth with a piece of iron and the strength of his own body.

He cursed the land. He cursed the plow. He cursed the clerk in Brownville who had made it sound easy, who had probably never cut a strip of sod in his life. The cursing felt good, felt human, felt like something other than the machine he was trying to become. Then he picked up the handles and went back to work.

By midday he had cut a single strip, eighteen feet long. The sod came up in a ragged

ribbon, tearing where the roots were thickest, holding where they were not. Grasshoppers leapt from the cut earth, startled into flight. The exposed roots smelled green and wet, almost sweet, like something living that had just become something dead. He stood over his work, breathing hard, his hands already blistering where he had gripped the handles. Eighteen feet. He would need hundreds of feet. Thousands. Enough to build four walls and a roof, enough to make a structure that would keep out the wind and the rain and the winter that was still months away but coming, always coming.

He thought: I will not finish before the snow.

He thought: I will finish, or I will die here.

He kept cutting.

---

The rhythm of the work became its own kind of time. Cut, drag, stack. Cut, drag, stack. He worked from first light until he could no longer see the blade, and then he lay in his grass hollow and felt his body catalog its complaints. The blisters broke and bled and hardened into calluses. His shoulder ached constantly now, a low burn that flared when he twisted wrong. His back learned a new shape, curved to the handles of the plow.

The prairie worked alongside him, or against him, he could not tell which. Wind erased his footprints as fast as he made them. Heat shimmered off the flattened grass where he had walked, making the air wobble and lie. At night the temperature dropped so fast he could feel it on his skin like water.

He talked to himself as he worked. Not conversation, exactly. More like the sounds a man makes to prove he still has a voice. He recited the books of the Bible in order, the way his mother had taught him before she was sold. He sang work songs from the regiment, the cadence calls that had kept them moving through Virginia mud. He spoke his name aloud, sometimes, just to hear it exist in the air. Ezekiel Washington. Ezekiel Washington. A name that belonged to a man who owned land.

On the fifth day he saw riders on the horizon.

There were three of them, moving east to west along what might have been a trail or might have been simply the direction they had chosen. Ezekiel stopped cutting and stood very still, watching. The riders were perhaps a mile off, distant enough that he could not make out faces or colors, only shapes moving against the grass. One of them had stopped.

He thought about the knife at his belt. He thought about the rifle he did not have, could not afford, had chosen to forgo in favor of seed and flour. He thought about Rawls saying: *No neighbors, no witnesses, no one to see what they do.*

The riders continued west. They did not turn toward him. They disappeared over a rise and did not reappear.

Ezekiel went back to cutting sod, but he found himself stopping every few minutes to scan the horizon. The grass moved in the wind, and every movement looked like approach. That night he did not sleep in his hollow but in a different spot, fifty yards south, where he could see in all directions. The next morning he began cutting faster, thinking about the doorframe, thinking about walls high enough to hide behind, thinking about how a man without a door was a man anyone could reach.

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The doorframe was the hardest part. He had no timber, no milled lumber, nothing straight and strong enough to bear the weight of a sod roof. He walked six miles to a creek bottom and entered a different world: cottonwood shade, the smell of water and rot, mosquitoes rising in clouds from the damp ground. The leaves overhead made a sound the prairie never made, a rustling, a whisper, a conspiracy of green. He found a cottonwood that had fallen in some past storm, its wood gray and weathered but still sound. He spent two days cutting sections with a hand saw, dragging them back to the claim one at a time, notching them to fit together into a frame.

The saw broke on the third day. The blade snapped where rust had weakened it, and he stood holding the two pieces and understanding that he could not finish the frame without it. He could not build the doorframe without finishing the frame. He could not live through winter without a door.

He walked to the settlement.

The settlement was not yet a town. A general store, a blacksmith, a soddie that served as post office and meeting place and whatever else was needed. Perhaps thirty people, most of them living in structures no better than what Ezekiel was building. He had avoided the place since retrieving his plow, had not wanted to test what welcome he might find.

The store was dim and close, smelling of leather and tobacco and the particular mustiness of goods that had traveled far to reach a place that barely existed. The proprietor was a thin man with a beard that reached his chest, and he watched Ezekiel enter with an

expression that was not hostile but was not friendly either. Watchful. The expression of a man who had not yet decided what this situation was.

“I need a saw,” Ezekiel said. “Hand saw. For timber.”

The proprietor looked at him for a long moment. Then he turned and reached to a shelf behind him and produced a saw, newer than the one that had broken, its blade bright with oil.

“Dollar fifty.”

Ezekiel had eighty cents. He had counted it that morning, knowing it was not enough, not knowing what he would do.

“I can work,” he said. “Pay the difference in labor.”

The proprietor’s expression shifted, became something more calculating. “What kind of work?”

“Any kind. I can cut. Haul. Build. I built fortifications at Petersburg.”

“Petersburg.” The proprietor said the word slowly, tasting it. “You were in the war.”

“Fifth Regiment, U.S. Colored Troops.”

The silence stretched. Ezekiel could hear his own heartbeat, could feel the discharge papers against his chest, the document that proved he had served, that proved he was worth something, that proved nothing at all to a man who had already decided what Black men were worth.

“I got a privy needs digging,” the proprietor said finally. “North end of the property. Six feet deep, four feet square. You dig that, the saw is yours.”

Ezekiel said: “I’ll start now.”

---

He dug until dark. The soil here was different from his claim, sandier, easier to move but looser, wanting to slide back into the hole. He marked the dimensions with string and stakes and began to excavate, throwing the dirt to the side in a pile that grew as the hole deepened. The work was familiar. He had dug fortifications, latrines, graves. He had dug defensive positions outside Richmond while Confederate artillery tried to kill him. Digging a privy for a man who might or might not hate him was simple by comparison.

The proprietor brought him water once, in a tin cup, and stood watching him work for several minutes without speaking. Ezekiel drank and handed back the cup and kept digging.

When the light failed, he was four feet down. The proprietor came to the edge of the hole and looked in.

“You work like you mean it.”

Ezekiel said nothing.

“Come back tomorrow. Finish it. The saw will be waiting.”

---

He returned at first light. The proprietor was not yet awake, but Ezekiel found his string markers and resumed digging. By midmorning he had reached six feet, standing in a hole that came up past his head, throwing dirt up and out in rhythmic shovelfuls. The walls were clean. The corners were square. He had built things in his life, and he knew how to build them right.

When he climbed out, the proprietor was standing at the edge with the saw in his hand.

“Didn’t think you’d come back.”

Ezekiel took the saw. The handle was smooth, unweathered. The blade gleamed. The coins were still in his pocket; the digging had paid the price.

“I said I would.”

He did not thank the man. He did not ask his name. He turned and walked out of the settlement with the saw over his shoulder, and he did not look back.

The walk home took four hours. The grass moved around him like something breathing, and he could not tell what was wind and what was animal and what was nothing at all. The prairie made liars of the senses. Sound carried wrong: a bird’s call from the south seemed to come from the east; his own footsteps seemed to follow him a half-second late. He kept the saw balanced on his shoulder and watched the horizon and thought about how much a rifle would cost and whether he could afford to eat less. The law said he could own this land. The law said nothing about who would enforce that ownership if men came in the night with rope and torch. He had heard stories on the trains west, whispered by other colored men heading to Kansas and Nebraska. Homesteaders burned out. Bodies found in ravines. Claims “abandoned” by men who had not abandoned anything except their lives.

---

By the end of the second week, the walls were taking shape.

He had chosen the simplest design: a single room, twelve feet by fourteen, with the door facing east to catch the morning light and avoid the prevailing west wind. The walls rose slowly, one strip of sod at a time, grass side down as the clerk had instructed. The roots did knit together, did bind the strips into something that felt almost solid. When he pressed his hand against the wall, it gave slightly, like flesh, like something alive.

The doorframe went up on the twentieth day. The roof took another week.

He had no sod cutter for the roof strips, so he cut them by hand with his knife, thinner than the wall sod, light enough to lift over his head. A wind came up on the second day of roofing, tugging at the strips as he laid them, threatening to undo what he had done. He worked faster, mud in his hands, pressing the gaps closed, racing the weather that was always racing him. He laid the strips across a frame of cottonwood branches, overlapping like shingles, grass side up so the roots could continue to grow and bind the roof into a single living mat. When he was finished, he stood inside his house and looked up at the ceiling and saw grass, saw sky through the gaps he would fill with more mud, saw the beginning of something that might keep him alive.

The floor was dirt. The walls were dirt. The roof was dirt. He was living inside the earth, had burrowed into the prairie like the animals whose bones lay beneath him. This was what the land offered: not lumber and glass and the white-painted houses he had seen in Virginia, but itself. You could live in the land or on it, and Ezekiel had chosen in.

He moved his few possessions inside. The plow, leaning against the wall. The new saw, hung from a peg he had carved. His bedroll, spread on a frame of cottonwood branches he had lashed together to keep himself off the damp earth. The flour and salt pork, stored in the coolest spot where the floor met the wall. And the papers, wrapped now in oilcloth he had bought with the last of his eighty cents, tucked into a niche he had cut in the wall where they would stay dry.

He stood in the center of his house and spoke aloud:

“I am Ezekiel Washington. This is my home.”

The walls absorbed his voice. The roof let in slats of light. Outside, the wind blew across the prairie, and the grass bent and rose, bent and rose, and the land held his house the way it held everything: without judgment, without memory, without any knowledge that a man had come to claim a piece of it and call that piece his own.

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[DOCUMENT: General Land Office, Department of the Interior]

*Homestead Application No. 1247 Brownville Land District, State of Nebraska*

*I, Ezekiel Washington, do hereby apply to enter, under the Homestead Act of May 20, 1862, the Northeast Quarter of Section Fourteen, Township Nine North, Range Seven West of the Sixth Principal Meridian, containing 160 acres.*

*I am the head of a family [struck through] OR am twenty-one years of age or over [marked], and a citizen of the United States, having served in the Army of the United States for a term of not less than fourteen days during actual war, and having been honorably discharged.*

*I have never had the benefit of the Homestead Act, and the land I apply for is not mineral land, and I apply to enter the same for the purpose of actual settlement and cultivation.*

*Sworn to and subscribed before me this 12th day of March, 1867.*

*[signed] Ezekiel Washington, his mark X [witnessed] Thomas Crane, Register*

*FILING FEE: \$18.00 PAID*

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The X was not his name.

He could write. The army had taught him, in the long months between battles, a chaplain from Massachusetts with chalk and a board and patience enough for men who had never been allowed to hold a pencil. Ezekiel had learned his letters, had learned to shape them into words, had written his own name dozens of times in a copybook the chaplain gave him.

But when he stood in the Brownville land office with the application before him, the clerk had handed him the pen and then taken it back.

“Make your mark,” the clerk said. “Right there.”

“I can write my name.”

The clerk looked at him. The look was patient and impatient at once, the look of a man who had processed many applications and did not have time for complications.

“Make your mark,” the clerk said again. “That’s how it’s done.”

Ezekiel had made his mark. An X, which was not his name, which was not him, which was what the paper said he was. The paper that proved he had claimed land. The paper that did not know he could write.

He kept the copybook in his bedroll, wrapped in the same oilcloth as the discharge papers. Sometimes, in the evenings, he practiced his name by lamplight, writing it over and over on the pages that remained: *Ezekiel Washington. Ezekiel Washington. Ezekiel Washington.*

The land did not care whether he could write. The land only knew what he did on it, what he built, what he grew, how he lived and whether he stayed. But the papers cared. The papers reduced him to a mark, an X, a crossed absence where his name should be.

He wrote his name anyway, alone in his house of dirt, and the act of writing was its own kind of claim.

### Chapter Three

The corn went in late, the last week of May, when the ground had finally warmed enough to accept seed.

Ezekiel had spent April breaking sod. The walking plow was meant for a horse or an ox, not a man, but he had no horse or ox and so he became the animal himself, leaning into the rope harness until his chest was raw, dragging the blade through roots that fought him for every inch. He broke an acre the first week. Two acres the second. By the end of the month he had five acres of turned earth, the sod strips lying upside down in the sun, the exposed soil black and rich and strange after so many years under grass.

The seed corn he had bought in Brownville, twenty pounds of yellow dent in a burlap sack. The clerk at the general store had told him how to plant it: hills three feet apart, four kernels to a hill, one inch deep. "The first farmers here did it that way," the clerk said. "Before the surveyors came. They knew what they were doing." The clerk had not seemed to notice the irony of his phrasing, the "we" that included him and excluded the people who had known what they were doing, who had been farming this land for generations before the papers arrived.

Ezekiel planted by hand, on his knees in the dirt, pressing each kernel into the soil with his thumb. The work was slow and repetitive and strangely peaceful. He had planted nothing in his life before this. In Virginia, planting had been done by others, by the field hands while he worked in the stable. In the army, he had only destroyed: fortifications, enemy positions, the bodies of men who had been alive and then were not. Now he was putting something into the ground instead of taking it out, and the reversal felt like a kind

of healing.

The corn came up in two weeks, pale green shoots pushing through the black soil, reaching for the sun. He walked his rows every morning, counting the hills, checking for gaps where the seeds had failed. Most of them had taken. The failures he replanted, pressing new kernels into the spaces where nothing had grown, refusing to accept the empty places.

By June the corn was knee-high. By July it was taller than he was, the stalks thick and green, the leaves rustling in the wind like whispered conversation. He walked through his field in the evenings and felt the plants brush against his arms and thought: I made this. This exists because I put it here.

---

The summer taught him what the land required.

Water was the first lesson. The creek was four miles away, too far to haul water for irrigation. He dug a well instead, thirty feet down through clay and sand and rock, working with a shovel and a bucket and a rope until he hit water that tasted of iron and earth. He lined the well with stones he gathered from the creek bed, carrying them back in a sack over his shoulder, ten pounds at a time, a hundred trips. The well gave him drinking water and water for cooking and water for the small garden he planted beside the soddie: beans, squash, onions, the vegetables that would see him through winter if the corn failed.

Insects were the second lesson. The grasshoppers came in July, clouds of them descending on the fields, stripping leaves from stalks in hours. He fought them with fire, with smoke, with his hands, crushing them by the dozens until his palms were slick with their fluids. He saved most of the corn. Others, he heard later, had not been so lucky. A homesteader twenty miles south had lost everything, had watched his entire crop disappear in an afternoon, had walked off his claim and never come back. Another man, a Norwegian named Henriksen who had a claim somewhere to the northwest, had supposedly burned half his own field trying to drive the hoppers off. Ezekiel did not know if the story was true. He only knew that the land tested everyone, and not everyone passed.

Weather was the third lesson. A storm in August brought hail the size of walnuts, battering the corn flat, shredding leaves, bruising stalks. Ezekiel stood in his doorway and watched the destruction and could do nothing. When the storm passed he walked his

field and found half the crop damaged, the ears bent and broken, the tassels torn away. He harvested what he could. He calculated what remained. He would survive the winter, but barely. There would be nothing to sell, nothing to save, nothing to build on for the following year.

He thought: this is what the land does. It gives and it takes and it does not explain.

He thought: I am still here.

---

The first snow came in October, earlier than he had expected.

He had prepared as best he could. The soddie was chinked with mud and grass, the gaps sealed, the door hung on leather hinges he had cut from his own belt. He had laid in wood from the creek bottoms, enough to burn through December if he was careful. He had dried corn and beans, had smoked strips of rabbit and prairie chicken, had stored everything in the coolest corner of the soddie where the food would keep longest.

The snow fell for two days without stopping. When it ended, the drifts were higher than the soddie's walls, and Ezekiel had to dig his way out through a tunnel of white. The world had become featureless, the prairie erased, the horizon invisible. He could not tell where his land ended and the rest of the world began. Everything was white and silent and still.

He stayed inside, venturing out only to check the well, which had frozen over and required breaking each morning with a stone. The cold was a living thing, a presence that pressed against the walls, that found every gap he had missed, that turned his breath to ice inside the soddie. He burned his wood slowly, feeding the fire just enough to keep from freezing, rationing warmth the way he rationed food.

On the twelfth night, he woke and the fire was dead.

He did not know how long it had been out. He only knew that the cold had changed, had become something absolute, and that his hands would not work when he told them to move. He could see his fingers in the faint starlight through the smoke hole. They looked like someone else's fingers. He told them to close and they did not close.

He rolled out of his bedroll and crawled toward the fire pit. The embers were gray, no heat left. He had banked the fire before sleeping, the way he always did, but something had gone wrong. The wood had burned too fast or the wind had found a gap or he had simply made a mistake, the kind of mistake that killed men on nights like this.

The kindling was three feet away. He could see it, the pile of dried grass and small sticks he kept ready. Three feet. He crawled toward it, his hands dragging, his body unwilling to move at the speed his mind demanded. The cold was inside him now, in his chest, in his thoughts, slowing everything down. He understood, with a clarity that felt distant and calm, that he might not reach the kindling. That he might stop here, on the dirt floor of his own house, three feet from the fire that would save him.

He reached the kindling. He could not feel his hands, but he could see them gathering the grass, pushing it toward the fire pit, could see them reaching for the flint and steel he kept on the hearthstone. The first strike made no spark. The second made no spark. On the third strike he saw a flash, tiny, dying immediately. On the fifth strike the grass caught, a small flame that flickered and grew, and he fed it with trembling hands that still did not feel like his own.

He did not sleep again that night. He sat by the fire and fed it and watched it and did not let himself look away. When the sun came up, he checked his hands. The fingers moved. He could feel them again, the pain of returning circulation, the burn of blood in flesh that had been too cold for too long. He had come close. He did not know how close.

He added more wood to the fire and kept it burning all day, wasteful, necessary, the heat a proof that he was still alive to feel it.

---

In January, a man appeared at his door.

Ezekiel heard him before he saw him: the crunch of footsteps in the crusted snow, the labored breathing of someone who had walked a long way. He took up his knife and stood beside the door, waiting, not opening it until a voice called out.

“Hello the house!”

The voice was rough, tired, uncertain. Not threatening. Ezekiel opened the door.

The man on his threshold was white, perhaps fifty years old, with a beard full of ice and eyes that had gone somewhere past exhaustion into a kind of blank endurance. He wore a coat that was not warm enough and boots that were falling apart, and he stood with the particular stillness of someone who had stopped because he could not go farther. His lips were cracked. His cheeks were gray with frostbite.

“I saw your smoke,” the man said. The words came slowly, slurred with cold. “I been walking. My horse.”

He did not finish the sentence. He did not need to.

Ezekiel looked at him. The man looked back, and in his eyes Ezekiel saw something he recognized: the look of a man who had been three feet from the fire and was not sure he would reach it.

“Come in,” Ezekiel said.

He helped the man to the fire, wrapped him in the blanket from his own bedroll, heated water and made him drink it slowly. The man’s hands shook too badly to hold the cup. Ezekiel held it for him, tipping the water into cracked lips, watching the life come back into eyes that had begun to go vacant.

It was an hour before the man could speak clearly. His name was Ole Henriksen, he said. The Norwegian who had burned his field. He had a claim twelve miles northwest, had been trying to reach Aurora for supplies when the blizzard caught him. His horse had broken through ice over a creek and frozen to death before he could free it. He had walked through the night, following the stars when he could see them, guessing when he could not.

“I would have died,” Henriksen said. He was still shaking, though the fire was high now, Ezekiel burning wood at a rate that would cost him later. “Another hour.”

Ezekiel thought about the twelfth night. About his hands that would not close.

“Yes,” he said. “You would have.”

Henriksen stayed three days, until the weather broke enough for travel. They did not speak much. There was not much to say. Henriksen slept and ate and stared at the fire with the look of a man who was recalculating what he had thought he knew about himself. Ezekiel recognized that look too.

On the morning Henriksen left, he stood in the doorway for a long moment, not quite meeting Ezekiel’s eyes.

“In Aurora,” he said. “They talk about you.”

“I know.”

“I didn’t know what to think. When I heard.” Henriksen paused. He seemed to be working through something, some equation that did not come out the way he had expected. “You didn’t have to open the door.”

“You were at my door.”

“That’s not—” Henriksen stopped. Started again. “I have two sons. When the planting

comes. If you need help.”

He said it awkwardly, the offer extracted from him like a splinter. It was not gratitude, exactly. It was something harder than gratitude: an acknowledgment that the world had not arranged itself the way he had been taught to expect.

Ezekiel nodded. He did not say thank you. He did not say he would accept. He only nodded, and Henriksen walked away across the snow, and Ezekiel watched him until he disappeared over the horizon.

---

Spring came late that year, but it came.

The snow melted in March, revealing the brown grass beneath, the land emerging like something that had been held underwater finally allowed to breathe. Ezekiel walked his claim and assessed the damage. The soddie had held. The well had survived. The seed corn he had saved was dry and viable, ready for planting when the ground warmed.

He broke new sod in April, adding three more acres to his field. The work was easier now, or perhaps he was stronger, or perhaps he had simply learned how to suffer more efficiently. By May he had eight acres under cultivation, the largest planting he had attempted. The corn went in, and the beans, and the squash, and he knelt in the dirt and pressed the seeds into the soil and thought about the year that had passed.

He had survived. That was the first thing, the foundation on which everything else rested. He had survived the breaking and the planting and the insects and the hail and the winter that had tried to kill him. He was still here, and his claim was still his, and the land was beginning to know him the way he was beginning to know it.

In June, Henriksen’s sons came.

They appeared one morning, two young men on horseback, riding up to the soddie with the careful approach of people who did not want to startle anyone. They were eighteen and twenty, strong and quiet, and they introduced themselves formally: Lars and Erik, sent by their father.

“He said you might need help with the weeding,” Lars said. He had his father’s eyes, pale blue and watchful, but there was something less guarded in his face. “If you want it.”

Ezekiel looked at them. They looked back. They did not seem uncomfortable, exactly, but they did not seem comfortable either. They were here because their father had told them to come, honoring a debt they did not fully understand.

"I could use the help," Ezekiel said.

They worked side by side for three days, weeding the rows, checking for pests, doing the slow patient labor that farming required. They did not treat Ezekiel the way the men in Aurora treated him. They treated him as someone their father owed something to, which was different, which was a beginning.

On the last evening, Lars sat on the ground outside the soddie, drinking water from the well, looking out at the field they had weeded together.

"Our father almost died," he said. "Out there."

"I know."

"He's different now. Since he came back." Lars paused. "He doesn't say what he used to say. About—" He stopped, looked at Ezekiel, looked away. "He just doesn't say it anymore."

Ezekiel said nothing. There was nothing to say. A man had almost died and had been saved by someone he had been taught to despise, and now he did not know what to think. That was not redemption. That was not even change. It was just confusion, which was perhaps the first thing that had to happen before anything else could.

"We'll come back," Lars said. "When there's heavy work."

"If you want to."

"We want to."

Ezekiel watched them ride away and felt something shift in his chest, some loosening of a tightness he had carried so long he had forgotten it was there. He was not alone. He was not, perhaps, safe. But he was not alone.

---

The harvest came in September: eight acres of corn, enough to see him through winter, enough to sell a little, enough to begin building toward the next year. Lars and Erik returned as they had promised, and they worked the harvest together, three men moving through the rows, filling sacks with ears of yellow corn.

When the work was done, Ezekiel paid them in corn, a fair portion, more than they expected. Lars tried to refuse.

"Our father owes you," he said.

"This isn't about your father. This is wages for work."

Lars looked at the corn, looked at Ezekiel, and something in his face shifted. He took the payment.

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[DOCUMENT: Tax Assessment Roll, 1868 — Hamilton County (administered via York County)]

*The following persons are assessed for taxation on real and personal property for the year 1868:*

[...]

WASHINGTON, EZEKIEL — NE Quarter Section 14, T9N R7W Land: 160 acres @ \$1.25/acre = \$200.00 Improvements: sod dwelling, well = \$50.00 Personal property: 1 plow, tools, seed stock = \$25.00 TOTAL ASSESSED VALUE: \$275.00 TAX DUE: \$4.13

[...]

*Assessed by: J.P. Millward, County Assessor Filed: 14 November 1868*

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He paid the tax in coin, walking to the settlement in early December with the money wrapped in cloth inside his shirt. The assessor's office was a corner of the general store, a desk and a ledger and a man who wrote slowly and did not look up when Ezekiel entered.

"Washington," Ezekiel said. "Northeast quarter, section fourteen."

The assessor found the entry, ran his finger across the page, noted the amount. Ezekiel counted out the coins: four dollars and thirteen cents, nearly a month's worth of labor if he had been working for wages. The assessor wrote PAID in the ledger and handed Ezekiel a receipt.

"That's your proof," the assessor said. "Keep it."

Ezekiel folded the receipt carefully, matching the creases, and placed it inside his shirt. The paper was thin, almost weightless, warm where it pressed against his skin. He walked home in the winter light, the sun already setting though it was barely past four, the shadows stretching long across the snow.

Another piece of paper. Another promise the land would be asked to keep.

## Chapter Four

The years accumulated like sod strips, one atop another, building toward something solid.

By the spring of 1870, Ezekiel had fifteen acres under cultivation. He had acquired a horse the previous spring, a roan mare named Belle that he bought from a widow at the settlement whose husband had died of fever and who needed cash more than she needed an animal she could not feed. Belle was not young, and she was not fast, but she could pull a plow, and with her help Ezekiel broke ground at three times the pace he had managed alone. The rope burns on his chest faded to scars, then to memories, then to stories he did not tell.

He built a barn that year, sod like the house but larger, tall enough to shelter Belle and the two cows he planned to buy when he had money. The Henriksen boys helped with the raising, and afterward Ezekiel fed them a meal of corn and beans and salt pork, the four of them sitting outside the soddie in the spring twilight, not quite friends but something adjacent to it. Lars had married over the winter, a girl from a Swedish family near Grand Island, and he spoke about her with a quiet pride that Ezekiel recognized as love even though Lars never used the word.

“You should find a wife,” Erik said. He was the younger brother, less guarded than Lars, more willing to say things that might be unwelcome. “A man needs a wife out here.”

“A man needs land,” Ezekiel said. “Everything else comes after.”

“Land without a wife is just dirt.”

Ezekiel did not answer. He thought about the women he had known: his mother, sold when he was twelve; his sister Josephine, safe in Philadelphia, married now to a minister; the women in the regiment’s wake, laundresses and cooks and the others whose names he had never learned. He thought about what it would mean to bring a wife to this place, to this soddie, to this life of labor and isolation and the particular danger of being Black in a white territory. He thought about children, about what he would be bringing them into.

“Land first,” he said again. “Then we’ll see.”

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The proving-up deadline was March of 1872, five years from the date of his filing. The law counted from the entry paperwork, not from the day his boots first touched the grass—he had filed in Brownville in March, arrived on the claim in April, but the clock had already

started. To receive his patent, Ezekiel would need to demonstrate that he had resided on the claim continuously, that he had cultivated it, that he had made improvements. He would need witnesses to testify to these facts. He would need to pay a final fee of four dollars.

He began preparing his case in the fall of 1871, gathering evidence the way he had once gathered stones for the well: methodically, one piece at a time. He had the tax receipts for every year, each one folded and stored in the oilcloth packet with his other papers. He had the assessment rolls that showed his improvements: the soddie, the barn, the well, the acres under cultivation. He had his own testimony, which he wrote out carefully in the copybook, practicing the words he would speak to the land office.

The witnesses were harder.

He needed two men who could swear they knew him, knew his claim, knew he had lived on it and worked it for five years. The law did not say the witnesses had to be white, but the land office did not say they could be anything else, and Ezekiel understood the difference between what the law permitted and what the system allowed.

He asked Lars Henriksen first. Lars said yes without hesitation, as if the question had been settled long ago and Ezekiel was only now catching up to the answer.

“I’ve watched you work that land for four years,” Lars said. “I’ll tell them what I saw.”

“They might not like that. A white man vouching for a colored man’s claim.”

“They can not like it all they want. I’ll still tell them what I saw.”

The second witness was more difficult. Ezekiel knew other homesteaders by now, had traded labor and tools and seeds with a handful of them over the years, but most kept their distance. They would nod to him at the store in Aurora. They would accept his help if their crops were failing or their animals were sick. But they would not stand in a land office and put their names to a document that said Ezekiel Washington deserved to own land.

In the end, it was Henriksen himself who came forward. The old man had aged in the years since the blizzard, his beard gone white, his hands stiff with the joint pain that came from too many winters. But his voice was steady when he offered.

“I’ll be your second witness.”

“You don’t have to.”

“I know I don’t have to.” Henriksen looked at him with those pale eyes that had seen

too much cold. "I'm telling you I will."

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The proving-up hearing was held in Beatrice on the fourteenth of March, 1872. The land office had moved from Brownville years earlier, following the settlers west, though the paperwork still called it the Brownville Land District.

Ezekiel rode Belle the sixty miles, camping two nights on the way, arriving at the land office with dust on his coat and his papers wrapped in oilcloth inside his shirt. Lars and the elder Henriksen had come separately, traveling by wagon, and they met him outside the office with the awkward formality of men about to do something that mattered.

The clerk at the counter was a different man from the one who had accepted Ezekiel's original filing. This one was younger, with a thin mustache and eyes that moved too quickly, cataloging everything, trusting nothing. He looked at Ezekiel's papers. He looked at Ezekiel. He looked at the two white men standing behind him.

"You're the witnesses?"

"We are," Lars said.

"You'll swear that this man has lived on the claim continuously for five years? That he's cultivated the land and made improvements?"

"We'll swear to it."

The clerk looked at them for a long moment. Then he looked at Ezekiel again, and something in his face shifted, became harder, became the face of a man who had decided something.

"There's a challenge to your claim," he said.

The words did not make sense at first. Ezekiel heard them, understood them individually, but could not assemble them into meaning. A challenge. To his claim. The claim he had worked for five years, the land he had broken and planted and harvested, the ground where he had almost died, the home he had built with his own hands.

"What challenge?"

The clerk pulled a document from a folder on his desk. "Filed last month. A man named Garrett claims you abandoned the property for more than six months in 1869. Says he has witnesses who'll testify you weren't living on the land."

"That's a lie."

“That may be. But the challenge has been filed, and it has to be adjudicated before the register can issue your patent.” The clerk’s voice was flat, procedural, the voice of a man who was only doing his job. “There’ll be a hearing. You can present your evidence. He’ll present his. The office will decide.”

Ezekiel felt the ground shift beneath him, felt the solid thing he had been building begin to tremble. He had not abandoned his claim. He had never left it for more than a few days at a time, and even then only to get supplies or sell his harvest. He had witnesses who could testify to this. He had tax receipts and assessment rolls and five years of sweat and labor and survival.

But he also understood, with a clarity that felt like the cold on the twelfth night, that none of that might matter. The challenge was filed. There would be a hearing. And the men who would decide the hearing were the same men who had made him sign his name with an X, who had looked at his discharge papers and seen not a soldier but a problem, who had built a system in which the rules said one thing and the practice said another.

“When is the hearing?”

“June. You’ll receive notice of the exact date.”

Ezekiel took his papers back from the desk. The clerk did not meet his eyes.

Outside, Lars gripped his shoulder. “It’s a lie. We’ll prove it’s a lie.”

“We’ll try,” Ezekiel said.

He rode home alone, Belle picking her way across the prairie, and the land that had been his for five years looked different now. Looked like something that could be taken. Looked like something that had never really been his at all.

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The name was Garrett. Thomas Garrett.

Ezekiel learned what he could in the weeks after Beatrice. Garrett was a speculator, a man who bought and sold land claims the way other men bought and sold horses. He had filed challenges against three other homesteaders in the county, two of them successful. He did not want to farm the land. He wanted to own it, to hold it until the railroad came through and the price rose, to sell it for ten times what he had paid.

He was a church deacon in Aurora, people said. He had a wife and four children. He gave money to the school fund. He was not, in the language of the time, a bad man. He

was simply a man who saw opportunity where others saw homes, who understood that the law was a tool and that tools could be used by anyone who knew how to hold them. He probably did not think of himself as stealing. He probably thought of himself as winning.

Ezekiel went to see a lawyer in Aurora, a man named Thomas Crane who had an office above the general store. Crane had been the register in Brownville who witnessed his original filing; he had left the land office and hung out a shingle two years later. He listened to the story, examined the documents, shook his head slowly.

“It’s a strong case,” Crane said. “Your evidence is solid. But—”

“But I’m a colored man.”

Crane did not deny it. “The hearing will be decided by the register and the receiver in Beatrice. They’re political appointees. They answer to people who have opinions about who should own land in Nebraska.”

“What are you telling me?”

“I’m telling you to prepare for the possibility that the evidence won’t matter.” Crane paused. “I’m also telling you that if you want to fight this, it will cost money. Legal fees, travel, time away from your claim. Garrett is counting on that. He’s counting on you giving up because the fight is too expensive.”

“I’m not giving up.”

“Then we’ll fight.” Crane extended his hand. “I’ll need a retainer. Twenty dollars to start.”

Twenty dollars. A quarter of his annual income. Ezekiel shook the lawyer’s hand and walked home and sat in his soddie and looked at the walls he had built and wondered if this was how it ended. Not with violence, not with fire or rope, but with paper. With documents filed in offices by men who had never seen his land, who did not care about his labor, who wanted only what the land would be worth when the railroad came.

His father had said: “Land is the only freedom.”

His father had been wrong. Land was not freedom. Land was something you could lose, like everything else.

---

The hearing was held on the twelfth of June, 1872, in the land office at Beatrice.

A deputy stood by the door, hip cocked against the frame, his hand resting on his pistol not like a threat but like a habit. He watched Ezekiel come in the way a man watches

something he might have to deal with later. Garrett was already seated, and behind him, three men Ezekiel didn't recognize—not witnesses, just presence, just weight, just a reminder of how many white men could fit in a room.

The register's name was Montgomery. He was a thick man with ink-stained fingers and a gold wedding band that caught the light when he wrote. He had a habit of clearing his throat before speaking, a wet sound that made Ezekiel think of drowning. The receiver sat beside him, a thin man whose name Ezekiel would only learn later, from the document that ended everything. He said nothing during the hearing, making notes in a leather-bound book.

Ezekiel sat at a wooden table across from them, Crane beside him, and he understood within the first five minutes that the decision had already been made. He understood it from the way Montgomery looked at him: not with hatred, not with contempt, but with the particular blankness of a man who had already finished his work and was merely going through the motions of completing it. Montgomery called him "the claimant" throughout, never his name, never even "Mr. Washington," as if naming him would make him too real to dispossess.

Garrett's first witness was a man named Scofield, thin and weathered, with the look of someone who had done many things for money and remembered none of them as wrong. He testified that he had visited the Washington claim in July of 1869, looking to buy eggs, and had found the place abandoned. The soddie door was standing open, he said. Weeds were growing through the threshold. The barn—here Scofield paused, as if remembering—the barn had a hole in the roof where the sod had fallen in. No animals. No crops. No sign anyone had been there for months.

Crane objected: the barn had been built in 1870, a year after the alleged abandonment. The register noted the objection and instructed Scofield to continue.

"I saw what I saw," Scofield said. "Place was empty. Nobody home."

Montgomery cleared his throat—that wet, drowning sound—and made a note. His wedding band flashed. Ezekiel watched the ink-stained fingers move across the page and thought: those hands will write the words that take my land. Those hands have probably written such words before. Those hands will write them again.

The second witness repeated the first, changing only the dates and the details of what he claimed not to have seen. The register let him speak without interruption.

Ezekiel felt the words building in his chest. He could stand up. He could say: I was there. I was there in July of 1869, and in August, and in September. I was there when the corn came up and when it was harvested and when the snow fell. I was there every day for five years. I have witnesses. I have proof. He felt Crane's hand on his arm, a light pressure that meant: not yet. Wait.

But Ezekiel knew what waiting meant. Waiting meant letting other men speak for him. Waiting meant trusting a system that had never protected him. He looked at Montgomery's ink-stained fingers, at the gold band, at the wet sound of that throat-clearing, and he understood that speaking would change nothing. He could tell the truth and it would not matter. He could prove his presence and it would not matter. The decision had been made before he walked into the room.

He stayed silent. It was the hardest thing he had ever done.

Then it was Ezekiel's turn.

Lars testified briefly, describing the work they had done together, the harvests, the meals shared outside the soddie. The register interrupted twice to ask how Lars could be certain of the year, how he could prove what he claimed to remember.

"I was there," Lars said. "I know what I saw."

"A man can misremember," the register said. "Particularly when he has reason to."

Sarah Lindquist, the widow who had sold Belle, testified that the sale had occurred in April of 1869—the same month Garrett's witnesses claimed Ezekiel had been in Omaha. The register asked if she had a receipt. She did not. The register noted this for the record.

Henriksen testified last.

He told the story slowly, an old man with stiff hands and a voice that did not waver. The blizzard of January 1868. The horse that had broken through ice and frozen. The night walk across the prairie, following stars, following nothing, following the will to live one more hour. And then: the smoke.

"I saw it from a mile off," Henriksen said. "Rising from a chimney. That chimney." He pointed at Ezekiel without looking at him. "That man's chimney. I walked toward the smoke because smoke meant fire and fire meant life. When I reached the door, he opened it. He let me in. He saved my life."

The register leaned forward. "This was 1868. The alleged abandonment was 1869."

"I'm telling you what I saw. I'm telling you that man was on that land in the worst

winter I've lived through. You think he left it when the weather got easy?"

"I'm asking about 1869."

"And I'm telling you about the man." Henriksen's voice rose, the first heat he had shown. "I'm telling you he built that place with his hands. I'm telling you my sons worked beside him in his fields. I'm telling you he was there, every season, every year. And I'm telling you that anyone who says different is a liar or a fool."

The register made a note. The receiver made a note. They did not look at each other.

"Thank you," the register said. "The office will deliberate."

---

The deliberation took four hours.

Ezekiel waited outside, in the street, because the office had no room for waiting and because he could not bear to sit still. Lars waited with him. Henriksen sat on the wagon bench, his hands folded, his eyes closed, looking like a man in prayer or a man asleep.

Crane came out once to say there was no news. He came out again to say the same thing.

The sun moved across the sky. Shadows lengthened. Ezekiel watched the door of the land office and felt time stretch into something unrecognizable.

When the door opened and Crane emerged, Ezekiel knew before the lawyer spoke. He knew from the way Crane walked, from the set of his shoulders, from the fact that he would not meet Ezekiel's eyes until he was standing directly in front of him.

"They ruled for Garrett."

Ezekiel heard the words. He understood them. But his body did something strange: his hands began to shake, a tremor that started in his fingers and moved up his wrists, and he could not make it stop. He tried to speak and found that his throat had closed, the words trapped somewhere below his voice.

Lars's face went white. "On what grounds? Henriksen's testimony—"

"They found Garrett's witnesses more credible." Crane's voice was flat, exhausted. "The decision says the claimant failed to demonstrate continuous residence. The entry is cancelled. The land reverts to public domain."

Ezekiel looked at his hands. They were still shaking. The same hands that had cut sod and built walls and planted seeds. The same hands that had reached for kindling on the

twelfth night. He pressed them against his thighs to make them stop and they did not stop.

“We can appeal,” Crane said. “There are grounds. The barn testimony was demonstrably false—”

“How much?”

“Filing fee is fifteen dollars. My fee for the appeal would be another twenty. And there’s no guarantee. The Commissioner tends to defer to local offices.”

Thirty-five dollars. Half a year’s income. He had already paid Crane twenty just to stand beside him at the hearing—money that had bought him nothing but the privilege of watching the system work as designed. Now Crane was asking for more. To appeal a decision made by men who had already decided, to beg for reconsideration from a system that had never considered him a man worth protecting. He thought of Montgomery’s ink-stained fingers moving across the page, the gold wedding band catching the light, that wet throat-clearing sound. Those hands had written the words. An appeal would ask different hands to unwrite them.

Ezekiel found his voice. It came out rough, scraped.

“No.”

“Ezekiel—” Lars started.

“No.” He looked at Lars, at Henriksen climbing down from the wagon, at Crane still holding his papers. “It’s over.”

The deputy had followed them out. He stood a few feet away, still with that casual hand on his hip, still watching.

“Probably best you head out soon,” the deputy said. His voice was almost friendly. “Garrett’s got friends. They’re not patient men. Roads can be dangerous for a fellow traveling alone, carrying whatever he’s got left.” He smiled, the smile of a man offering helpful advice. “Just something to think about.”

He tipped his hat and went back inside.

Ezekiel stood very still. The deputy hadn’t threatened him. The deputy had simply explained how things worked: paper first, then men, then whatever happened on a dark road where no one was watching. The law had taken his land. The law’s friends would make sure he understood what that meant.

He walked away from them, down the main street of Beatrice, past the land office with

its closed door and its finished business. He walked until he found what he was looking for: a general store with rifles displayed in the window.

The proprietor watched him come in but did not tell him to leave.

“How much for the Winchester?” Ezekiel pointed to a carbine, short-barreled, the kind cavalry units carried.

“Thirty-two dollars. Ammunition is extra.”

Ezekiel counted out the money. Thirty-two dollars for the rifle. Two dollars for a box of cartridges. It was almost everything he had. It was the money that could have bought an appeal. It was the choice between asking the system for justice and arming himself against whatever came next.

The proprietor took the money and handed over the rifle. Ezekiel checked the action, sighted down the barrel, loaded it. The weight felt right in his hands. It was the first thing that had felt right all day.

He walked back to where Lars and Henriksen were still waiting with the horses. They saw the rifle and said nothing. There was nothing to say.

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He rode home one last time, the rifle across his saddle.

The prairie looked the same as it had always looked: grass bending in the wind, sky pressing down, horizon sliding away. The land did not know that it had been taken from him. The land did not know that it had ever been his.

He stopped at the soddie and stood in the doorway and looked at the room he had built. The walls he had stacked. The roof that had kept out rain and snow for five years. The niche where he had stored his papers, empty now because the papers were in his shirt, useless now, proof of nothing.

He gathered what he could carry. The discharge papers went back against his chest, where they had always been, useless now but impossible to leave. The copybook. He reached into the niche for the oilcloth wrapping, and as he pulled it free, a corner caught on a rough edge of the sod and tore away, leaving a scrap wedged in the crack. He did not notice, or did not care. His bedroll. The rifle. He looked at the plow leaning against the wall, the saw hanging from its peg, the tools he had used to build a life that was no longer his.

He could not carry the plow. He could not carry the saw. He could take only what fit on Belle's back and in his own arms.

He chose the copybook and the rifle over the tools that had built everything.

He left the rest.

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At the rise where he had first knelt and pressed his palm to the earth, he stopped.

The grass had grown back over the paths he had worn. The land was already forgetting him, already healing over the marks he had made, already becoming again what it had been before he came.

"I am Ezekiel Washington," he said.

But the words meant something different now. They meant: I was here. They meant: I tried. They meant: this land did not know my name and will not remember it.

He turned Belle east, toward Omaha, toward whatever came next. The rifle lay across his saddle, loaded, the money that might have bought an appeal transformed into something he could hold.

Behind him, the soddie stood on the rise, its walls solid, its door closed, waiting for whoever would come to claim it. The well still gave water. The barn still stood. The land held what he had built the way it held everything: without knowing who had built it, without caring, without any record except the thing itself.

He did not look back.

The prairie stretched to the horizon, the grass bending in the wind, the earth holding its secrets and its silence and all the names of everyone who had tried to claim it and failed.

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**[DOCUMENT: General Land Office, Brownville Land District]**

*In the Matter of Homestead Entry No. 1247 Ezekiel Washington, Claimant Thomas Garrett, Contestant*

*DECISION*

*Upon consideration of the testimony presented and the evidence submitted, this office finds:*

1. That the contestant has presented credible witness testimony establishing that the claimant was absent from the subject property for a period exceeding six months during the year 1869.

2. That the claimant has failed to rebut this testimony with sufficient evidence of continuous residence.

3. That the requirements of the Homestead Act of 1862, specifically the provision requiring five years of continuous residence, have not been met.

THEREFORE, Homestead Entry No. 1247 is hereby CANCELLED, and the lands described therein are restored to the public domain, available for entry under the laws of the United States.

Dated this 12th day of June, 1872.

[signed] R.W. Montgomery, Register [signed] J.P. Dawes, Receiver

NOTICE: This decision may be appealed to the Commissioner of the General Land Office within 30 days of issuance. Filing fee for appeal: \$15.00.

## Part Two: The Ground Settled (1885-1934)

### [DOCUMENT: Hamilton County, Nebraska — Abstract of Title, compiled 1885]

Property: Northeast Quarter, Section 14, Township 9 North, Range 7 West

Chain of Title:

1867 — Homestead Entry No. 1247, filed by Ezekiel Washington, United States Colored Troops (discharged). Claim established April 1867.

1872 — Homestead Entry No. 1247 cancelled by order of Register, Brownville Land District. Claimant failed to prove continuous residence. Land reverted to public domain.

1872 — Cash Entry by Thomas Garrett, \$1.25 per acre, total \$200.00. Patent issued September 1872.

1876 — Warranty Deed, Thomas Garrett to Prairie Land and Cattle Company, consideration \$400.00. Recorded Hamilton County, 14 March 1876.

1879 — Quit-Claim Deed, Prairie Land and Cattle Company to Western Nebraska Land Company, consideration \$1.00 and other valuable consideration. (Note: Transfer pursuant to corporate reorganization.)

1885 — Warranty Deed, Western Nebraska Land Company to Václav Shimerda, consider-

ation \$350.00. Recorded Hamilton County, 3 October 1885.

*Encumbrances: Mortgage note, \$200.00, held by First Bank of Aurora, executed 3 October 1885.*

*Improvements noted at time of sale: Sod structure (habitable), barn (partial collapse), well (functional).*

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## Chapter One

The soddie was already there when they arrived.

Anna Shimerda saw it first, from the back of the wagon where she sat wedged between a trunk and a crate of chickens: a low dark shape on a rise, almost invisible against the brown grass, like something buried that hadn't stayed buried. Beside it, she could make out another structure, larger, also made of earth, its roof partially collapsed on one side. She tugged at her mother's sleeve and pointed, and her mother looked and crossed herself and said something in Czech that Anna didn't catch.

Her father stopped the wagon. He had been driving for six hours without rest, his shoulders hunched against the October wind, his eyes fixed on the horizon as if he could will their destination into existence. Now he sat very still, staring at the shape on the rise.

"Is that it?" Anna asked. "Is that our house?"

Her father didn't answer. He climbed down from the wagon and walked toward the soddie, his boots leaving prints in the dry grass, his coat flapping in the wind. Anna watched him grow smaller with distance. When he reached the soddie, he stood in front of the door for a long moment. Then he pushed it open and went inside.

Anna was eleven years old. She had been born in Bohemia, in a village whose name she tried to say to herself sometimes and found slipping away, the sounds going soft and wrong in her mouth. She had spent the last four months in transit: the train to Hamburg, the ship to New York, the other train across a country so large it seemed like a lie, and now this wagon across land that had no features, no trees, no buildings, nothing to tell you where you were or how far you had come. She didn't know what Nebraska was. She knew only that her father had paid money for a piece of it, and that they had come to live on that piece, and that the low dark shape on the rise was apparently where they would live.

Her mother climbed down from the wagon and lifted Anna's younger brother Marek from the seat where he had been sleeping. Marek was seven, and Anna thought of him as strange—given to fits and silences, seeing patterns no one else could see. The journey had made him stranger, or maybe just more himself. He didn't seem to understand that they had arrived. He was staring at his hands, turning them over and over, as if he had never seen them before.

"Come," her mother said. "We go see."

They walked toward the soddie, Anna and her mother and Marek, leaving the wagon and the horses and the crate of chickens behind. The grass came up to Anna's waist, dead and dry, rustling as she pushed through it. The wind smelled like nothing she had ever smelled before: not the green smell of the village, not the salt smell of the ship, but something older and emptier, a smell that seemed to come from the ground itself.

Her father was standing inside the soddie when they reached it. The door was open, letting in a rectangle of gray light, and Anna could see him in the dimness, his hands at his sides, his head bowed.

"Václav?" her mother said.

Her father looked up. His face was doing something Anna didn't understand, twisting and then going flat, like he was trying to hold something in.

"Someone lived here," he said. "Before."

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The soddie had one room, twelve feet by fourteen, with walls of stacked sod and a roof of the same. The floor was packed dirt, smooth in places, uneven in others. There was a doorframe of weathered timber, a smoke hole in the roof, a niche cut into the wall near the door.

And there were things left behind.

A plow, leaning against the wall, its blade spotted with rust but still sound. A saw, hanging from a peg, its handle polished smooth by years of use, its teeth dulled but not broken. A bedframe made of cottonwood branches, lashed together with rope that had dried and cracked. A hearthstone with ash still on it, years of ash, compressed into a gray cake that crumbled when Anna's father touched it.

"Who?" Anna's mother asked. "Who was here?"

Her father shook his head. He didn't know. The land agent in Omaha had said nothing about someone living here before. The papers said the land had been purchased from a company that had purchased it from the government. The papers didn't mention a plow or a saw or a bedframe or the ash of fires that someone else had made.

Anna walked to the niche in the wall. It was empty, but not all the way empty: there was a scrap of oilcloth caught in a crack, and when she pulled it free, she saw that it had been wrapped around something, had held something close. Someone had kept something here. Someone had left it behind.

"What is this?" she asked, holding up the scrap.

Her father took it from her. He looked at it, turned it over, saw nothing.

"Cloth," he said. "Just cloth." He handed it back to her, already turning away to examine the plow.

But Anna didn't think it was just cloth. It felt like a clue, like something left behind by someone who had to leave fast, who couldn't take everything, who had to choose what to carry and what to lose. She looked at the plow against the wall. Too heavy to carry. The saw on its peg. Too heavy to carry. The bedframe, the hearthstone, the walls themselves.

You only left things like this if you were leaving in a way that didn't let you choose.

"Can we stay here?" she asked. "Is it ours now?"

Her father looked around the room. His face was still doing that strange thing, but it was settling now, becoming harder, becoming the face he used when there was work to do.

"It is ours," he said. "We paid for it. Whatever was here before, it is ours now."

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They unloaded the wagon before dark.

There wasn't much: the trunk that held their clothes and blankets, the crate of chickens, a sack of flour, a sack of potatoes, a few tools Anna's father had bought in Omaha. They carried everything into the soddie and stacked it against the walls, and when they were finished, the room was full in a way that felt more like crowding than like home.

Anna's mother made a fire in the hearth, using the ash of the previous fires as a base, adding dried grass and the few sticks of wood they had brought. The smoke rose through the hole in the roof, and the room grew warm, and for the first time since leaving the village, Anna felt something like shelter.

Her father spent the evening examining the plow.

He ran his hands over the blade, tested the handles, knelt down to look at the way it was built. Anna watched him from across the room, where she was helping her mother unpack the trunk. His face was different now, focused, alive in a way it hadn't been on the wagon. He was thinking about spring. He was thinking about planting. He was thinking about the work the plow would do.

"This is good," he said, more to himself than to anyone else. "This is a good plow. Whoever was here, he knew how to choose tools."

He found a whetstone in his kit and began to sharpen the blade, the sound of stone on metal filling the soddie, steady and rhythmic. Anna's mother looked at him and something in her face relaxed, some tension Anna hadn't even noticed until it was gone.

Later, after potatoes boiled in water from the well, her father sang.

It was a song Anna remembered from the village, something about a river and a girl who waited by it. His voice was rough and out of practice, but the words were right, and Marek stopped staring at his hands and looked up, and Anna's mother hummed along, and for a few minutes they were a family the way they had been before, before the ship and the trains and the grass that went on forever.

When the song ended, her father looked at the walls around them, the sod walls someone else had stacked, and he said: "We will build more. We will make this bigger. By next winter, it will be a real house."

Anna believed him. That night, she believed him.

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The well was outside, thirty feet from the soddie, lined with stones that had been carried from somewhere far away. Anna's father found it the next morning, rigged their own rope and bucket from the wagon supplies, dropped a pebble and listened for the splash, pulled up a bucket of water that tasted of iron and earth. The water was cold and clean, and when Anna drank it, she thought about whoever had dug this well, carried these stones, drunk this same water.

"Who do you think he was?" she asked her father. "The man who lived here?"

Her father was coiling the rope, not looking at her.

"It doesn't matter."

“But he built all this. The house. The well. The—”

“It doesn’t matter.” His voice was sharp, sharper than he usually spoke to her. Then softer: “He is gone, Anna. We are here. This is what matters now.”

Anna didn’t argue. But she kept the oilcloth scrap in her pocket, the clue that meant someone had been here and had left in a way that wasn’t right.

Marek was standing by the well when she came out of the soddie later that morning. He was leaning over the edge, looking down into the dark.

“Marek,” she said. “Come away from there.”

He didn’t move. He was staring into the well like there was something at the bottom he could see.

“Marek.”

She took his arm and pulled him back, and he came without resisting, but he kept looking over his shoulder at the well until they were inside. That night he asked their mother: “Who lives in the water?”

Their mother crossed herself and told him no one lived in the water.

But Anna saw the way Marek looked at the well after that, every time they passed it. Like he was waiting for someone to answer.

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The first winter was hard.

Anna had known winters in Bohemia, had known cold and snow and the long dark months when the sun set early and rose late. But Nebraska winter was different. Nebraska winter was a thing that wanted to kill you, a thing that pushed against the walls and found every crack and didn’t stop.

The snow came in November, earlier than her father had expected, and it didn’t stop. It fell for days, then weeks, piling against the soddie walls until the drifts were higher than the roof. Anna’s father dug tunnels to the well and to the place where they had built a rough shelter for the horses, and every morning he dug them again because the wind filled them in overnight.

The cold found every gap in the soddie walls. Anna’s mother stuffed the cracks with rags and grass, but the cold kept coming, seeping through the sod, turning their breath to ice, making the fire seem small and useless against the size of what was trying to get in.

Marek got sick first. A fever that made him shake and sweat, that made him speak in words Anna didn't recognize, that made their mother sit beside him all night, bathing his forehead with cold water, praying in Czech to saints whose names Anna was forgetting. The fever lasted a week, and then it broke, and Marek lived, but he was quieter afterward, more distant, like part of him had gone somewhere during the fever and hadn't entirely come back. He started collecting things: stones, bits of grass, the dried husks of dead insects. He kept them in a pile by his blankets and wouldn't let anyone touch them.

Anna's father went out one morning in January to dig the tunnel to the well and didn't come back for three hours. When he finally pushed through the soddie door, his face was gray, his hands were white, and he couldn't speak for the shivering. Anna's mother put him by the fire and wrapped him in every blanket they had, and Anna understood that her father had gotten lost. In the twenty yards between the well and the house, in the white blindness of the blowing snow, her father had gotten lost and had almost died.

That night, after her parents were asleep, Anna lay in her blankets and listened to the wind screaming across the prairie. She thought about the man who had built this soddie, who had dug this well, who had survived winters in this place before she was born. She wondered if he had lain in this same spot, listening to this same wind, feeling like the world was trying to push him out.

In the morning, she found a length of rope in the things they had brought from Omaha. She tied one end to the door frame and the other end to her father's belt.

"What is this?" her father asked.

"So you can find your way back."

Her father looked at her. His eyes were strange, full of something she couldn't read.

"You are smart," he said. "Smarter than your father."

He went out into the snow with the rope trailing behind him, and he found the well, and he found his way back, and he didn't get lost again that winter. But Anna noticed that he didn't sing anymore. He didn't talk about making the house bigger. He sat by the fire and stared at the flames, and sometimes he said things to Anna's mother in Czech, too quiet and too fast for Anna to follow.

Marek started sleeping by the door, curled up against it like a dog. When Anna asked him why, he said he was listening for someone. He wouldn't say who.

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Spring came late, but it came.

The snow melted in March, revealing the brown grass beneath, and Anna walked out onto the prairie for the first time since November. The land stretched to the horizon in every direction, flat and empty and impossibly large. She had never seen so much sky. She had never felt so small.

One of the horses had died in February, weakened by the cold and the short rations. Her father had found it in the morning, stiff in the rough shelter they had built, and had spent the day digging a hole in the frozen ground to bury it. Now they had only one horse left, and it was not enough.

Her father began to plow in April, using the plow that had been left behind, the plow he had sharpened in October with such hope. The ground was hard, the roots were deep, and the work was brutal. Anna watched her father lean into the handles, his shoulders straining, his face set in a way that didn't change from morning to night. The remaining horse wasn't strong enough for the work alone, and so her father became the second animal, pulling alongside, adding his weight to the breaking.

Before the plowing started, he had spent two weeks repairing the old barn they had found beside the soddie, the one with the collapsed roof. He replaced the fallen sod, reinforced the timber frame with wood he hauled from Aurora, made it solid enough to shelter the remaining horse through the coming winter. The barn was sound now, its walls tight against the wind.

By May, they had five acres under cultivation. By June, the corn was coming up, pale green shoots in the black soil, and Anna walked the rows with her father, counting the hills, checking for gaps.

"Is it enough?" she asked. "Will we have enough to eat?"

Her father didn't answer for a long time. He was looking at the horizon, at the sky, at the land he had bought with money he didn't have, money he had borrowed, money he would have to pay back somehow.

"It will have to be enough," he said.

That night Anna heard her parents talking, her mother's voice low and urgent, her father's voice flat and far away. She caught pieces: the Czech word for debt, her mother saying they would survive, they had survived before.

Her father said something back. Anna caught only a few words, one of them the Czech

word for slow, one of them something that sounded like waiting. His voice was hollow, emptied out.

Her mother's response was sharp and frightened, but Anna couldn't hear what she said. She pulled the blanket over her head and thought about the man who had built this soddie, who had planted crops in this soil, who had lasted long enough to leave a plow and a saw and a bedframe behind.

He had survived, at least for a while. Long enough to build. Long enough to leave something.

In the morning, Anna found her father standing outside the soddie, looking east.

"What are you looking at?" she asked.

"Home." He still didn't turn to face her. "I am looking toward home, Anna. But it is too far to see."

She stood beside him and looked east, the direction the man before them must have gone, the direction you went when you left this place.

"This is home now," she said. "Isn't it?"

Her father was quiet. When he finally spoke, his voice sounded like it was coming from somewhere else, somewhere far away inside him.

"Yes," he said. "This is home now. Whether we want it or not."

Marek came out of the soddie and stood beside them, holding one of his collected stones. He held it out to their father, a gift or an offering, and their father looked at it for a long moment before taking it.

"Thank you, Marek," he said.

It was the first time Anna had seen him smile in weeks. It was a small smile, and it didn't last, but it was there.

She held onto it. She would need it later, when the smile was gone for good.

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[DOCUMENT: Hamilton County, Nebraska — Deed Record Book 4, Page 217]

WARRANTY DEED

*KNOW ALL MEN BY THESE PRESENTS, that WESTERN NEBRASKA LAND COMPANY, a corporation organized under the laws of the State of Nebraska, for and in consideration of the sum of THREE HUNDRED FIFTY DOLLARS (\$350.00), to it in hand paid by VÁCLAV*

*SHIMERDA, the receipt whereof is hereby acknowledged, does hereby Grant, Bargain, Sell and Convey unto the said VÁCLAV SHIMERDA, and to his heirs and assigns forever, the following described Real Estate, situated in the County of Hamilton and State of Nebraska, to-wit:*

*The Northeast Quarter of Section Fourteen (14), Township Nine (9) North, Range Seven (7) West of the Sixth Principal Meridian, containing 160 acres, more or less.*

*TO HAVE AND TO HOLD the above described premises, unto the said party of the second part, his heirs and assigns forever. And the said party of the first part does hereby covenant with the said party of the second part, that it is lawfully seized of said premises; that they are free from encumbrance; that it has good right and lawful authority to sell the same, and that it will warrant and defend the same against the lawful claims of all persons whomsoever.*

*IN WITNESS WHEREOF, the said party of the first part has caused these presents to be signed by its President, this 15th day of September, 1885.*

*WESTERN NEBRASKA LAND COMPANY By: [signed] Thomas Garrett, President*

*Recorded: 3 October 1885 [signed] J.P. Millward, County Clerk*

## Chapter Two

The second winter came early, and it came angry.

Anna knew by October that something was wrong. The geese flew south earlier than they should have, in formations so large they darkened the sky. The grass dried faster, turned brown and brittle before November. The horses grew thick coats that Anna's mother said meant cold coming, real cold, the kind that killed.

Her father said nothing about the signs. He had stopped talking about most things. He worked the harvest in silence, stacking the corn in the rough crib they had built against the barn, counting the ears with his lips moving but no sound coming out. The harvest was small. The summer had been dry, and the corn had not grown as tall as it should have, and when they counted what they had, Anna saw her mother's face go tight and still.

"It's enough," her mother said. "We will make it enough."

Her father didn't answer. He spent the next day in Aurora, and when he came back he had an old rifle in the wagon, long-barreled and worn, and a box of cartridges. He said it was for hunting, for rabbits and prairie chickens, for the meat they would need to get through. He cleaned the gun that night, running an oiled cloth down the barrel, checking the mechanism, counting the cartridges twice. Then he hung it on a peg in the barn and

didn't touch it again for weeks.

Anna was twelve now. She didn't feel twelve. She felt older, worn down by things she couldn't name, by the silence in the soddie and the way her father looked at the horizon like he was waiting for something that would never come.

---

The creditor came in November.

Anna didn't know that word yet, creditor, but she learned it that day. A man rode up to the soddie on a gray horse, wearing a coat that was too clean for the prairie, and he asked for Václav Shimerda. Anna's father came out and stood in front of the door, and the man talked to him for a long time, and Anna couldn't hear what they said but she could see her father's shoulders, the way they pulled in, the way he seemed to get smaller while the man talked.

When the man left, her father came inside and sat by the fire and didn't move for the rest of the day. Her mother asked him questions and he didn't answer. Anna brought him water and he didn't drink it. Marek came and offered him a stone from his collection and he didn't take it.

That night, after everyone else was asleep, Anna heard her father crying.

She had never heard him cry before. She didn't know fathers could cry. The sound was quiet and strange, not like her own crying or Marek's, but something deeper and more broken, like an animal that had been hurt in a way it couldn't understand.

She lay very still and listened and didn't let him know she was awake.

---

The snow began the second week of November.

It fell for three days without stopping, the same as last year but heavier, the flakes thick and wet, piling against the walls faster than they could be cleared. Anna's father dug the tunnels to the well and the barn, but he dug them slowly, stopping often to rest, his breath coming hard even though he was stronger than he had been when they arrived.

"You should let me help," Anna said.

"No." His voice was flat. "You stay inside."

"But I can—"

“You stay inside.”

She stayed inside. She watched through the gap in the door as her father dug, as he stopped and leaned on the shovel, as he looked up at the gray sky with an expression she couldn't read. The snow kept falling. The tunnels kept filling in. Every morning he dug them again, and every morning he seemed slower, more tired, more like a man who was doing something because he had to, not because he believed it would matter.

He used the rifle twice that month, going out into the white silence and coming back with rabbits, small and frozen, their fur dusted with snow. Anna's mother made stew that they ate for days. Her father cleaned the gun after each hunt, the same careful motions, the oiled cloth, the counting of cartridges. Then he hung it back on its peg in the barn.

Marek had stopped sleeping by the door. Now he slept in the corner farthest from the fire, wrapped in his blanket with his collection of stones and husks and dead things arranged around him like a wall. He didn't talk to anyone. He didn't look at anyone. When Anna tried to speak to him, he turned away and started counting his stones, touching each one with his finger, whispering numbers that weren't quite numbers.

“Something is wrong with Marek,” Anna told her mother.

“Something is wrong with all of us,” her mother said. Her voice was tired, worn down to something thin and frayed. “We do what we can.”

Anna didn't know what that meant. She didn't know what any of them could do. The snow kept falling and the food kept running out and her father kept getting smaller, disappearing into himself a little more each day, and she was twelve years old and she couldn't stop any of it.

Anna couldn't have named it then, but later she would remember that her father had stopped seeing choices. It was as if the future had narrowed to one dark corridor, and everything else—the spring that would come, the debts that could be renegotiated, the neighbors who might help—had gone out of focus. He looked at the world like a man standing at the end of a hallway with all the doors closed.

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On the morning of December 14, her father woke before dawn.

Anna heard him moving, heard the creak of the bedframe, heard his feet on the dirt floor. She kept her eyes closed, pretending to sleep, listening as he put on his coat, as he opened the door, as he went out into the dark.

She thought he was going to dig the tunnel. She thought he was going to check on the horses. She thought all the things you think when someone does something they've done a hundred times before, when there's no reason to think this time is different.

She went back to sleep.

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The sound woke her.

It was a sharp crack, muffled by snow and distance but still clear, still recognizable as something that didn't belong to the prairie, something made by a person and not by the wind. Anna sat up in her blankets and looked around. Her mother was already awake, already standing, her face white in the dim light of the banked fire.

"Stay here," her mother said.

"What was that?"

"Stay here with Marek. Don't come out."

Her mother put on her coat and went out into the snow. Anna watched the door close behind her and felt the cold air rush in and heard the wind howling outside and knew, without knowing how she knew, that something had ended.

She waited. The fire crackled. Marek was awake now, sitting up in his corner, holding one of his stones in both hands. He was rocking back and forth, humming something that wasn't quite a song.

The door opened and her mother came back in and her face was different, emptied out, like something had been taken from behind her eyes.

"Anna," she said. Her voice was strange, too calm, the kind of calm that meant the real sound was being held back. "I need you to stay here with Marek. I need to go get help."

"Where is Papa?"

Her mother didn't answer. She was putting on more clothes, wrapping herself in everything she could find, preparing to walk through the snow to somewhere Anna didn't know.

"Mama. Where is Papa?"

"He's in the barn." Her mother stopped moving. She looked at Anna, really looked at her, and Anna saw something in her mother's eyes that she had never seen before, something that looked like drowning. "Don't go to the barn, Anna. Promise me. Don't go to the barn."

“I promise.”

Her mother left. The door closed. The wind screamed.

Anna sat by the fire and held Marek’s hand and didn’t go to the barn.

---

The neighbors came that afternoon. The Henriksens, the same family whose name Anna had heard her parents mention, a father and two grown sons who dug through the snow to reach them. They went to the barn first, and they were inside for a long time, and when they came out their faces were closed and careful.

The older son, the one called Lars, came into the soddie and knelt in front of Anna. His eyes were kind. His voice was gentle.

“Your mother is at our house,” he said. “She’s safe. We’re going to take you and your brother there too.”

“What happened to my father?”

Lars didn’t answer right away. He looked at her the way adults looked at children when they were deciding how much to say.

“There was an accident,” he said finally. “In the barn. Your father—” He stopped. Started again. “I’m very sorry, Anna.”

She knew it wasn’t an accident. She knew from the way he said it, from the way he couldn’t finish, from the way her mother had looked when she came back from the barn. She knew from the sound that had woken her, the crack that didn’t belong to the prairie.

She didn’t say any of this. She took Marek’s hand and followed Lars out into the snow and didn’t look at the barn as they passed it.

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They buried him on the third day, when the ground had thawed enough to dig.

The grave was on the corner of the property, at a crossroads where the dirt roads along the quarter-section lines met. Anna’s mother had insisted on this, had argued with the men who wanted to bury him in consecrated ground, had said things in Czech that Anna didn’t understand but that made the men go quiet and do what she asked.

Anna stood by the grave and watched them lower the box into the hole. The box was made of rough planks, built by Lars and his brother from wood they had brought from their own farm. It was not a coffin. It was just a box big enough to hold a man.

The wind blew snow across the grave. The men shoveled dirt on top of the box, and the sound of dirt hitting wood was the loneliest sound Anna had ever heard.

Her mother didn't cry. She stood very straight, her face like stone, her hands folded in front of her. She said words in Czech that might have been prayers or might have been something else. When the grave was filled, she knelt and pressed her palm flat against the dirt.

"This is yours now," she said in English, so the neighbors could hear. "This ground. You stay here."

Marek was standing at the edge of the grave, looking down at the fresh dirt. He had one of his stones in his hand. While the adults talked among themselves, he leaned forward and placed the stone on top of the grave, pressing it into the dirt with his palm.

"For the water man," he said, so quiet only Anna heard.

She didn't know what he meant. She didn't ask. She watched the stone settle into the dirt, and she thought about her father, who had sharpened a plow with such hope, who had sung a song about a river and a girl, who had smiled when Marek gave him a stone.

She thought: the land takes everyone. One way or another.

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The winter went on.

Anna's mother took over everything. She dug the tunnels. She fed the horses. She cooked the food and tended the fire and made decisions about things Anna didn't understand, things involving money and debt and what they owed and to whom.

One morning, her mother began to clean.

It was a fierce, thorough cleaning, the kind that seemed to be about more than dirt. She swept the floor. She scrubbed the hearthstone. She went through the things they had brought from the old country, sorting what to keep and what to burn. And then she turned to the things that had been here when they arrived: the plow, the saw, the small remnants of whoever had lived here before.

"We should burn the oilcloth," her mother said. She was holding the scrap Anna had found in the wall, the piece that had torn away when the previous owner left. "It's old. It's rotting. We have our own cloth now."

Anna felt something tighten in her chest. "No."

Her mother looked at her. “Anna. It’s trash. It belonged to someone else. It has nothing to do with us.”

“I want to keep it.”

“Why? What use is it?”

Anna didn’t have words for what she felt. The scrap was nothing, really—a piece of waxed cloth the size of her palm, stained and cracked, smelling of dust and old oil. But it was proof. Proof that someone had been here before them. Proof that someone had wrapped something precious in this cloth and stored it in the wall and then had to leave. She didn’t know who that person was. She didn’t know what had happened to him. But she knew that if she burned the scrap, she would be erasing something that deserved to be remembered.

“It’s mine,” she said. “I found it. I’m keeping it.”

Her mother’s face hardened. For a moment Anna thought she would insist, would take the scrap and throw it in the fire anyway. But something in Anna’s expression must have stopped her. Or maybe she understood, in some way Anna couldn’t articulate, that this was not a fight worth winning.

“Fine,” her mother said. “Keep your trash.” She turned away and went back to her cleaning.

Anna put the scrap in her pocket, where she had kept it since October. It stayed there, against her hip, a small weight she could feel when she walked. She didn’t know why it mattered. She only knew that it did.

The creditor came back in January.

Anna saw him through the gap in the door: the same gray horse, the same clean coat, the same careful way of holding himself like he was better than the ground he stood on. Her mother went out to meet him, closing the door behind her, and Anna pressed her ear to the crack and listened.

“Mrs. Shimerda.” The man’s voice was patient, practiced. “I’m sorry for your loss. But the note is still due. Your husband signed—”

“I know what my husband signed.”

“Then you understand. The balance is forty-three dollars, payable—”

“After harvest.”

“The terms say—”

“The terms say nothing about a widow with two children in the middle of winter.” Her mother’s voice was different now, harder than Anna had ever heard it. “You want your money, you wait until I have something to sell. You try to take this land before then, I go to the county clerk. I go to the register. I tell them you are stealing from a dead man’s family.”

“Mrs. Shimerda, the law—”

“I know the law.” A pause. Anna could hear the wind, the creak of the man’s saddle as his horse shifted. “My husband heard about a man once. A man who owned this land before us. The law took it from him. Papers and lawyers and men in offices. I know how it works.”

Anna didn’t know what her mother meant. She didn’t know about anyone who had owned the land before them.

“After harvest,” her mother said again. “You will have your money. Now go.”

There was a long silence. Then the sound of hooves, moving away.

Her mother came back inside. Her hands were shaking, a fine tremor she couldn’t control. She sat by the fire and pressed her palms together like she was praying, but her eyes were open, staring at the flames.

“Mama?” Anna said.

“We will stay.” Her mother’s voice was thin but steady. “Whatever it costs. We will stay on this land, and we will not let them take it from us.”

“Who was the man? The one who owned this land before?”

Her mother was quiet for a long time. The fire crackled. Marek counted his stones in the corner.

“I don’t know,” she finally said. “Your father heard the story in Aurora. A man who built this house. A colored man. The law took it from him, and he had to leave.” She looked around the room, at the walls someone else had stacked, at the hearthstone where someone else’s fires had burned. “We live in what he built. We owe him that much. We stay.”

Anna thought about the plow, the saw, the oilcloth scrap she still kept in her pocket. She thought about the well and the stones that lined it, carried from somewhere far away. She thought about the man who had done all that work, who had built this place, who had lost it anyway.

She thought: so that's who he was. That's who was here before.

She didn't say anything. She sat by the fire with her mother and listened to Marek count his stones and felt the weight of the soddie around her, the walls that someone else had raised, the home that someone else had lost.

---

Spring came, and Anna's mother planted the corn.

Marek couldn't talk his way through grief, but he could count. He lined the seed sacks against the wall and marked them with charcoal, so Anna's mother wouldn't plant what they needed to eat. When Marie forgot where she'd buried the last of the onions in the root corner, Marek went straight to it, like his mind kept maps nobody else could hold. He couldn't explain how he knew things, but he knew them, and Anna learned to ask him when she needed to find something that had been put away and forgotten.

She did the planting with her mother beside her now, the two of them walking behind the plow, Anna learning to read the soil, to feel when the blade was cutting right, to plant the seeds at the right depth and the right distance. Her hands blistered and then hardened. Her back learned to ache and then to ignore the aching. She was twelve years old, and she was becoming something she hadn't been before.

By summer, they had eight acres under cultivation. By fall, the harvest was better than the year before, enough to eat and enough to pay the creditor and a little left over. By winter, the second winter without her father, they had enough to survive.

Anna stood at the crossroads grave on the anniversary of the burial, the ground frozen hard, Marek's stone still visible on top. The wind blew across the prairie, the same wind that had always blown, that had blown when the man before them built this house, that would blow long after they were gone.

"We stayed," she said to the grave. "Mama said we would, and we did."

The grave didn't answer. The land didn't answer. Nothing answered except the wind, which carried her words away and gave nothing back.

But they had stayed. That was the thing that mattered. They had stayed.

*Name: SHIMERDA, Václav Date of Death: 14 December 1886 Age: 47 years Place of Birth: Bohemia Place of Death: NE Quarter, Section 14, T9N, R7W Cause of Death: Gunshot wound to head — self-inflicted Occupation: Farmer Marital Status: Married Name of Spouse: Shimerda, Marie Place of Burial: Crossroads, SW corner of property (NE 1/4, Section 14, T9N, R7W) (unconsecrated)*

*Informant: O. Henriksen Filed: 18 December 1886 [signed] J.P. Millward, County Clerk*

### Chapter Three

The years passed the way seasons pass, each one different and each one the same.

Anna grew. She was thirteen, then fifteen, then seventeen, her body changing in ways that surprised her, her hands becoming the hands of a woman who worked. The blisters became calluses, the calluses became part of her, and she stopped noticing the difference between her skin and the work it did. She could plow a straight furrow. She could birth a calf. She could read the sky for weather and the soil for water and the corn for disease. The land had taught her its language, and she had learned.

Her mother aged faster than the years should have allowed. The gray came into her hair before she was forty, and the lines cut deep around her eyes, and her back bent from the work she would not share even when Anna was old enough to carry more of it. Marie Shimerda had made a promise the day they buried her husband: they would stay. The promise had become her spine. She would not unbend from it.

Marek stayed strange—or at least, that was the word Anna used, the only word she had for a brother who lived in the world differently than she did.

He was taller now, thin, with hands that never stopped moving and eyes that looked at things no one else could see. He had stopped collecting stones and started collecting words, writing them in the dirt with a stick, copying them from the labels on feed sacks and medicine bottles, filling pages of an old ledger Anna had found in Aurora with letters that didn't quite make sense. He could read, in his way. He could write, in his way. But the things he read and wrote seemed to come from somewhere else, some place inside him that followed patterns Anna couldn't follow.

He had one clear want, and he pursued it with a stubbornness that surprised her: he wanted to stay in the soddie. When they built the frame house, when everyone moved into the new rooms with their glass windows and wooden floors, Marek refused. He slept

in the soddie alone, in the corner where the walls were thickest, surrounded by his papers and his collected objects. Their mother tried to make him move. Anna tried. He wouldn't. Eventually they stopped trying. It was his place, and he had claimed it the way some people claimed land—not with papers, but with presence.

“What are you writing?” Anna asked him once.

He showed her the page. It was covered in words, repeated over and over: WATER WATER WATER WATER WATER, and then, at the bottom, in letters larger than the rest: HE IS STILL HERE.

“Who is still here?”

Marek looked at her with those eyes that saw too much and not enough.

“The man in the well,” he said. “The one who built the house.”

Anna knew where that came from, or thought she did. Marek had been there when Henriksen told their father about the colored man who had built the soddie, had been listening in his way that looked like not-listening. He had heard the story about the law taking the land, had heard the fragments that everyone knew. Maybe his mind had taken those fragments and built something from them, the way it built patterns from everything else.

Anna told herself it was just that—a story he had heard and couldn't let go of, the way he couldn't let go of anything that caught in the gears of his thinking. But sometimes, when she drew water from the well in the early morning, she felt something herself. A presence, or an absence. A sense that someone had stood here before her, had drawn this same water, had looked up at this same sky. She told herself it was the cold, or the hour, or her own imagination. But she understood, in those moments, why Marek kept writing the words. The place held something. She just didn't have his language for it.

---

The farm grew with them.

By 1890, they had forty acres under cultivation, a new barn built of real lumber, a chicken coop, a root cellar. The soddie was still there, still standing, but they had built a frame house beside it, two rooms and a loft, with glass windows that let in light and a wooden floor that didn't turn to mud when it rained. The soddie became storage, a place for tools and seed, the walls that Ezekiel Washington had stacked now holding plows and harnesses instead of people.

Anna thought about him sometimes, the man whose name she had never learned, whose story she knew only in fragments. A colored man. The law took it from him. She had asked her mother once if they should try to find him, to tell him that his house still stood, that his well still gave water. Her mother had looked at her with an expression Anna couldn't read.

"He is gone," her mother said. "Wherever he is, he doesn't want to know what happened to this place. It would only hurt him."

"But don't we owe him something?"

"We owe him the land. We owe him to keep it, to make it worth what he built. That's all we can give him now."

Anna wasn't sure that was enough. But she didn't know what else to do, so she did what her mother said. She kept the land. She made it worth what he had built. She tried to believe that was a kind of payment.

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She met Anton Cuzak in the spring of 1892.

He came to Hamilton County with a crew of men building the railroad spur that would finally connect Aurora to the main line. He was Bohemian, like her family, from a village not far from where her parents had been born. He spoke Czech with an accent that made her mother smile for the first time in years, and he had hands that knew how to work and a laugh that filled whatever room he was in.

Anna didn't mean to fall in love with him. She had decided, somewhere in the years of work and survival, that love was a luxury she couldn't afford, that the land required everything and left nothing for softness. But Anton sat at their table and ate her mother's cooking and told stories about the old country that made Marek stop writing and listen, and Anna felt something shift inside her, some wall she had built starting to crack.

"You should marry him," her mother said, after Anton had been coming to dinner for three months.

"He hasn't asked."

"He will. I see how he looks at you."

"How does he look at me?"

Her mother smiled, a real smile, the kind Anna remembered from before. "Like you are the only thing in Nebraska worth staying for."

Anton asked in July, standing in the field where the corn was shoulder-high, the sun setting behind him, his hat in his hands. He didn't make a speech. He just said: "I want to stay here. With you. If you'll have me."

Anna said yes. She said it without thinking, without calculating, without any of the careful weighing she had learned to do with everything else. She said yes because she wanted to, and wanting something for herself felt like a revolution.

They married in September, in the frame house, with her mother and Marek and the Henriksens and a dozen other neighbors crowded into the two rooms. The old man Henriksen was dead by then, but Lars came with his wife and children, and he stood in the corner and watched Anna speak her vows with an expression she recognized: the look of someone seeing time pass, seeing children become adults become the next generation of whoever would hold this land.

That night, after everyone had gone, Anna stood outside and looked at the stars.

"We stayed," she said, to no one, to everyone, to the land and the sky and whoever might be listening. "We stayed, and now there's more of us."

The wind blew. The grass bent and rose. The land didn't answer, but Anna didn't need it to.

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The children came fast, the way children did.

Josef was born in 1893, and from the beginning he was different from what Anna had expected. She had imagined a child who would need protecting, the way she had needed protecting when they first arrived. Instead, Josef came out screaming and never stopped reaching for things. By the time he could walk, he was walking toward the fields. By the time he could talk, he was asking when he could drive the horses.

At seven, he followed Marek into the soddie and sat beside him for an hour, watching him write his words, not asking questions, just watching. When he came out, Anna asked him what Marek had shown him.

"The water man's house," Josef said. "Uncle Marek says someone built it before us. Someone who had to leave."

"What do you think about that?"

Josef was quiet for a moment, his face serious in a way that made him look older than seven.

"I think we should keep it nice," he said. "In case he comes back."

Anna looked at her son, at this strange small person who had come from her body and somehow arrived with his own ideas about the world. She thought about the oilcloth scrap she still kept, about the plow that still leaned against the soddie wall, about all the things that had been left behind.

"Yes," she said. "We should keep it nice."

The other children came after: Marie in 1895, named for Anna's mother, then Anton Jr. in 1897, then Lucie in 1899, then the twins Václav and Pavel in 1902. The house filled with noise and motion, with crying and laughing and the constant chaos of too many small bodies in too little space.

They built additions. A room for the boys, a room for the girls, a bigger kitchen. The frame house grew around them like something alive, spreading across the rise where the soddie had stood alone. Anna's mother moved into the old soddie, claiming she wanted the quiet, and Marek moved with her, the two of them living in the walls Ezekiel had built while Anna's family filled the new rooms.

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Anna's mother died in the winter of 1905.

It was not sudden. She had been slowing for years, her body wearing down from the decades of work, her lungs filling with the dust of a hundred planting seasons. She spent her last months in the soddie, wrapped in blankets, looking out the window at the land she had kept.

"We stayed," she said to Anna, near the end. "I told you we would."

"You did."

"The land knows us now. It will remember."

Anna wasn't sure land could remember. But she held her mother's hand and said yes, and her mother died that night with a peace on her face that Anna had not seen since before her father died.

The morning after the burial, Anna woke before dawn and walked through the house, checking on the children, banking the fire, doing the things her mother had always done. She stood in the kitchen and realized that no one was going to tell her what came next. No one was going to make the decisions, organize the work, speak to the neighbors when

speaking was needed. Her mother had been the spine that held everything upright, and now the spine was gone, and Anna was the one who had to stand straight.

She went to the soddie and sat in the chair where her mother had sat, looking out the window at the same view her mother had watched for twenty-five years. The land stretched to the horizon, the same as it had always been, the same as it would always be. It didn't care that Marie Shimerda was dead. It only cared that someone was there to work it.

"I'll do it," Anna said, to the empty room, to her mother's ghost, to whoever was listening. "I'll be the one who stays."

She found her mother's rosary in the blankets, the beads worn smooth from decades of prayer. She put it in her pocket, where the oilcloth scrap still lived, and she went back to the house to wake her children.

---

The new century brought changes Anna hadn't expected.

The railroad came through, finally, the spur that Anton had helped build connecting Aurora to the wider world. Suddenly there were markets for their corn, for their wheat, for the cattle they had started raising. Suddenly there was money, real money, more than enough to survive on. They bought more land, a quarter section to the south, then another to the west. By 1910, the Cuzak farm was six hundred and forty acres, a full section, one of the largest in the county.

That spring, Anna and Anton signed the deed that would transfer the original 160 acres to Josef when they died, keeping only a life estate for themselves. Josef was seventeen, already working the land like a man twice his age, already making decisions about planting and harvest that Anna found herself deferring to. He had inherited something from her mother, some iron in his spine that made him certain about things Anna still questioned.

"Why me?" he asked, when they told him about the deed. "Why not split it between all of us?"

"Because the land shouldn't be split," Anna said. "It should stay whole. And you're the one who will keep it whole."

Josef looked at her with eyes that reminded her of her mother's eyes, clear and hard and full of purpose.

"I will," he said. "I'll keep it."

Anna stood on the rise one morning and looked out at what they had built. The frame house with its additions sprawling across the ground. The barn, the granary, the chicken coop, the pig house. The fields stretching to the horizon, green with wheat in the spring, golden with corn in the fall. And the soddie, still standing, still holding tools and seed, its walls as solid as they had been when Ezekiel Washington stacked them forty years before.

"What are you thinking about?" Anton asked. He had come up behind her, his arms wrapping around her waist, his chin resting on her shoulder.

"The man who built that soddie."

"The colored man your mother talked about?"

"I never knew his name. I don't think she knew it either."

"Does it matter? He's been gone a long time."

Anna thought about this. She thought about the oilcloth scrap in her pocket, the thing she carried from the man who had been here before her.

"I think it matters," she said. "I think it should matter."

Anton kissed her neck, his beard scratchy against her skin. "Then make it matter. Find out who he was. Put his name somewhere."

"Where?"

"I don't know. Somewhere the land will keep it."

Anna looked at the soddie, at the walls that had sheltered her family for thirty years. She thought about names, about how they lasted or didn't last, about how the land remembered some things and forgot others.

"I'll try," she said. "When the children are older. When there's time."

But the children grew slower than she expected, and there was never enough time, and the years kept passing the way seasons pass, each one different and each one the same.

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The influenza came in the fall of 1918, riding the trains from the east.

Anna heard about it first from the neighbors: the Lindquist boy, dead in three days; the whole Mueller family sick, the father not expected to live. The church in Aurora closed, then the school, then the general store. People stopped visiting each other. The roads went quiet. The only movement was the wagons carrying the dead to the cemetery, and there were more of those every day.

Marek got sick in October.

He was forty years old, still living in the soddie, still writing his words that didn't connect to anything Anna could see. She found him on the floor one morning, burning with fever, his pages scattered around him like fallen leaves.

She nursed him for three days. She bathed his forehead with cold water, the way her mother had bathed his forehead when he was seven and sick with his first fever. She fed him broth and held his hand and listened to him talk about the water man, about the walls that held them, about the well that went down into the dark.

"Tell him I kept his house," Marek said, near the end, his voice a whisper. "Tell him I stayed."

"Marek. There's no one to tell."

"He's here." Marek's hand found hers, squeezed with surprising strength. "He never left, Anna. He's in the walls. He's in the well. He's in the ground. Tell him I kept his house."

Anna held her brother's hand and watched him die, and she didn't know what to say, so she said the only thing she could think of.

"I'll tell him," she said. "I'll tell him you kept his house."

Marek smiled. It was the first real smile she had seen on his face in years. Then the smile faded, and his hand went slack, and he was gone.

They buried him at the crossroads, with their parents, in the unconsecrated ground that had become the Shimerda family cemetery. Anna placed a stone on his grave, the way he had always placed stones on theirs.

"For Marek," she said. "And for the water man, whoever he was."

The wind blew. The grass bent and rose. Anna stood at the crossroads and looked at the three graves and thought about all the people who had tried to hold this land, who had lived and died and been buried in it, who had become part of it whether they wanted to or not.

She thought: the land holds everyone. One way or another.

She walked back to the house where her children and grandchildren were waiting, and she did not look back.

*Name: SHIMERDA, Marek Date of Death: 17 October 1918 Age: 40 years Place of Birth: Bohemia Place of Death: NE Quarter, Section 14, T9N, R7W Cause of Death: Influenza — Pneumonia Occupation: None (invalid) Marital Status: Single Place of Burial: Crossroads, SW corner of property (NE 1/4, Section 14, T9N, R7W) (unconsecrated)*

*Informant: Anna Cuzak (sister) Filed: 21 October 1918*

*Note: One of 47 influenza deaths recorded in Hamilton County, October-November 1918. [signed] H.J. Whitmore, County Clerk*

## Chapter Four

The good years ended the way good years always end: slowly, then all at once.

Anna remembered the twenties as a time of plenty, of abundance that seemed impossible after so many years of just enough. The corn prices rose and kept rising. The wheat prices rose. The cattle prices rose. Josef bought a tractor in 1924, the first in the county, a green machine that roared across the fields and did the work of ten horses. He bought more land, another quarter section, then another. By 1928, the Cuzak holdings had grown to over a thousand acres, and Josef talked about buying more, about building an empire of wheat and corn that would last for generations.

“Be careful,” Anna told him. “The land gives, but it also takes.”

“Times are different now, Mother. We have machines. We have markets. We have—”  
“The land doesn’t care about machines.”

Josef smiled at her, the patient smile of a son who loved his mother but didn’t believe she understood the modern world. He was thirty-five years old, married now to a girl from Grand Island, with three children of his own. He ran the farm with an efficiency Anna had never managed, keeping ledgers and accounts, calculating yields per acre, thinking in numbers she couldn’t follow.

“Trust me,” he said. “I know what I’m doing.”

Anna wanted to trust him. She wanted to believe that the hardness in his spine, the same hardness her mother had carried, would be enough. But she had lived on this land for fifty years, and she knew things Josef didn’t know, things that couldn’t be written in ledgers or calculated in yields.

She knew the land was patient. She knew it waited.

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The crash came in October of 1929.

Anna didn't understand what had happened, not really. Something about banks and stocks and money that existed only on paper, money that had vanished overnight. Josef tried to explain it to her, sitting at the kitchen table with his ledgers spread before him, his face gray with something she recognized: the same look her father had worn, the look of a man watching something he'd built start to crumble.

"The prices are falling," he said. "Corn is down to thirty cents a bushel. Wheat is worse. And the bank—" He stopped. Started again. "The bank is calling in loans."

"What does that mean?"

"It means they want their money. The money I borrowed to buy the tractor. The money I borrowed to buy the land."

"Can you pay them?"

Josef didn't answer. He didn't need to. Anna looked at the ledgers, at the columns of numbers that meant nothing to her, and she understood that her son had done exactly what she had warned him not to do. He had trusted the good times to last. He had built on a foundation of borrowed money, and now the foundation was washing away.

"We'll sell some land," she said. "The new parcels. We'll go back to what we had before."

"No one's buying, Mother. No one has money to buy."

"Then we'll wait. We've waited before."

Josef looked at her. His eyes were red, exhausted, full of a fear he was trying not to show.

"I don't know if we can wait long enough."

---

The dust came in 1931.

Anna had seen drought before, had lived through summers when the rain didn't fall and the corn withered in the fields. But this was different. This was the sky turning brown, the sun disappearing behind clouds of dirt, the wind carrying topsoil from a hundred miles away and dropping it on everything. She woke one morning and found dust on her pillow, in her mouth, in her lungs. She coughed for an hour and couldn't get clean.

The wheat died first. Then the corn. The cattle grew thin, then sick, then started dying. Josef sold what he could, slaughtered what he couldn't sell, watched the empire

he had built shrinking day by day. The tractor sat idle in the barn, too expensive to run, a monument to ambitions the land had not shared.

The bank took the new land first. The quarter sections Josef had bought in the good years, the expansion that had seemed so wise, so modern, so inevitable—all of it went back to the bank in 1932. Josef signed the papers in the same office where his grandfather had signed papers fifty years before, the same kind of office where a man named Ezekiel Washington had once filed a claim that was stolen from him. The system worked the same way it had always worked: paper and signatures and men in offices deciding who got to keep what.

What remained was the original section: six hundred and forty acres, including the 160 that Ezekiel had claimed and lost, that Garrett had stolen and sold, that the Shimerdas had bought and held through two generations of death and struggle. The heart of the farm. The ground that mattered.

But even that was slipping away. The taxes came due, and there was no money to pay them.

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The notice arrived in September of 1933.

Tax sale. November 4. The county would auction any property with two years of delinquent taxes. Josef sat at the kitchen table with the notice in his hands, and Anna watched him read it three times, as if the words might change.

“How much?” she asked.

“For the northeast quarter? Seven hundred and sixty-three dollars. For all of it—” He shook his head. “More than we have. More than we can get.”

“The northeast quarter. That’s the original claim. That’s where the soddie is.”

“I know what it is, Mother.”

“That’s the one we have to keep. The rest—” Anna stopped. The rest was land they had bought, land that had come to them through money and ambition. But the northeast quarter was different. The northeast quarter was the ground her parents had paid for with borrowed money and her father’s life. The ground where a man she had never met had built a house that still stood.

“If we can only save one piece,” she said, “save that one.”

Josef looked at her. His face was gaunt, aged by three years of failure, but his eyes were still clear, still determined.

“How?”

“Sell the tractor. Sell the cattle. Sell everything that isn’t nailed down.” Anna reached across the table and took his hand. “We came here with nothing. We can go back to nothing if we have to. But we keep that ground.”

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Josef sold the tractor on the first of November.

A man from Grand Island bought it for three hundred dollars, less than a tenth of what Josef had paid for it nine years before. He sold the remaining cattle for another two hundred. He sold the wagon, the plow horses, the harnesses, everything that could be sold. He borrowed the rest from Lars Henriksen’s son, the grandson of the man who had helped bury Anna’s father fifty years before.

On November 3, the day before the tax sale, he walked into the county treasurer’s office with \$763.29 in cash and put it on the counter.

“I’m redeeming the northeast quarter of section fourteen,” he said. “Township nine north, range seven west.”

The treasurer counted the money, checked the records, wrote out the receipt.

“That’s the old Shimerda place,” he said. “Been in your family a long time.”

“Since 1885.”

“Before that, wasn’t it? I remember hearing something. A colored man, back before the Shimerdas.”

Josef felt something move in his chest, some quickening of attention. His mother had told him the story, the fragments she knew: a man who built the soddie, who lost the land, who disappeared.

“What was his name? The colored man?”

The treasurer shrugged. “Couldn’t say. Before my time. Might be something in the old land office records, if anyone kept them.”

“Where would those be?”

“Brownville, maybe. Or Lincoln. The state archive.” The treasurer handed him the receipt. “Why do you want to know?”

Josef folded the receipt carefully, the way his mother had taught him to fold important papers, the way the man before them must have folded his.

“Because someone should,” he said. “Because it matters.”

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He brought the receipt home that evening.

Anna was sitting by the fire, wrapped in blankets, thinner than she had been even a year ago. The dust had gotten into her lungs, the way it had gotten into everyone’s lungs, and she coughed now more than she breathed. But when Josef showed her the receipt, her eyes cleared, and she smiled the way she had smiled when he was a boy.

“You did it,” she said.

“We did it. You told me what to save.”

“The man who built the soddie. The treasurer knew about him?”

“He’d heard something. A colored man, he said. But he didn’t know the name.”

Anna nodded slowly. She reached into her pocket and pulled out the oilcloth scrap, the one she had carried for nearly fifty years, worn soft as skin now, the edges frayed to threads.

“He kept something in this,” she said. “Papers, I think. Important papers. When I was a girl, I found it in the wall of the soddie, and I knew—I knew someone had left it behind. Someone who couldn’t take everything with him.”

She pressed the scrap into Josef’s hand.

“Find out who he was. That’s all I ask. Find his name and put it somewhere the land will keep it.”

Josef closed his fingers around the oilcloth. It was warm from his mother’s body, from nearly fifty years of being carried next to her heart.

“I will,” he said. “I promise.”

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Anna died on April 12, 1934. She was sixty years old.

She had been slowing all winter, her breathing harder each week, her coughing fits longer and more painful. She spent her last months in the frame house she had helped build, in the bedroom where she had given birth to six children, looking out the window at the land she had held for nearly fifty years.

Josef sat with her at the end, holding her hand the way she had held her mother's hand, the way she had held Marek's hand. The room was quiet except for her breathing, shallow and slow.

"The soddie," she said. Her voice was thin, almost gone. "Don't tear it down."

"I won't."

"We stayed. Tell them we stayed."

"I'll tell them."

Anna closed her eyes. She thought about the receipt in Josef's pocket, the proof that they had held the ground. She thought about the oilcloth scrap, now in his keeping, the only trace of the man who had built what they inherited. She thought about her mother, her father, her brother, all of them buried at the crossroads, all of them part of the land now.

She thought: we stayed. Whatever else we did or didn't do, we stayed.

She died that night, with Josef's hand in hers and the spring wind blowing through the window, carrying the smell of dirt and rain and the green beginning of another planting season.

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They buried her at the crossroads, with her parents and her brother, in the unconsecrated ground that had become the Shimerda cemetery. Josef placed a stone on her grave, the way Marek had always placed stones, the way Anna had placed them after him.

"For my mother," he said. "And for everyone who came before."

Clara stood beside him, thinner than she had been, harder than she had been, changed by the years of struggle into someone who understood what the land required. Their children stood behind them: Josef Jr., who was twelve now; Mary, who was ten; little Anton, who was seven and didn't understand why his grandmother wasn't coming back.

The wind blew across the prairie. The grass bent and rose. The soddie stood on the rise, watching, its walls as solid as they had been when a man whose name they still didn't know had stacked them sixty-seven years before.

Josef touched the receipt in his pocket, and the oilcloth scrap beside it. Two pieces of paper. Two promises the land would be asked to keep.

"I'll find him," he said, to the grave, to the soddie, to the wind. "I'll find out who he was."

The land didn't answer. The land never answered. But Josef had made a promise, and Cuzaks kept their promises.

He turned and walked back toward the house, and his family followed, and the wind carried the dust of another dry spring across the fields where the corn would try to grow again.

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**[DOCUMENT: Hamilton County, Nebraska — Tax Sale Certificate, 1933]**

*CERTIFICATE OF TAX SALE*

*STATE OF NEBRASKA COUNTY OF HAMILTON*

*I, the undersigned County Treasurer of Hamilton County, Nebraska, do hereby certify that the following described real estate was offered for sale at public auction on the 4th day of November, 1933, for delinquent taxes:*

*[ITEM 1 — SOLD TO COUNTY] The Southwest Quarter of Section Fourteen (14), Township Nine (9) North, Range Seven (7) West, 160 acres — Taxes delinquent 1931, 1932 — Amount: \$847.63*

*[ITEM 2 — SOLD TO COUNTY] The Southeast Quarter of Section Fourteen (14), Township Nine (9) North, Range Seven (7) West, 160 acres — Taxes delinquent 1931, 1932 — Amount: \$892.17*

*[ITEM 3 — SOLD TO COUNTY] The Northwest Quarter of Section Fourteen (14), Township Nine (9) North, Range Seven (7) West, 160 acres — Taxes delinquent 1931, 1932 — Amount: \$801.44*

*[ITEM 4 — REDEEMED PRIOR TO SALE] The Northeast Quarter of Section Fourteen (14), Township Nine (9) North, Range Seven (7) West, 160 acres — Taxes delinquent 1931, 1932 — Amount: \$763.29 — REDEEMED by Josef Cuzak, 3 November 1933*

*[signed] R.E. Patterson, County Treasurer Filed: 7 November 1933*

## **Part Three: The Ground Held (1985-2026)**

### **Interlude: Chain of Title**

**[DOCUMENT: Hamilton County, Nebraska — Probate Record, 1954]**

*In the Matter of the Estate of JOSEF CUZAK, Deceased*

*Final Decree of Distribution*

*The Court finds that the decedent died testate on March 14, 1954, leaving as his sole heirs at law: Josef Cuzak Jr. (son), Mary Cuzak Hendricks (daughter), Anton Cuzak (son).*

*The Court orders that the real property of the estate, to-wit: The Northeast Quarter of Section Fourteen (14), Township Nine (9) North, Range Seven (7) West of the Sixth Principal Meridian, Hamilton County, Nebraska, containing 160 acres, be distributed to JOSEF CUZAK JR., subject to life estate of CLARA CUZAK (widow), in accordance with the Last Will and Testament of the decedent.*

*Note appended to file: Decedent's personal effects include papers relating to land office records research (Brownville, Lincoln). Handwritten notation: "E. Washington — 5th USCT — claim filed 1867, cancelled 1872." Research incomplete at time of death.*

*[signed] Harold P. Winters, County Judge Filed: 12 June 1954*

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**[DOCUMENT: Hamilton County, Nebraska — Mortgage Record Book 28, Page 341]**

**REAL ESTATE MORTGAGE**

*This Indenture, Made this 3rd day of September, 1971, between JOSEF CUZAK JR. and MARGARET CUZAK, husband and wife, Mortgagors, and HAMILTON COUNTY FARM CREDIT ASSOCIATION, Mortgagee...*

*...for and in consideration of the sum of FORTY-TWO THOUSAND DOLLARS (\$42,000.00), secured by this mortgage on the following described real estate...*

*The Northeast Quarter of Section Fourteen (14), Township Nine (9) North, Range Seven (7) West...*

*[signed] Josef Cuzak Jr. [signed] Margaret Cuzak Recorded: 8 September 1971*

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**[DOCUMENT: Hamilton County, Nebraska — Notice of Sheriff's Sale, 1983]**

*NOTICE IS HEREBY GIVEN that by virtue of an Order of Sale issued by the District Court of Hamilton County, Nebraska, in the case of HAMILTON COUNTY FARM CREDIT ASSOCIATION, Plaintiff, vs. JOSEF CUZAK JR. and MARGARET CUZAK, Defendants, Case No. 83-CV-1058, I will sell at public auction to the highest bidder for cash at the east door of the Hamilton County Courthouse on November 14, 1983, at 10:00 a.m., the following described real estate:*

*The Northeast Quarter of Section Fourteen (14), Township Nine (9) North, Range Seven (7) West of the Sixth Principal Meridian, Hamilton County, Nebraska, containing 160 acres, more or less, together with all improvements thereon.*

*Said sale to satisfy judgment in the amount of \$64,817.23 plus interest and costs.*

*[signed] Robert J. Thorne, Sheriff Published: Aurora News-Register, October 20, 27, November 3, 1983*

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**[DOCUMENT: Hamilton County, Nebraska — Sheriff's Deed, 1983]**

*SHERIFF'S DEED*

*KNOW ALL MEN BY THESE PRESENTS, that I, Robert J. Thorne, Sheriff of Hamilton County, Nebraska, pursuant to Order of Sale in Case No. 83-CV-1058, and the sale held November 14, 1983, at which HAMILTON COUNTY, NEBRASKA was the successful bidder in the amount of \$34,000.00, do hereby convey to HAMILTON COUNTY, NEBRASKA, the following described real estate:*

*The Northeast Quarter of Section Fourteen (14), Township Nine (9) North, Range Seven (7) West...*

*Recorded: 21 November 1983*

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**[DOCUMENT: State of Nebraska — Department of Correctional Services, 1984]**

*MEMORANDUM*

*TO: Director, Department of Correctional Services FROM: Site Selection Committee RE: Proposed Location for Nebraska Correctional Facility — Hamilton County DATE: April 17, 1984*

*The Committee recommends acquisition of the following property for construction of a medium-security correctional facility:*

*The Northeast Quarter of Section Fourteen (14), Township Nine (9) North, Range Seven (7) West, Hamilton County, Nebraska (160 acres), currently held by Hamilton County following foreclosure.*

*Site advantages: (1) Existing agricultural infrastructure suitable for prison farm operations; (2) Remote location minimizing community opposition; (3) Low acquisition cost (\$52,000 negotiated price); (4) Available labor pool from declining farm economy.*

*Note: Site inspection reveals existing sod structure (historic, late 1860s construction) and family cemetery at SW corner of property. Recommend preservation of cemetery; sod structure may be demolished or retained at warden's discretion.*

*[signed] Committee Chair*

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**[DOCUMENT: State of Nebraska – Deed, 1985]**

**WARRANTY DEED**

*HAMILTON COUNTY, NEBRASKA, a political subdivision of the State of Nebraska, Grantor, conveys and warrants to the STATE OF NEBRASKA, for use by the Department of Correctional Services, the following described real estate:*

*The Northeast Quarter of Section Fourteen (14), Township Nine (9) North, Range Seven (7) West of the Sixth Principal Meridian, Hamilton County, Nebraska, containing 160 acres...*

*Consideration: \$52,000.00*

*Recorded: 3 March 1985*

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The Shimerda Ground Correctional Facility opened in September 1986.

The name was a compromise. The state had wanted to call it Hamilton County Correctional Center, but the county commissioners, several of whom remembered the Cuzak family, had insisted on something that acknowledged the land's history. No one on the commission knew about the man who had built the soddie, the man whose name Josef Cuzak had spent twenty years trying to find. Josef had discovered the name in the Brownville records just before he died: a homesteader, a veteran, a man who had lost everything to a system that had never intended to let him keep it.

Josef Jr. had found his father's research in a box after the foreclosure, after they had lost everything, after the land had passed out of Cuzak hands for the first time in over a century. He had kept the papers, the notes in his father's handwriting, the name written on a yellowed index card. But he had not known what to do with the information. The land was gone. The soddie still stood, but it belonged to the state now, and the state was building a prison on the ground where generations had planted and harvested and buried their dead.

The cemetery remained. That was in the acquisition file: the state agreed to maintain the Shimerda family cemetery at the southwest corner of the property, to keep it fenced and accessible to family members. Josef Jr. visited once a year, on the anniversary of his grandmother Anna's death, until his own death in 1997. After that, no one came.

The soddie remained too. The warden had decided to keep it, for reasons no one quite understood. It stood on the rise where it had always stood, inside the prison perimeter now, used for storage, its walls still solid after 120 years. The inmates who worked the farm knew it only as "the old building," a curiosity, a relic of a time before the prison, before the fences, before any of them were born.

None of them knew who had built it.

None of them knew they were farming the same ground, walking the same paths, passing the same well that stood capped now beside the soddie.

The land knew. The land held everything, the way it always had. And the land waited, the way it always did, for whatever would come next.

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## Chapter One

Marcus Cole saw the soddie on his first day in the fields.

He had been at Shimerda Ground for twelve years, processed through intake in 1993, assigned to a cell, given his number and his orange and his place in the count. But he had only been on farm detail for three weeks, and this was his first day outside, his first time past the fences into the farm operation that gave the facility half its purpose. Medium security meant work. Work meant the fields. And the fields meant this: flat land stretching to a horizon he couldn't reach, corn stubble from the fall harvest, and on a rise to the north, a low dark structure that looked like it had grown from the earth itself.

"What's that?" he asked.

The guard walking beside the work crew didn't look. "Old building. Storage. Don't worry about it."

"Looks old."

"It is old. Shut up and walk."

Marcus walked. He was good at walking, at shutting up, at doing what he was told while his mind went somewhere else. Twelve years of practice now, since the robbery

that had put him here, since the moment he had made the worst decision of his life and watched it unspool into a sentence that would take him from twenty-three to thirty-eight, from young man to middle age, from a world he understood to this world of counts and cells and men who had given up on everything except surviving until tomorrow.

He was thirty-five now. Three years left, if he kept his head down, if he didn't catch another charge, if the parole board saw what he needed them to see. Three years until he could walk out the gate and try to find whatever was left of the life he had lost.

His son would be twenty by then. Darius, who had been five when Marcus went in, who had grown up visiting his father through glass and then through wire mesh and then not at all, who had stopped coming three years ago, who existed now only in the photographs Marcus kept in his cell: a baby, a toddler, a boy, a teenager, and then nothing, a gap where the years should be.

Darius was seventeen now. Marcus tried to picture him and couldn't, not really. The last photograph was from two years ago, sent by Darius's mother with a note that said nothing except *He's doing fine*. In the photograph, Darius was fifteen, taller than Marcus remembered, his face losing the softness of childhood, becoming someone Marcus didn't recognize. Someone who had grown up without him. Someone who had learned, probably, to stop waiting for a father who was never there.

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The work was familiar in ways Marcus hadn't expected.

He had grown up in Omaha, in the North Side projects, concrete and asphalt and the particular density of too many people in too little space. He had never farmed, never planted, never harvested. But the work itself—the rhythm of it, the way your body learned the motions and your mind could drift—that was familiar. He had worked jobs like this before prison, warehouse work, loading dock work, the kind of labor that wore you down and paid you just enough to come back tomorrow.

The corn was harvested, but there was work to be done: clearing stalks, preparing the ground for winter, maintaining equipment. The prison farm produced food for the facility and for other institutions across the state, a self-sustaining operation that also provided, as the warden liked to say, “meaningful rehabilitation through agricultural labor.”

Marcus had heard that phrase in orientation. He had heard a lot of phrases in orientation. He had learned to let them wash over him, to nod at the right moments, to say

“yes sir” and “no sir” and nothing else. The phrases didn’t matter. What mattered was the time, the count, the slow erosion of years until he could leave.

But something about the fields was different.

He noticed it on the third day, when the crew was working near the soddie, clearing brush that had grown up around its base. The building was made of earth, he realized. Not bricks, not lumber, but actual soil, cut into blocks and stacked into walls. He had never seen anything like it. He reached out and touched the wall, and the soil was cool and solid and somehow alive, like the building was still connected to the ground it had been cut from.

“Hands off.” The guard’s voice was sharp. “You’re here to work, not sightsee.”

Marcus pulled his hand back. But he kept looking at the soddie, at the way it sat on the rise, at the small dark doorway that led inside. Someone had built this. Someone had cut this earth and stacked it and made a place to live. Someone had been here before the prison, before the fences, before any of this.

That night, in his cell, he thought about the soddie and couldn’t stop thinking about it. He thought about the person who had built it, about what their life must have been like, about how long ago that must have been. He thought about his own life, about the cell he lived in, about the walls that held him.

He thought: someone chose to build that. Someone chose to live there. I didn’t choose this, but I’m here anyway.

It wasn’t a comforting thought. But it was a thought, which was more than he usually had at night, when the dark pressed in and the sounds of the facility never stopped and the years stretched out ahead of him like a road with no end.

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The chaplain came to the fields on Fridays.

His name was Father Thomas Brennan, and he was older than Marcus expected a prison chaplain to be, early sixties, with the kind of face that looked like it had seen things and decided to keep looking anyway. He walked the rows while the men worked, not preaching, not praying, just present, available to anyone who wanted to talk.

Most of the men ignored him. Marcus had ignored him too, for the first few weeks. He had given up on God somewhere around year five, when Darius stopped visiting and

his mother died and the appeals ran out and he realized that no one was coming to save him, that the only way out was through, that the years would pass whether he believed in anything or not.

But on the fourth Friday, Father Brennan stopped beside him while he was clearing stalks, and instead of moving on, he stood there, looking at the same thing Marcus was looking at: the soddie on the rise.

“You’ve been watching that building,” Father Brennan said.

Marcus kept working. “Just wondering about it.”

“It’s old. Older than the prison, older than anyone remembers. They call it a soddie. Pioneers used to build them, when there wasn’t any wood.”

“Who built this one?”

Father Brennan was quiet for a moment. “I don’t know. There are records, somewhere. The land has a history. The family that owned it before the prison—the Shimerdas, the Cuzaks—they tried to find out. I’ve seen some of the old papers in the county archive.”

“What do the papers say?”

“Not enough. Not yet.” Father Brennan looked at him, and Marcus had the strange sense of being seen, really seen, for the first time in years. “You’re Marcus Cole. Armed robbery, 1993. Fifteen to twenty.”

“You read files.”

“I read files. I also talk to people. I hear you’ve been keeping your head down, staying out of trouble.”

“That’s the plan.”

“What’s the plan after? When you get out?”

Marcus stopped working. No one had asked him that, not in years, not since the early days when the counselors still pretended they were counseling and the case managers still pretended they were managing. What’s the plan after. As if “after” was a real place, a real possibility, a thing he could actually reach.

“My son,” he said. The words came out before he could stop them. “I want to find my son.”

Father Brennan nodded slowly. “How old is he?”

“Seventeen now. He’ll be twenty when I get out. If I make parole.”

“Do you know where he is?”

“Omaha. Last I heard. His mother—” Marcus stopped. Denise was another story, another loss, another thing the years had taken. “She stopped bringing him to visit when he was fourteen. Said it was too hard on him. I haven’t seen him in three years.”

“Do you write?”

“I used to. The letters came back for a while. Then they stopped coming back, which meant she moved again.” Marcus looked at the soddie, at the walls that someone had built, at the evidence that people had lived here and worked here and tried to make something last. “I don’t know where he is. I don’t know who he is anymore.”

“Would you like help? Finding him?”

Marcus looked at the chaplain, at this white man in black clothes who had no reason to help him, who probably couldn’t help him even if he wanted to. But there was something in Father Brennan’s face, something that looked like it might be genuine.

“Why?” Marcus asked. “Why do you care?”

Father Brennan looked at the soddie, at the fields, at the men in orange working the same ground that had been worked for nearly a hundred and fifty years.

“Because someone should,” he said. “Because it matters.”

Marcus had heard those words before, somewhere, in some other context he couldn’t remember. They sounded different here, in the middle of a prison farm, spoken by a man who didn’t have to say them.

“Yeah,” Marcus said. “Okay. I’d like help.”

Father Brennan nodded. “I’ll see what I can do. For your son, and for the soddie both. Someone built that. Someone lived there. The land should remember who.”

He walked on, down the row, to the next man who might or might not want to talk. Marcus watched him go, then turned back to the stalks, to the work, to the rhythm that made the hours pass.

But he kept looking at the soddie. And he kept thinking about the person who had built it, about the history that didn’t get remembered, about all the people who had worked this ground before him and all the people who would work it after.

He thought: we’re all just passing through. The land is what stays.

It wasn’t hope, exactly. But it was something.

*Name: COLE, Marcus Terrell NDCS Number: 67432 Date of Birth: April 14, 1970 Date of Admission: September 12, 1993 Facility: Shimerda Ground Correctional Facility Offense: Robbery (Class II Felony) — Use of Firearm Enhancement Sentence: 15-20 years Minimum Release Date: September 12, 2008 Maximum Release Date: September 12, 2013*

*Disciplinary Record: No major violations since 1997 Work Assignment: Farm Detail — Field Crew (since 2005) Program Participation: GED (completed 1998), Substance Abuse (completed 2001) Parole Eligibility: September 2008*

*Emergency Contact: None listed Visitor Log: [No visitors recorded since August 2002]*

*Case Manager Notes (October 2005): Inmate Cole demonstrates consistent institutional adjustment. Maintains employment, avoids conflict. Limited family contact may impact reentry planning. Son (Darius Cole, DOB 3/15/1988) last visited August 2002; current address unknown. Recommend continued monitoring and reentry preparation beginning 2007.*

## Chapter Two

Darius Cole turned seventeen on a Tuesday in March, and no one remembered except his mother.

She made him a cake, box mix with canned frosting, the same cake she'd made every year since he was small. She put seventeen candles on it and sang "Happy Birthday" in her thin, tired voice, and Darius blew out the candles and wished for nothing because he had learned that wishing didn't work.

"You're almost grown," his mother said. She was sitting across from him at the kitchen table, in the apartment they'd moved into six months ago, the fourth apartment in three years. "Almost a man."

Darius didn't feel like a man. He felt like something caught between, not a child anymore but not whatever came next. He was tall now, taller than his mother, with his father's shoulders and his father's hands and his father's way of going quiet when there was nothing useful to say.

"I got you something," his mother said. She reached into her pocket and pulled out an envelope. "It's not much. But it's something."

Inside the envelope was a photograph. Darius knew the photograph; he had seen it before, years ago, in a different apartment in a different part of Omaha. It was a picture of his father holding him when he was a baby, both of them smiling, his father's face young

and unlined and full of something that looked like hope.

“I thought you should have it,” his mother said. “I know you don’t—I know things are complicated. But he’s still your father.”

Darius looked at the photograph. He tried to feel something and couldn’t, not really. The man in the picture was a stranger. The baby in the picture was someone Darius didn’t remember being.

“Thanks,” he said. He put the photograph back in the envelope and put the envelope in his pocket. “I appreciate it.”

---

Darius’s father had been gone for twelve years.

He didn’t remember much from before. Flashes, sometimes: a voice, a hand on his shoulder, the smell of something he couldn’t name. He remembered a room with bars, a window you couldn’t see through, a man on the other side who looked like him but older, sadder, trapped.

He remembered stopping.

He was fourteen when he told his mother he didn’t want to go anymore. The visits had become something he dreaded, a ritual of silence and awkward conversation and the long drive back to Omaha with nothing to say. His father had become a stranger, a face behind glass, a voice on the phone that came less and less often.

“He’s your father,” his mother had said. “He loves you.”

“He doesn’t know me.”

“That’s not his fault.”

“I didn’t say it was his fault. I said he doesn’t know me.”

His mother had cried. She had argued. She had tried to make him understand that Marcus was still in there, that the years would end eventually, that they could be a family again when he got out. But Darius had already decided. The man in the prison was not his father. His father was the man in the photograph, the man who had held him when he was a baby, the man who had disappeared when Darius was five and left behind only absence.

They stopped visiting. The letters came for a while, his father’s careful handwriting on lined paper, asking about school and friends and what Darius wanted to be when he

grew up. Darius didn't answer. He didn't know what to say. He didn't know who he was writing to.

Eventually the letters stopped too.

---

The neighborhood where Darius lived was not the worst in Omaha, but it was close.

He walked to school past boarded-up houses and corner stores with bars on the windows and men who stood on porches watching everything and nothing. He knew some of them by name, knew which ones were dangerous and which ones were just tired, knew the rhythms of the street the way his mother had never learned to know them.

But the neighborhood was other things too. It was Mrs. Patterson next door, who had worked the same cafeteria job for thirty years and kept her small yard immaculate, who would watch Darius when he was young and feed him cornbread when Denise was working late. It was the barbershop on 24th where the old men argued about the Huskers and told lies about their youth and treated every young man who walked in like he might become something. It was the church women who organized coat drives in winter and knew everybody's business and would show up with casseroles when someone died. The neighborhood held all of it at once: the danger and the ordinary kindness, the corners to avoid and the porches where you were always welcome.

His best friend was a boy named Terrence who lived two buildings over. They had grown up together, played basketball together, told each other secrets in the dark when they were kids. Now Terrence had a car and new shoes and a way of looking at the world that Darius recognized but didn't share. Terrence was already running with a crew, already making money that Darius tried not to think about.

"You should come work with us," Terrence said sometimes. "Good money. Easy work."

"I'm good."

"You're broke, D. There's a difference."

Darius didn't argue. Terrence was right: he was broke, his mother was broke, the bills were always late and the rent was always due and the future was always a thing they couldn't afford to plan for. But something held him back, some instinct or fear or stubbornness that he couldn't explain.

---

On a Friday in October, Darius skipped school.

He didn't plan it. He woke up and looked at the ceiling and felt something heavy in his chest, some weight he couldn't name, and he decided he wasn't going. His mother had already left for her shift at the nursing home. The apartment was empty. He lay in bed until ten, then got dressed and went outside.

Terrence's car was parked at the curb. A blue Civic, three years old, paid for with money Terrence had never explained. Terrence was sitting in the driver's seat, window down, watching Darius come out of the building.

"Yo, D. Thought you had school."

"Not today."

Terrence smiled. It was the smile he used when he wanted something, when he was about to ask for something. "Get in. I got a run to make. You can ride along."

Darius stood on the sidewalk, his hands in his pockets, the photograph still there from months ago, worn soft now from being carried. The car was warm. The day was cold. Terrence was his friend, had always been his friend, and friends helped each other out.

"What kind of run?"

"Just a delivery. Drop something off, pick something up. Twenty minutes, tops."

"What are you dropping off?"

Terrence's smile flickered, just for a second. "Does it matter?"

"Yeah. It matters."

Terrence looked at him. The smile was gone now, replaced by something harder, something that looked like disappointment or judgment or both.

"You want to know what it is? It's money, D. It's the thing you don't have. It's the thing that pays rent and buys food and gets you out of this shithole." He gestured at the building, at the block, at everything around them. "You think you're better than this? You think school is going to save you?"

"I didn't say that."

"You don't have to say it. You think it every time you turn me down." Terrence shook his head. "I'm trying to help you, man. I'm trying to bring you in. But you keep acting like you got some other option."

Darius didn't have another option. That was the thing Terrence didn't understand,

or understood too well. He didn't have a plan, didn't have a path, didn't have anything except the photograph in his pocket and the apartment he couldn't afford and the father who had made the same choice Terrence was asking him to make.

"Not today," Darius said.

"Not today. Always not today with you." Terrence started the car, the engine turning over smooth and quiet. "One day you're going to run out of todays, D. One day you're going to need what I'm offering, and I might not be offering anymore."

He drove away. Darius watched the car turn the corner and disappear, and he stood on the sidewalk in the cold and didn't know what to do with himself.

He started walking.

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He ended up at a park near the river, a place he used to come with his mother when he was small, before his father went away, before everything changed. The park was mostly empty, just a few people walking dogs, a woman pushing a stroller, an old man sitting on a bench with a paper bag beside him.

Darius sat on the other end of the bench, as far from the old man as he could get. He pulled out the photograph and looked at it, the way he had looked at it a hundred times since his birthday. The man holding the baby. The smile that didn't know what was coming.

"That your uncle or something?"

Darius looked up. The old man was watching him, his eyes rheumy and yellow, his face stubbled with gray.

"What?"

"The picture. You keep looking at it like it owes you money." The old man took a drink from whatever was in the paper bag. "Reminds me of this photo I used to carry. My brother. Dead forty years now. I'd look at it and look at it like if I looked hard enough he'd climb out and come back."

"It's my father," Darius said. He didn't know why he said it. He didn't owe this man anything.

"Huh." The old man took another drink. "He dead?"

"No. Locked up."

“Same thing, sometimes.” The old man wiped his mouth with the back of his hand. “How long?”

“Twelve years. Three more to go.”

The old man was quiet for a while. He looked at the river, at the water moving past, at whatever he was seeing that Darius couldn't see.

“My brother,” he said finally, “he wasn't locked up. He was just gone. Moved away, stopped calling, stopped being my brother. I carried that picture for years, waiting for him to come back. He never did.” He looked at Darius. “Your father, at least you know where he is. At least he's coming back.”

“I don't know if I want him to.”

“Didn't say you had to want it. Just said it's coming.” The old man stood up, unsteady, the paper bag clutched in one hand. “You got a couple dollars? I need to get something to eat.”

Darius almost said no. But he reached into his pocket and found a five, crumpled and soft, and he handed it over. The old man took it without thanking him.

“Keep the picture,” the old man said. “Whatever else.”

He shuffled off toward the street, and Darius watched him go. The man hadn't told him anything he didn't know. His father was coming back. In three years, maybe less, Marcus Cole would walk out of prison and come looking for his son.

Darius didn't know what he was going to do when that happened.

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He got home after dark.

His mother was in the kitchen, still in her scrubs, standing at the sink with her back to him. She didn't turn around when he came in.

“You missed school,” she said.

“Yeah.”

“And you were with Terrence.”

Darius stopped. “How do you know that?”

“His mother called me. Looking for him.” She turned around, and Darius saw that she had been crying, her eyes red, her face streaked with something she hadn't wiped away. “She said you were supposed to be with him today.”

"I wasn't. I mean, he asked me to go with him somewhere. I said no."

His mother looked at him. The look was tired and old and full of something Darius couldn't name.

"Terrence got arrested this afternoon," she said. "Him and two other boys. Something about drugs. They're saying he might get five years."

Darius felt the floor shift under him. Terrence. The blue Civic. The run he was supposed to make. Twenty minutes, Terrence had said. Easy money.

"I was supposed to be with him," Darius said. The words came out strange, disconnected. "He wanted me to come."

"I know." His mother crossed the room and took his face in her hands, the way she used to when he was small, when she could still reach him. "I know, baby. But you weren't. You said no."

"Why did I say no?"

"I don't know. But you did. That's what matters." She pulled him close, held him the way she hadn't held him in years, and Darius felt something break open in his chest, some wall he had built that suddenly couldn't hold.

They stood like that for a long time, in the kitchen of the apartment they couldn't afford, in the neighborhood that had just swallowed his best friend, in the life that kept offering him choices he didn't know how to make.

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Later that night, after his mother had gone to bed, Darius heard her talking.

He thought at first she was on the phone with someone from work, some late-night call about a patient. But then he heard the word "Marcus," and he stopped outside her door and listened.

"—three years, they said. If he stays clean. They want to know if we have anything to say at the hearing." A pause. "No, I haven't told him yet. I don't know how to tell him. He doesn't—" Another pause, longer this time. "I know. I know you want to see him. I want that too. But it's complicated, Marcus. He's seventeen. He's almost grown. And he's angry. He's been angry for a long time."

Darius stood in the hallway, his back against the wall, listening to his mother talk to his father. Her voice was different than he had ever heard it, softer and harder at the same

time, full of something that sounded like love and sounded like grief and sounded like exhaustion.

“I still think about it,” she said. “Every day. What would have happened if you hadn’t—if we had—” She stopped. When she spoke again, her voice was thick. “I know. I know you’re sorry. I’ve always known that. But sorry doesn’t bring back twelve years. Sorry doesn’t give him a father.”

Darius felt something cold move through him. He thought about Terrence, arrested, facing five years. He thought about his father, twelve years gone, three more to go. He thought about the photograph in his pocket, the man holding the baby, the smile that didn’t know what was coming.

“I’ll tell him about the parole hearing,” his mother said. “When I figure out how. But Marcus—” A long pause. “I need you to understand something. If you come back, if you come looking for him, you have to be ready for him to say no. You have to be ready for him to not want you. Because I can’t make him forgive you. I can’t make him love you. That’s something you’re going to have to earn.”

Darius went back to his room. He lay on his bed and looked at the ceiling and thought about everything he had heard.

His mother still talked to his father. His mother still loved his father, in whatever way love survived twelve years of absence and disappointment. His mother was trying to hold something together that had been broken for longer than Darius could remember.

And in three years, Marcus Cole would walk out of prison and come looking for his son.

Darius didn’t know what he would do when that happened. He didn’t know who he would be by then, what choices he would have made, whether he would end up like Terrence or like someone else entirely.

But he knew one thing: he had said no today. When Terrence offered him the car, the run, the easy money, he had said no.

He didn’t know why. He didn’t know what it meant.

But he had said no. And that was something.

---

That night, Darius dreamed of a field.

He was standing in the middle of it, surrounded by corn, the stalks taller than he was, blocking out the sky. He was looking for something, but he didn't know what. He was calling for someone, but he didn't know who.

In the distance, he could see a building. Low and dark, made of earth, sitting on a rise. He walked toward it, but no matter how far he walked, it stayed the same distance away. The corn closed in behind him. The sky got darker. The building waited, patient, unreachable.

He woke up before he got there.

He didn't know what the dream meant. He didn't believe in dreams meaning anything. But he remembered it, the field and the building and the feeling of searching for something he couldn't find, and he carried it with him through the day like a stone in his pocket.

Something was coming. He didn't know what.

But something was coming.

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**[DOCUMENT: Omaha Police Department — Arrest Report, October 2005]**

*Case Number: 2005-OPD-47832*

*Arrestee: WILLIAMS, Terrence D. DOB: 6/22/1988 Address: [REDACTED], Omaha, NE*

*Charges: Possession with Intent to Distribute (Class II Felony); Possession of Firearm During Drug Offense (Enhancement)*

*Narrative: Officers conducted traffic stop on blue Honda Civic (NE plate [REDACTED]) at approximately 2:47 PM. Driver (WILLIAMS) exhibited signs of nervousness. Probable cause search revealed approximately 4 oz. cocaine base in center console, .38 revolver under driver seat. Two additional subjects in vehicle arrested on related charges.*

*Bond: \$50,000*

*Disposition: Bound over to District Court*

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**[DOCUMENT: Omaha Public Schools — Attendance Record, 2005-2006]**

*Student: COLE, Darius Grade: 11 School: North High School*

*Attendance Summary (First Semester): Days Present: 68 Days Absent: 22 Unexcused Absences: 13*

*Academic Standing: Satisfactory (GPA 2.4)*

*Counselor Notes (November 2005): Darius is a capable student who underperforms relative to potential. Following arrest of close associate (Terrence Williams, 10/14/05), student appears more withdrawn. Father incarcerated (Shimerda Ground CF); mother works multiple jobs. Recommend monitoring for signs of depression or at-risk behavior. College-capable if engagement improves.*

*Parent Contact: Phone conference 10/18/05. Mother expressed concern about peer influences. Agreed to weekly check-ins.*

### Chapter Three

Three years passed.

Marcus worked the fields. He kept his head down. He went to his programs and met with his case manager and said the things he was supposed to say at the times he was supposed to say them. He became, in the language of the institution, a “model inmate,” which meant he had learned to disappear into the system so completely that the system forgot to notice him.

Model inmate. The words meant: invisible. The words meant: so small they forget you’re a person who might want something. It wasn’t virtue. It was a survival mask, and he wore it so long he sometimes forgot there was a face underneath.

In the dayroom, men sat in the same clusters every evening—not by rule but by habit, by city and county and race, by who you trusted with your back turned. Ramen traveled hand to hand like money. So did socks. So did favors. The guards weren’t monsters most days. Most days they were bored, which could be worse—boredom made them arbitrary, made them enforce rules they’d ignored for months just to have something to do. You learned to read the shift, to know which COs wanted quiet and which ones wanted a reason.

But he never stopped watching the soddie.

It stood on the rise where it had always stood, its walls dark against the sky, its doorway a shadow that seemed to hold something he couldn’t see. He had been inside it once, in his second year on the farm crew, helping move equipment that had been stored there for decades. The interior was dim and cool, the walls three feet thick, the air heavy with the smell of earth and age. He had noticed a small hollow in one wall, a niche about the

size of a shoebox, empty now but shaped like it had once held something. He had stood in the center of the single room and felt something he couldn't name, some presence or absence that made him want to stay and made him want to leave.

They'd been working on the history since that first conversation—Marcus asking, Brennan making calls. Dead ends, mostly. The county clerk in Aurora didn't know anything. The state archive in Lincoln had boxes of unprocessed land records that no one had time to search. The Brownville land office had closed in 1890, its records scattered across three different repositories.

Marcus wrote letters anyway—county offices, the state archive, an address Brennan found for the historical society. Most never came back. The ones that did were polite refusals. *Not enough information. No staff to search. Records unavailable.* It wasn't that Brennan had access Marcus didn't. It was that Brennan had time to keep being told no.

"It's like the name was erased on purpose," Brennan said one Friday, frustration in his voice. "Someone built that house. Someone lived in it. But the records are either missing or misfiled or just... gone."

Marcus understood erasure. He understood how systems lost people, how paper trails ended, how someone could exist and then not exist depending on what got written down and what got thrown away.

---

In the second year, Marcus wrote a letter.

He had found an address through Brennan's network—a woman in the chaplain's office at another facility who knew someone who knew someone who had worked with Denise at the nursing home. The address was six months old, which meant it might already be wrong, but it was something.

He wrote the letter carefully, taking three days to get the words right. He didn't ask for forgiveness. He didn't make promises he couldn't keep. He just told Darius that he was thinking about him, that he hoped he was doing well, that he would be eligible for parole in 2008 and that if Darius ever wanted to talk, Marcus would be there.

He sent the letter in September 2006.

It came back in October. RETURN TO SENDER. ADDRESS UNKNOWN. UNABLE TO FORWARD.

Marcus sat on his bunk and looked at the envelope, at his own handwriting, at the red stamp that said his words had traveled four hundred miles and found nothing. Darius had moved, or Denise had moved, or the address had been wrong from the start. It didn't matter which. The result was the same: his son was somewhere in the world, and Marcus couldn't reach him.

He put the letter in the box under his bunk where he kept the photograph—Darius at fifteen, the school photo Brennan had helped him find. He looked at the photograph for a long time. The boy had Marcus's eyes, Marcus's jaw, Marcus's way of holding himself like he was waiting for something bad to happen.

That night Marcus dreamed of the soddie. He was standing inside it, in the dim cool space, and someone was knocking on the door from outside. He went to open it, but there was no door, just a wall of packed earth, and the knocking kept going, and he woke up with his hand pressed against the concrete wall of his cell.

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In the spring of 2007, Marcus found them a thread. A name he'd noticed in an old newspaper clipping about the land, something Brennan had missed. Brennan followed it.

"The Cuzak family," he said. They were in the chapel, the small room where Brennan held services for the inmates who still believed in something. "They owned this land before the prison. Owned it for almost a hundred years. And they kept records—letters, documents, research notes. When the farm was foreclosed in 1983, most of it was thrown away. But some of it ended up in the county historical society."

"What kind of research?"

"The kind you're asking about. The man who built the soddie." Brennan leaned forward. "The Cuzaks spent decades trying to find out who he was. The father started the search in the 1930s. The son continued it after him. They found something, eventually. I'm trying to get access to the papers."

"Why would the historical society have them?"

"Because Josef Cuzak Jr.—the son—he donated them before he died. Along with some family photographs and documents. He wanted the history preserved, even if he couldn't keep the land." Brennan paused. "It's taken me two years to find out they exist. It might take me another year to get permission to see them."

Marcus looked at the wall of the chapel, at the plain wooden cross that hung there. “Why are you doing this? All this work, for someone who’s been dead a hundred years?”

Brennan was quiet for a moment. “Because the work is there to be done. Because the name is there to be found. Because—” He stopped, started again. “I became a priest because I believed in resurrection. Not just the one in the Bible. Resurrection in the world. Bringing back what’s been lost. Saying the names of the forgotten.” He looked at Marcus. “This man built that soddie with his hands. He was here. He tried. And then the system—the same kind of system that put you in here—it took everything from him. I can’t undo what was done. But I can say his name. Someone should.”

“He did everything right,” Marcus said. “And they still took it.”

“That’s the thing.” Brennan’s voice was quiet. “They don’t take it because you did something wrong. They take it because they can. You shouldn’t have to be perfect to deserve to keep what you built.”

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The letter from the historical society came in February 2008.

Brennan brought it to the chapel and opened it with hands that were not quite steady. Inside was a single photocopied page, a handwritten note in an old man’s careful script.

“This is from Josef Cuzak’s research file,” Brennan said. “His notes from 1952. Listen.” He read aloud:

*“Brownville land office records confirm: homestead claim filed March 1867 by E. Washington, Private, 5th U.S. Colored Troops, Company E. Claim number 1247. Northeast quarter, Section 14, T9N, R7W. Arrived on claim April 1867. Challenge filed 1872 by Thomas Garrett. Hearing held June 1872. Claim cancelled by Register Montgomery—testimony of ‘abandonment’ despite continuous residence. No appeal filed. No record of subject after 1872.”*

Brennan looked up. “E. Washington. Ezekiel Washington. That’s him. That’s the man who built the soddie.”

“This isn’t your work,” Brennan added. “This is Josef Cuzak’s. I’m just the messenger.”

Marcus sat very still. Ezekiel Washington. A Black man. A soldier. A man who had fought for his freedom and come to this land and built something with his hands. A man who had been erased by testimony and a register’s decision, by paper and signatures and men in offices.

“What happened to him?” Marcus asked. “After 1872?”

“I don’t know. The trail ends there. But Josef Cuzak—” Brennan turned the page over. There was more writing on the back. “He kept looking. For twenty years. He found the discharge record in the National Archives. He found the claim file in Lincoln. He even found a letter from Ezekiel’s sister, written in 1873, asking if anyone knew where her brother had gone.”

“Did anyone answer?”

“No.” Brennan’s voice was quiet. “No one answered. He disappeared. From the records, from history, from everywhere. The only thing that survived is what he built.”

He paused, then pulled another paper from his file.

“There’s one more thing. I found this in the Douglas County archives last year. It’s a militia report from July 1872, a few weeks after the hearing.”

Brennan read: “*Colored man observed on road east of Valley Station, traveling alone, mounted on horse, armed with carbine rifle. Appeared peaceful. No incident. Name unknown.*”

“That might be him. A man on a horse with a rifle, heading east toward Omaha. We’ll never know for certain.” Brennan folded the paper. “But I like to think it was. I like to think he made it somewhere. That he didn’t just vanish.”

Marcus looked at the photocopied page, at the careful handwriting of a man who had spent twenty years searching for a name. He thought about the soddie on the rise, about the walls that had stood for a hundred and forty years, about the niche in the wall that had once held something precious.

“What are you going to do with it?” he asked. “The name.”

“I don’t know yet. The state owns this land now. The prison is here, and it’s not going anywhere. But somewhere, somehow, his name should be on this ground.” Brennan folded the paper carefully. “I’m going to keep working on it. Even after you’re gone. Someone has to.”

---

The parole hearing was scheduled for August 14, 2008.

Marcus had been preparing for it for months, going over the questions with his case manager, rehearsing the answers that would show remorse and rehabilitation and readi-

ness to reenter society. He knew what the board wanted to hear. He knew how to say it.

The hearing lasted forty-seven minutes.

Marcus sat at a table facing three board members, two men and a woman, all of them white, all of them older than he was. His case manager sat beside him, papers stacked neatly in a folder. Behind him, in the small gallery, Father Brennan had come to observe.

The questions were the ones Marcus had prepared for. Why did you commit the crime? What have you learned from your incarceration? What is your plan for reentry? How will you avoid reoffending?

He answered them the way he had rehearsed, with the remorse and the insight and the carefully constructed plans that the board needed to hear. He talked about the GED he had earned, the substance abuse program he had completed, the job skills he had developed on the farm crew. He talked about finding housing, finding work, rebuilding his life.

And then the woman asked the question he hadn't prepared for.

"Mr. Cole, I see in your file that you have a son. Darius. He was five years old when you were incarcerated. He's twenty now." She looked at him over her glasses. "Have you had any contact with him during your sentence?"

Marcus felt something tighten in his throat. "No, ma'am. Not in the last six years."

"Why not?"

"His mother—" Marcus stopped. He had learned, over the years, not to blame Denise, not to make excuses. "I lost touch with them. They moved, and the letters stopped coming back, and I didn't know where they were. I tried to write, two years ago. The letter came back undeliverable."

"And what do you plan to do about that? If we grant you parole?"

Marcus looked at the woman, at her careful face, at the pen she held over her notepad. He thought about all the things he was supposed to say, all the prepared answers about respecting boundaries and moving slowly and not disrupting his son's life.

And then he told the truth.

"I'm going to find him," he said. "I'm going to find my son, and I'm going to try to be his father. I don't know if he'll let me. I don't know if I deserve it. But I'm going to try. Because that's what I owe him. Fifteen years of trying."

The woman wrote something on her notepad. The two men exchanged a glance. Mar-

cus sat very still and waited for whatever came next.

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They granted the parole.

He found out three days later, when his case manager called him into the office and told him the board had voted two to one in his favor. He would be released on September 12, 2008—fifteen years to the day after he had been admitted.

He had three weeks to prepare. Three weeks to pack the few possessions he had accumulated, to say goodbye to the men he had lived with for fifteen years, to sign the papers and attend the orientations and do all the things the system required before it would let him go.

Father Brennan came to see him a week before release. He brought an index card, three by five, with a name written on it in careful black ink.

**EZEKIEL WASHINGTON Private, Co. E, 5th U.S. Colored Troops Homesteader, NE 1/4 Sec. 14, T9N, R7W 1867-1872**

“I thought you should have this,” Brennan said. “To take with you.”

Marcus looked at the card. The name that had been lost for a hundred and thirty years, written down again, made real again by ink on paper.

“What am I supposed to do with it?”

“Whatever feels right.” Brennan paused. “You’re part of this story now, Marcus. You’ve worked the same ground he worked. You’ve looked at the same walls he built. When you leave, you’ll be the only person outside these fences who knows his name and what happened to him.” He touched the card. “That means something. I don’t know exactly what. But it means something.”

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On his last day, Marcus went to the soddie.

It was early morning, before the work call, the sky pink with sunrise. He walked across the field alone, his boots leaving tracks in the dew, his breath visible in the cool air. The guards watched him from the tower but didn’t stop him. He was leaving tomorrow. What was he going to do, run?

He stood in front of the soddie and looked at it the way he had looked at it for three years. The walls were dark with age, solid as the day they had been stacked. The doorway

was a rectangle of shadow. The roof, replaced many times over the decades, was flat and modern, but the walls were original, the same strips of earth that Ezekiel Washington had cut and carried and placed, one on top of another, in the spring of 1867.

He went inside.

The interior was dim, the way he remembered it. The air smelled of earth and old wood and the dust of decades. In the far wall, he found the niche—the small hollow where something had once been kept, where Ezekiel Washington had probably stored his papers, his discharge certificate, the documents that proved he was a man who could own land.

The niche was empty. It had been empty for a hundred and thirty-six years, since the day Ezekiel had packed what he could carry and left.

Marcus took out the index card.

He looked at it for a long moment: the name, the dates, the facts that Brennan had recovered from scattered records and forgotten archives. Then he folded the card once, carefully, and slipped it into the niche, pressing it against the back wall where it would be hidden from casual view.

“Ezekiel Washington,” he said aloud. His voice was quiet in the dim space. “I know your name. I know you built this. I know what they did to you.”

The soddie didn’t answer. The walls held their silence, the way they had held it for a hundred and forty years.

“I can’t fix it,” Marcus said. “I can’t give you back what they took. But I can leave your name here. I can put it back where it belongs.”

He touched the wall, felt the cool earth under his palm. The same earth Ezekiel had touched. The same ground.

“Someone remembered,” he said. “Someone said your name.”

He stood there for a long time, his hand on the wall, the sun rising behind him through the doorway. Then he turned and walked back across the field, toward the facility, toward the last day of his incarceration.

Tomorrow he would be free. Tomorrow he would begin the work of finding his son. But first, he had left the name where it belonged. First, he had put something back.

*Inmate: COLE, Marcus Terrell NDCS Number: 67432 Hearing Date: August 14, 2008  
Hearing Type: Initial Parole Consideration*

*Board Members Present: J. Richardson (Chair), M. Whitfield, D. Sorensen*

*Decision: PAROLE GRANTED (2-1)*

*Conditions of Release: 1. Report to assigned parole officer within 24 hours of release 2. Maintain approved residence in Lancaster County 3. Maintain employment or actively seek employment 4. No contact with victims of original offense 5. No possession of firearms or dangerous weapons 6. Submit to drug/alcohol testing as directed 7. Attend counseling/treatment as directed*

*Effective Release Date: September 12, 2008*

*Board Comments: Inmate Cole has demonstrated consistent institutional adjustment over 15 years. Completed GED and vocational programs. No major disciplinary infractions since 1997. Expresses appropriate remorse for offense. Reentry plan includes housing (transitional facility, Lincoln) and employment prospects (warehouse work). Board notes inmate's stated intention to reconnect with estranged son; recommends parole officer monitor for compliance with healthy relationship boundaries.*

*Dissent (Sorensen): Concerned about lack of family support structure and extended period without community ties. Recommends continued incarceration until maximum release date.*

*[signed] J. Richardson, Board Chair*

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**[DOCUMENT: Personal Effects — Index Card Found in Sod Structure, Shimerda Ground Correctional Facility, 2024]**

*[Card measures 3" x 5", standard ruled. Black ink, block letters. Card shows wear consistent with age, dust exposure, and folding. Found in wall niche during structural assessment, October 2024.]*

**EZEKIEL WASHINGTON Private, Co. E, 5th U.S. Colored Troops Homesteader, NE 1/4 Sec. 14, T9N, R7W 1867-1872**

*[Reverse side blank]*

*Note: Card forwarded to Hamilton County Historical Society per facility policy regarding items of potential historical significance, then referred to Nebraska State Historical Society for evaluation. No identifying information indicates who placed the card or when.*

## Chapter Four

The gate opened at 7:14 a.m. on September 12, 2008.

Marcus stood on the other side and didn't move. Fifteen years of walking toward this moment, and now that it was here, his body had forgotten how to go forward. The morning was cool, the sky pale with early autumn light, and the road stretched away from the prison toward a horizon he could finally reach.

"You need to step through, Mr. Cole." The corrections officer's voice was neutral, neither kind nor unkind. "You're blocking the gate."

Marcus stepped through. The gate closed behind him with a sound that was nothing like the sound it made when it closed you in. This sound was quieter, almost gentle, like the period at the end of a sentence.

He had forty-seven dollars in his pocket, released funds from his inmate account. He had a bus ticket to Lincoln, where the transitional housing facility was waiting. He had the clothes he was wearing—jeans and a work shirt, both purchased from the prison commissary—and a paper bag containing the photograph of Darius, the returned letter, and a Bible Father Brennan had given him that he didn't intend to read.

He did not have the index card. The index card was in the niche in the soddie wall, where it would stay.

The bus stop was a quarter mile down the road. Marcus walked toward it, and with every step he felt the distance growing between himself and the fences, the towers, the cells, the fifteen years that had become the architecture of his life. By the time he reached the bus stop, the prison was just a shape on the horizon, a collection of buildings that could have been anything.

He sat on the bench and waited for the bus that would take him to Lincoln. From Lincoln, he would begin the work of finding his son.

---

The transitional facility was a converted motel on the north side of the city, two stories of cinderblock rooms arranged around a parking lot that had more cracks than pavement. Marcus was assigned to Room 117, a space just large enough for a bed, a dresser, and a small bathroom. The window looked out on the parking lot. The walls were thin enough that he could hear his neighbors breathing.

The first thing he needed was identification.

His Nebraska state ID had expired in 2001. He had been born in Virginia, before his mother brought him to Omaha when he was small, which meant he needed a birth certificate from a state he barely remembered. To get a new ID, the DMV required that birth certificate. To get the birth certificate, the Virginia Office of Vital Records required a photo ID. He spent three days on the phone, transferred from department to department, explaining his situation to voices that grew less patient with each transfer.

“Sir, I understand, but we can’t issue a certified copy without valid identification.”

“I’m telling you, I don’t have valid identification. That’s why I need the birth certificate.”

“I’m sorry, sir. That’s the policy.”

He hung up and sat on the edge of his bed, looking at the paper that said he had been released from custody, the paper that said he had permission to live in Lancaster County, the papers that said everything about him except that he was a person who existed. Fifteen years ago he had walked into prison with a driver’s license, a social security card, a life that had documentation. Now he was a man who couldn’t prove he had been born.

It took him two weeks to solve the problem. His parole officer knew someone who knew someone at the vital records office. A favor was called in. A certified copy was mailed to the transitional facility, and Marcus took it to the DMV along with his release papers and his social security card, which he had memorized and recited to yet another clerk who printed him a replacement. He stood in line for three hours. He filled out forms. He had his photograph taken, and when the clerk handed him the card with his face on it—older than he remembered, harder than he remembered—he felt something loosen in his chest.

He existed again. The state of Nebraska said so.

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The job came next, because the job was required.

His parole officer was a woman named Sandra Chen, forty-something, with tired eyes and a caseload of sixty-three parolees. She met with Marcus once a week in her cramped office downtown, going through the checklist: employment status, housing status, drug test results, compliance with conditions.

“You’ve got warehouse experience,” she said at their first meeting, looking at his file. “From before. Loading dock work.”

“That was fifteen years ago.”

“Experience is experience. There’s a distribution center out on Highway 77, they hire ex-offenders. I can put in a call.”

Before the call came through, Marcus applied to four other places. A grocery store, a restaurant, a janitorial service, a construction company. He filled out applications, checked the felony box, handed them to managers who looked at the box and then looked at him and said they would be in touch. None of them were in touch. The applications went somewhere, into files or trash cans, and Marcus went back to the transitional facility and waited.

The distribution center called three days later. The manager’s name was Bill, a heavy man with a clipboard and no patience for anything that slowed down his operation.

“Sandra Chen says you’re reliable. That true?”

“Yes, sir.”

“Can you lift fifty pounds?”

“Yes, sir.”

“Can you show up on time, every day, no excuses?”

“Yes, sir.”

“Then you start Monday. Seven to four, nine-fifty an hour. You miss a shift without calling, you’re done. Understood?”

Marcus understood. He showed up on Monday, and Tuesday, and every day after that. The work was hard and repetitive, loading boxes onto trucks, unloading boxes from trucks, scanning barcodes and checking manifests and doing the same motions a thousand times until his body remembered them without his mind’s involvement. It was not so different from the work he had done on the farm crew. The rhythm was the same. Only the walls were missing.

His first paycheck came two weeks later. He cashed it at a check-cashing place that took a percentage, because he didn’t have a bank account and didn’t know how to get one. He stood on the sidewalk outside with the bills in his hand—\$312 after taxes and the fee—and counted them twice.

Then he walked to a grocery store and bought food. Real food, food he had chosen

himself: eggs, bread, cheese, a package of bacon, a bag of apples. He carried the bag back to his room and cooked the bacon on the hot plate the facility provided, and he ate it standing at the window, looking out at the parking lot, at the cars coming and going, at the ordinary world doing its ordinary business.

The bacon tasted like freedom. That was the only word for it.

---

Finding Darius was harder.

Marcus had a name, a last known city, a photograph that was five years old. He had no address, no phone number, no way to know if his son was still in Omaha or had moved somewhere else entirely. He had the memory of Denise's voice, heard through a prison phone six years ago, saying things he couldn't quite remember but that had sounded like goodbye.

He started with the phone book. There were seventeen D. Coles in the Omaha listings, and he called each one, asking for Darius. Wrong number, wrong number, wrong number. He tried directory assistance. He tried the internet at the public library, searching social media sites he barely understood. He found faces that weren't his son's, names that weren't his son's, traces of people who had nothing to do with him.

He thought about hiring a private investigator, but he didn't have the money. He thought about going to Omaha and walking the streets until he found someone who knew something, but he couldn't leave Lancaster County without his parole officer's permission, and he didn't know how to explain why he needed to go.

"I'm looking for my son," he told Sandra Chen at one of their weekly meetings. "He's in Omaha, I think. Or he was. I haven't seen him in six years."

Sandra looked at him with something that might have been sympathy or might have been the exhaustion of hearing too many stories like his.

"Does he want to be found?"

"I don't know."

"That's the question, Mr. Cole. That's always the question." She leaned back in her chair. "I can give you a referral to a family reunification service. They work with incarcerated parents, help reconnect with children who've been estranged. It's not fast, and it's not easy, and sometimes the answer is no. But it's a place to start."

Marcus took the referral. He called the number. He sat through an intake interview with a social worker who asked questions about his crime, his sentence, his relationship with Darius before incarceration, his goals for reconnection. He filled out forms. He signed releases. He waited.

The social worker's name was James, and he called Marcus three weeks later with news.

"I found him," James said. "Darius Cole. He's twenty years old, lives in Omaha, works at an auto parts store on the north side. He's not in school, not in trouble, not in the system anywhere. Just working, paying rent, living his life."

Marcus felt something move through him, some mixture of relief and terror that he couldn't separate into its parts.

"Does he know I'm out?"

"I don't know. I haven't contacted him yet. That's your decision—whether you want me to reach out on your behalf, or whether you want to do it yourself."

"What do you recommend?"

James was quiet for a moment. "Honestly? I recommend a letter. Something he can read on his own time, think about, decide how to respond. A phone call can feel like pressure. A letter gives him space."

Marcus thought about the letter he had sent from prison, the one that had come back undeliverable. He thought about all the letters he had written before that, the ones Darius had never answered.

"Okay," he said. "A letter. I'll write a letter."

---

He wrote it that night, in his room at the transitional facility, sitting on the bed with a legal pad balanced on his knee. He wrote it and crossed it out and wrote it again, trying to find words that would say what he meant without saying too much.

*Dear Darius,*

*I don't know if you want to hear from me. I would understand if you don't. But I'm out now—I've been out since September—and I'm trying to build something that looks like a life. Part of that is finding you. Part of that is telling you that I'm sorry.*

*I'm not going to make excuses. I did what I did, and I paid for it, and you paid for it more than anyone. You grew up without a father because I made a choice that put me in prison. I*

*can't take that back. I can't give you those years. All I can do is tell you that I'm here now, and that I want to know you, if you'll let me.*

*I'm living in Lincoln. I have a job, an apartment, a parole officer who checks on me every week. I'm doing the things I'm supposed to do. But none of it means anything without you.*

*If you want to talk, I'd like that. If you want to meet, I'd like that even more. But if you don't want anything to do with me, I'll understand. I'll stay away. I'll let you live your life without me in it.*

*Just let me know. Whatever you decide, let me know.*

*Your father, Marcus*

He read it over three times, changed a word here and there, then sealed it in an envelope before he could change his mind. He wrote the address James had given him on the front. He walked to the mailbox on the corner and dropped it in.

Then he went back to his room and waited.

---

The call came two weeks later.

Marcus was at work, stacking boxes on a pallet, when his phone buzzed in his pocket. He wasn't supposed to have his phone on the floor, but he had kept it on him since sending the letter, unable to bear the thought of missing whatever came next.

He looked at the screen. An Omaha number. Unknown.

He stepped behind a stack of boxes, out of sight of the foreman, and answered.

"Hello?"

Silence on the other end. Then a voice, deeper than he remembered, older than he remembered, but still recognizable. Still his.

"This is Darius."

Marcus closed his eyes. His hand was shaking. He pressed the phone harder against his ear, as if he could hold the voice there, keep it from disappearing.

"Darius. Thank you for calling."

"I got your letter." The voice was flat, careful, giving nothing away. "I didn't know you were out."

"I tried to write before. From inside. The letters came back."

"We moved. Mom moved us. A lot." A pause. "She didn't tell me you were writing."

Marcus didn't know what to say to that. He didn't know what Denise had told Darius, what version of the story he had grown up believing.

"I'm sorry," he said. It was all he could think to say. "I'm sorry for everything."

"You said that in the letter."

"I know. I'll keep saying it. As long as you need to hear it."

Another pause, longer this time. Marcus could hear something in the background—traffic, maybe, or voices. Darius was somewhere public, somewhere he could hang up and walk away.

"Why now?" Darius asked. "Why are you looking for me now?"

"Because I couldn't before. Because I didn't know where you were. Because—" Marcus stopped. He thought about the soddie, about Ezekiel Washington, about names that got lost and found again. "Because I spent fifteen years thinking about what I would do when I got out. And the only answer I ever had was: find my son."

Silence. Marcus waited. The seconds stretched out like miles.

"I'm not ready to see you," Darius said finally. "I don't know if I'll ever be ready. But I'm willing to—" He stopped. Started again. "I'm willing to talk. Sometimes. If you want."

"I want."

"Okay." Darius's voice was still flat, still careful, but there was something underneath it now, something that might have been the beginning of something. "I'll call you. When I'm ready. Don't call me."

"I won't."

"And don't come looking for me. Don't show up at my job, don't come to my apartment. If you do that, we're done. Understood?"

"Understood."

"Okay." A breath. "Goodbye, Marcus."

The line went dead.

Marcus stood behind the stack of boxes, the phone still pressed to his ear, listening to nothing. His hands were shaking. His eyes were wet. The foreman was probably looking for him. He probably had about thirty seconds before he got written up.

He didn't move. He just stood there, holding the phone, replaying the conversation in his mind.

*I'm willing to talk.*

It wasn't much. It wasn't forgiveness, wasn't reconciliation, wasn't the reunion he had dreamed about for fifteen years.

But it was something. It was a beginning.

Marcus wiped his eyes, put the phone in his pocket, and went back to work.

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**[DOCUMENT: Nebraska Department of Correctional Services — Parole Supervision Record, 2008-2009]**

*Parolee: COLE, Marcus Terrell NDCS Number: 67432 Parole Officer: Sandra Chen Supervision Level: Moderate*

*Monthly Summary — December 2008:*

*Employment: Maintained. Midwest Distribution Center, Highway 77, Lincoln. Full-time, warehouse. No absences reported.*

*Residence: Maintained. Lincoln Transitional Housing, Room 117. Rent current.*

*Compliance: Full compliance with all conditions. Drug tests negative (3). Curfew checks passed (4). No contact with victims.*

*Notes: Parolee reports successful telephone contact with estranged son (Darius Cole, age 20, Omaha). Contact initiated through Family Reunification Services. Parolee expresses appropriate emotional response and realistic expectations regarding relationship-building process. Continue monitoring.*

*Recommendation: Maintain current supervision level. Consider reduction to low-intensity supervision at six-month review if compliance continues.*

*[signed] S. Chen, Parole Officer*

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**[DOCUMENT: Personal Correspondence — Darius Cole to Marcus Cole, January 2009]**

*[Handwritten on lined notebook paper. Envelope postmarked Omaha, NE, January 14, 2009.]*

*Marcus—*

*You asked me to tell you about my life. I don't really know what to say. It's not that interesting.*

*I work at Metro Auto Parts on 30th Street. I've been there since I graduated high school. I didn't go to college. Mom wanted me to, but I didn't see the point. I wasn't a good student. You probably know that.*

*I have an apartment on the north side, one bedroom, nothing special. I have a girlfriend named Keisha, we've been together about a year. She's good. Patient. She knows about you—I told her after you called. She said I should give you a chance. I don't know if I'm giving you a chance or not. I'm just writing.*

*You asked what I remember about before. I don't remember much. I remember visiting you, the glass between us. I remember Mom crying in the car afterward. I remember stopping.*

*I was fourteen when I told her I didn't want to go anymore. I don't remember why exactly. I think I was just tired of it. Tired of the glass, tired of not knowing what to say, tired of having a father I couldn't touch.*

*I'm not saying that to hurt you. I'm just telling you what I remember.*

*I don't know what I want from you. I don't know if I want anything. But you asked me to write, so I'm writing.*

*Darius*

*P.S. — You don't have to call me "son" in your letters. It feels weird. Just call me Darius.*

## Chapter Five

The letters went back and forth through the winter.

Marcus wrote every week, careful pages about nothing important: the weather in Lincoln, the work at the warehouse, the small observations of a man relearning how to live in the world. He wrote about the bus routes he was figuring out, the library where he went on Saturdays, the diner near the transitional facility that served breakfast all day. He did not write about the things that mattered most. He did not write about the fear that woke him at 3 a.m., or the way his hand still reached for a wall that wasn't there, or the dreams where the gate closed behind him and he was back inside.

What he also did not write about: the small, petty satisfactions of freedom. The way he sometimes bought two candy bars instead of one, just because he could. The way he took the long route home from work, adding twenty minutes to his walk, because no one could tell him not to. The way he once sat on a park bench for an hour doing absolutely nothing, watching pigeons, and felt like he was getting away with something. These were

not the redemption-arc details he was supposed to be living. They were just human.

Darius wrote less often, every two or three weeks, his letters shorter and more guarded. He wrote about work, about Keisha, about the Huskers and whether they would have a decent season. He did not write about his childhood or his memories or anything that touched the years Marcus had missed. The letters were like messages from a stranger who was trying to decide whether to become something more.

Keisha worked double shifts when the store cut hours—she didn't talk about it like it was noble, just necessary. Sometimes Darius would find her asleep in her clothes, shoes still on, a notebook open beside her with community-college course numbers scribbled in the margins. She wanted out, and she had a plan. It was one of the reasons he listened when she spoke.

In March, Darius wrote: *Keisha thinks we should meet. She says letters aren't enough. I don't know if she's right, but I'm thinking about it.*

Marcus wrote back: *Whenever you're ready. You tell me when and where.*

Three weeks passed. Then a letter arrived with a single line:

*April 12. Lincoln. You pick the place.*

---

Marcus chose the diner.

It was neutral ground, public enough that neither of them would feel trapped, quiet enough that they could talk. He arrived an hour early and sat in a booth by the window, watching the street, his hands wrapped around a cup of coffee he didn't drink.

He had thought about this moment for fifteen years. He had imagined it a thousand different ways: Darius running toward him, Darius turning away, Darius saying the things Marcus needed to hear or the things he dreaded hearing. He had rehearsed speeches, apologies, explanations. He had planned what he would say and how he would say it.

Now that the moment was here, he couldn't remember any of it. His mind was blank, wiped clean by the terror of what was about to happen.

The door opened at 11:07 a.m.

Darius was taller than Marcus expected, taller than the photographs had shown. He was wearing jeans and a gray sweatshirt, his hands in his pockets, his shoulders hunched like he was bracing for something. He stood in the doorway for a moment, scanning the

room, and when his eyes found Marcus, something passed across his face—recognition, maybe, or the memory of recognition, or just the shock of seeing in person what he had only imagined.

He walked to the booth and sat down across from Marcus. He didn't offer his hand. He didn't smile.

"Hey," he said.

"Hey." Marcus's voice came out rough, thick with something he couldn't swallow. "Thank you for coming."

"Keisha made me promise." Darius looked around the diner, at the counter and the booths and the waitress refilling coffee. Anywhere but at Marcus. "She said I'd regret it if I didn't."

"She sounds smart."

"She is." Darius finally looked at him, and Marcus saw his own eyes looking back, the same shape and color, set in a face that was familiar and foreign at the same time. "You look older."

"I am older."

"I know. I just—" Darius stopped. "I don't know what I expected. The last time I saw you, I was fourteen. You were behind glass."

"I remember."

"Do you?" There was an edge in Darius's voice, something sharp that had been building for years. "Do you remember what it was like, visiting you? Sitting in that room with all the other families, waiting for them to bring you out? Do you remember how it smelled?"

"Yes."

"I used to have nightmares about that smell. For years. I'd wake up and think I was back there, waiting for you to come through the door." Darius's hands were on the table now, clenched into fists. "Mom would find me in the hallway, crying, and she'd have to explain that we weren't going back, that I didn't have to go anymore. That's what visiting you did to me."

Marcus didn't say anything. There was nothing to say. He had known, in some abstract way, that the visits had been hard for Darius. He had not known—had not let himself know—how hard.

"I'm sorry," he said. The words felt small, inadequate, like trying to fill an ocean with a cup.

"You keep saying that."

"Because it's true. Because I don't know what else to say."

The waitress came by, asked if they wanted anything. Darius ordered coffee. Marcus said he was fine. They sat in silence while the waitress poured, while she walked away, while the moment stretched out between them like a wire pulled too tight.

"Why did you do it?" Darius asked. His voice was quieter now, the edge gone, replaced by something that sounded like genuine curiosity. "The robbery. I've never understood. You had a job. You had us. Why did you throw it all away?"

Marcus looked at his hands on the table. The same hands that had held a gun, that had pointed it at a man behind a counter, that had made a choice in thirty seconds that had cost him fifteen years.

"I don't have a good answer," he said. "I was twenty-three. I was angry. I was broke and scared and I thought—" He stopped. "I thought it would be easy. I thought I could get away with it. I thought a lot of stupid things."

"That's not an answer."

"I know." Marcus looked up, met his son's eyes. "The truth is, I don't understand it either. Not anymore. The person who did that—he feels like someone else. Someone I used to be and don't want to be again."

"But you were him. You are him."

"I was. I don't know if I am anymore." Marcus took a breath. "I've had fifteen years to think about it. Fifteen years of waking up every day knowing that I destroyed my life and yours and your mother's because I wanted something I didn't earn. I can't explain it. I can only tell you that I'm sorry, and that I've spent every day since then trying to become someone who wouldn't make that choice."

Darius was quiet for a long moment. The coffee sat untouched in front of him, steam rising and disappearing.

"Mom never talks about it," he said. "When I ask, she changes the subject. She acts like you don't exist, like you never existed. But I see her sometimes, late at night, looking at old photographs. She keeps them in a box in her closet. She thinks I don't know."

Marcus felt something move in his chest. Denise. Fifteen years, and she still kept the

photographs.

“How is she?” he asked.

“Tired. She works too much. She’s got a new boyfriend, some guy named Ronald. He’s okay, I guess. Treats her all right.” Darius shrugged. “She doesn’t know I’m here. She’d be pissed if she found out.”

“You didn’t tell her?”

“No. This is between you and me. She’s got nothing to do with it.”

Marcus nodded. He understood. Whatever happened between him and Darius, it couldn’t involve Denise—not yet, maybe not ever. She had built a life without him. She had the right to keep it.

“Can I ask you something?” Marcus said.

Darius looked at him, wary. “Depends on what it is.”

“What do you remember? From before. From when I was still home.”

Darius was quiet for a long time. His hands unclenched, rested flat on the table. He looked out the window at the street, at the cars passing, at the ordinary world going about its business.

“I remember you carrying me on your shoulders,” he said finally. “I don’t know where we were going. Somewhere outside. I could see everything from up there. I felt like I was flying.”

Marcus remembered. The park near their apartment, the one with the pond where they fed the ducks. Darius had been three, maybe four, laughing as Marcus bounced him on his shoulders, reaching up to touch the leaves on the trees.

“I remember that too,” Marcus said.

“And I remember you singing. At night, when I couldn’t sleep. Some song I didn’t know the words to. I don’t remember the tune anymore, but I remember your voice.”

Marcus had sung to him. He had forgotten that he used to sing. In prison, he had stopped singing entirely, had stopped making any sound that wasn’t necessary. The memory of his own voice, singing to his son in the dark, felt like something that had happened to someone else.

“I remember the day you left,” Darius said. His voice was flat now, controlled. “I didn’t understand what was happening. Mom was crying. There were police cars. Someone put you in the back of a car and drove away, and I kept asking when you were coming back,

and no one would answer me.”

“Darius—”

“I was five years old. I didn’t know what prison was. I didn’t know what robbery was. I just knew my father was gone and no one would tell me why.”

Marcus felt his eyes burning. He blinked, looked away, looked back. Darius was watching him with an expression he couldn’t read.

“I’m sorry,” Marcus said again. “I know it doesn’t help. I know it doesn’t change anything. But I’m sorry.”

“I know you are.” Darius picked up his coffee, finally, took a sip. Set it down. “I’ve been angry at you for fifteen years. I’ve hated you, sometimes. I’ve wished you were dead, so I wouldn’t have to think about you anymore.”

Marcus didn’t flinch. He had expected this. He deserved this.

“But I’m tired of being angry,” Darius said. “It’s exhausting, carrying it around. Keisha says I’m a different person when I’m angry, someone she doesn’t recognize. She says I need to let it go, not for you, but for me.”

“She sounds like a good person.”

“She is.” Darius looked at him, really looked, for the first time since he’d sat down. “I’m not ready to forgive you. I don’t know if I’ll ever be ready. But I’m willing to try—” He stopped. “I’m willing to try to know you. The person you are now. Not the person who left.”

Marcus felt something shift in his chest, some weight that had been pressing down for fifteen years lifting just slightly.

“That’s all I can ask,” he said. “That’s more than I deserve.”

“Yeah.” Darius almost smiled. Almost. “It probably is.”

---

They stayed at the diner for two hours.

They talked about small things, safe things: Darius’s job, Marcus’s job, the apartment Marcus had finally moved into after six months in transitional housing. They talked about Keisha, about how they’d met, about whether it was serious. They talked about the Huskers and the weather and the price of gas and all the ordinary subjects that fathers and sons talked about when they didn’t know how to talk about anything real.

It wasn't reconciliation. It wasn't forgiveness. It was two strangers sitting across from each other, trying to find some common ground on which to stand.

When Darius got up to leave, he paused by the booth, his hands back in his pockets, his shoulders still hunched.

"Same time next month?" he asked. "If you want."

"I want."

"Okay." Darius nodded. "I'll call you."

He walked out of the diner without looking back. Marcus watched him go, watched him get into a car parked across the street—an old Honda, rusted around the wheel wells—and drive away.

Marcus sat in the booth for another hour, finishing his cold coffee, watching the street, thinking about everything and nothing. The waitress refilled his cup twice without being asked. She had seen enough men sitting alone in diners to know when to leave them be.

When he finally left, he walked to the bus stop and waited for the bus that would take him back to his apartment. The sun was warm on his face. The sky was clear and blue and endless.

He thought about Ezekiel Washington, standing on the prairie in 1867, looking at land that stretched to the horizon. He thought about what it meant to claim something, to build something, to try to make something last.

He thought about his son, driving back to Omaha in a rusted Honda, carrying fifteen years of anger and the beginning of something that might, in time, become something else.

It wasn't enough. It would never be enough. But it was a start.

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**[DOCUMENT: Personal Journal — Marcus Cole, April 2009]**

*[Spiral notebook, college-ruled. First entry dated April 12, 2009.]*

*He came.*

*I don't know what I expected. I've been thinking about this day for fifteen years, and now that it's happened, I don't know how to feel about it. Happy, I guess. Scared. Grateful. All of it at once.*

*He looks like me. I knew that from the pictures, but seeing it in person is different. Same eyes, same jaw, same way of holding himself like he's waiting for something bad to happen. That's my fault too. I gave him that.*

*He told me he used to have nightmares about visiting me. Nightmares about the smell. I didn't know. I should have known. I should have thought about what it was doing to him, sitting in that room, waiting for me to come through the door. But I was so focused on seeing him, on holding onto whatever piece of him I could reach, that I didn't think about what it was costing him.*

*That's been the pattern, hasn't it? Not thinking about what it costs other people. That's how I ended up in prison in the first place. Twenty-three years old and I thought I was the only person who mattered, the only person whose needs counted. I didn't think about the man I pointed the gun at, what it would do to him, the fear he would carry for years. I didn't think about Denise, about Darius, about anyone but myself.*

*Father Brennan told me once that the work of redemption is learning to see other people. Really see them, not as obstacles or tools or extensions of yourself, but as people with their own lives and their own pain. I'm trying to learn that. I'm trying to see my son as a person, not just as someone I lost, not just as evidence of what I destroyed.*

*He said he's willing to try. That's all he said. Willing to try. It's not forgiveness. It's not love. But it's something.*

*I keep thinking about what Brennan told me about Ezekiel Washington. About how he built something with his hands, and they took it from him, and he had to leave. About how all that's left is the soddie, standing on the rise, holding the name I put there.*

*I want to build something too. Something that lasts. Something that can't be taken away.*

*I don't know if I can. I don't know if it's too late. But Darius said he's willing to try, so I'm willing to try too.*

*Same time next month. That's what he said.*

*Same time next month. I can do that. I can show up. I can be there.*

*That's all I can do. Show up. Be there. Hope that it's enough.*

---

[DOCUMENT: Text Message Exchange — Darius Cole and Keisha Carter, April 12, 2009]

*[Recovered from Keisha Cole's (née Carter) saved phone backup; Cole family archive, 2026]*

Keisha (2:47 PM): How did it go?

Darius (2:52 PM): I don't know. Weird. He's old.

Keisha (2:53 PM): He's supposed to be old. He's your dad.

Darius (2:55 PM): I know. It's just weird seeing it. In person.

Keisha (2:56 PM): Are you okay?

Darius (3:01 PM): I think so. I don't know. I told him we could meet again next month.

Keisha (3:02 PM): That's good baby. I'm proud of you.

Darius (3:05 PM): He cried. When I told him about the nightmares. He tried to hide it but I saw.

Keisha (3:06 PM): How did that make you feel?

Darius (3:12 PM): I don't know. Human I guess. Like he's not just this idea I've been angry at. Like he's a real person who did something terrible and has to live with it.

Keisha (3:13 PM): That's a big thing to realize.

Darius (3:18 PM): Yeah. I guess it is.

Darius (3:19 PM): I love you.

Keisha (3:20 PM): I love you too. You can do this. But you don't owe him anything you don't choose.

Keisha (3:20 PM): If he pushes, if he tries to buy forgiveness with promises, we stop. That's not punishment. That's a boundary.

Darius (3:21 PM): I know. Thank you.

Keisha (3:22 PM): Come home. I'll make dinner.

Darius (3:23 PM): On my way.

## Chapter Six

They met every month through the spring and summer.

The diner became their place, the booth by the window their booth. Marcus would arrive early, order coffee, watch the street. Darius would arrive exactly on time, slide into the seat across from him, and they would talk for two hours about things that mattered and things that didn't. Slowly, meeting by meeting, they were building something. Neither of them had a name for it yet.

In May, Darius brought photographs. Pictures from high school, from his apartment, from a trip to Kansas City with Keisha. Marcus held each one carefully, studying the images of a life he hadn't been part of, filling in the gaps of the years he had missed.

"That's prom," Darius said, pointing to a picture of himself in a rented tux, a girl in a blue dress standing beside him. "Junior year. The girl's name was Tamika. We broke up a month later."

"You look good," Marcus said. "Sharp."

"Mom made me get the tux cleaned twice. She said I looked like I'd slept in it."

It was the first time Darius had mentioned his mother without the conversation going cold. Marcus didn't push. He just looked at the photograph and tried to imagine what that night had been like, the gymnasium decorated with streamers, the music too loud, his son dancing with a girl named Tamika who he would break up with a month later.

In June, Marcus brought something too. His discharge papers from prison, the certificate that said he had completed his sentence, the document that marked the end of one life and the beginning of another.

"Why are you showing me this?" Darius asked.

"Because I want you to know it's real. That I'm not going back. That this—" Marcus gestured between them, at the coffee cups and the photographs and the fragile thing they were constructing. "This is my life now. This is all I want."

Darius looked at the papers for a long time. Then he folded them carefully and handed them back.

"Okay," he said. "I believe you."

---

Terrence Williams got out of prison in August 2010.

Darius found out the way he found out most things: through the neighborhood, through people who knew people, through the network of information that moved through North Omaha like water through cracks. Terrence had done four years and eight months of a five-year sentence. Good behavior. Early release. He was back on the same streets where he had been arrested, living with his mother, looking for work.

Darius hadn't thought about Terrence in years. After the arrest, after the trial, after the sentencing, Terrence had become a ghost—someone who existed only in memory, a

warning about what could have happened, what almost did happen. Darius had moved on. He had a job, a girlfriend, a father who was slowly becoming something more than a photograph and a list of grievances.

And then Terrence called.

“D. It’s me. I’m out.”

Darius was in his apartment, lying on the couch, watching a game he didn’t care about. Keisha was in the kitchen, making dinner. The phone felt heavy in his hand.

“Hey, T. I heard.”

“Yeah.” Terrence’s voice was different than Darius remembered—deeper, slower, like the years inside had worn something down. “Listen, I know it’s been a minute. But I wanted to talk. In person. You around this weekend?”

Darius looked at the kitchen, at Keisha moving between the stove and the counter, at the life he had built in the years since Terrence had been gone.

“I don’t know, man. I’m kind of busy.”

“Come on, D. Five years. I just want to talk.”

Five years. Darius thought about what five years meant. Thought about his father, who had done fifteen. Thought about the diner in Lincoln, the photographs, the slow work of building something out of nothing.

“Yeah,” he said. “Okay. Saturday. Where?”

“The park. By the courts. Noon.”

“I’ll be there.”

He hung up and stared at the ceiling. Keisha came out of the kitchen, wiping her hands on a towel, her face asking the question she didn’t need to speak.

“That was Terrence,” Darius said. “He’s out.”

Keisha sat down on the edge of the couch. Her face was careful, neutral, the face she wore when she was thinking hard about what to say.

“Are you going to see him?”

“He asked me to. Saturday.”

“And?”

“I said yes.”

Keisha nodded slowly. She didn’t say anything about the day Terrence had been arrested, about the ride Darius had almost taken, about how close he had come to being in

that car. She didn't need to. They both knew.

"Be careful," she said. "That's all. Just be careful."

---

The park was the same as it had always been: cracked asphalt courts, rusted hoops, kids running and shouting while their mothers watched from benches. Darius sat on a bench near the entrance and waited.

Terrence arrived at 12:15, walking slowly, his hands in his pockets. He was thinner than Darius remembered, harder, the softness of youth burned away by whatever had happened inside. He sat down next to Darius without saying anything, and for a long moment they just looked at the courts, at the kids playing, at the world going on without them.

"You look good," Terrence said finally. "Got some weight on you."

"You look like shit."

Terrence laughed—a real laugh, surprised out of him. "Yeah. Prison food ain't exactly gourmet."

They sat in silence for another minute. Darius didn't know what to say. He didn't know who Terrence was anymore, didn't know if the person sitting next to him was the same person he had grown up with or someone else entirely.

"I thought about you a lot," Terrence said. "Inside. Wondered what would've happened if you'd been in the car."

"I think about it too."

"You'd have done time. Three, four years, maybe. First offense, no priors." Terrence shook his head. "But you wouldn't have made it. You're not built for that place, D. It would've broken you."

Darius didn't argue. He had thought the same thing, many times, in the years since. The car. The run. The twenty minutes that could have changed everything.

"I'm out now," Terrence said. "Looking for work. Nobody's hiring, though. You know how it is. That box on the application."

Darius knew. He thought about Marcus, about the warehouse job, about the parole officer who had made a call. He thought about the system that took people in and spit them out and expected them to survive without giving them the tools to do it.

"I might know someone," Darius said. "My—" He stopped. He hadn't told Terrence about Marcus. Hadn't told anyone except Keisha. "I know a guy. He's got connections. People who hire ex-cons."

Terrence looked at him. "For real?"

"Yeah. I can ask."

"That would be—" Terrence stopped. His face was doing something Darius couldn't read, some mixture of gratitude and shame and something else, something that looked like it might be hope. "That would be good, D. I appreciate it."

They sat for a while longer, talking about nothing, about the old days, about people they used to know and what had happened to them. Some were dead. Some were inside. Some had gotten out, gotten clean, gotten lives. The neighborhood had a way of sorting people into categories, and which category you ended up in depended on things you could control and things you couldn't.

When Darius got up to leave, Terrence grabbed his arm.

"Hey. I gotta ask." His voice was different now, lower, the voice he used when he was serious. "You remember what I offered you? That day? Before I got popped?"

Darius remembered. The car. The run. The easy money.

"Yeah."

"You said no. Why?"

Darius thought about it. He had thought about it for years, and he still didn't have a good answer. Something had held him back, some instinct or fear or stubbornness he couldn't name.

"I don't know," he said. "I just... I kept thinking about my father. About how he made a choice and it cost him everything. And I thought, if I get in that car, I'm making the same choice. I'm becoming him."

Terrence was quiet for a moment. "Your father's the one who got locked up, right? Robbery?"

"Yeah. He's out now. I've been seeing him."

Terrence's eyebrows went up. "For real? How's that going?"

"I don't know. Weird. Good, sometimes. We're figuring it out."

"Huh." Terrence nodded slowly. "That's good, D. That's real good." He let go of Darius's arm. "Listen, about that job thing. Whatever you can do. I'm not trying to go back

inside. I'm done with that life."

"I'll ask," Darius said. "I'll let you know."

He walked back to his car, got in, sat there for a long time before starting the engine. He thought about Terrence, about the park, about the years that had passed and the choices that had been made. He thought about his father, sitting in a diner in Lincoln, slowly becoming someone Darius could talk to.

He thought: that's what the cycle looks like. That's how it works. Someone makes a choice, and then they have to live with it. Someone else makes a different choice, and they have to live with that instead.

He started the car and drove home.

---

His mother found out in October.

Darius never knew how. Maybe someone saw them at the diner. Maybe Marcus said something to someone who said something to someone else. Maybe Denise had just known, the way mothers know things, and had been waiting for confirmation.

She called him on a Tuesday evening, and from the first word he knew something was wrong.

"You've been seeing your father."

It wasn't a question. Darius sat down on his couch, the phone pressed to his ear, his heart doing something fast and irregular.

"Yeah."

"For how long?"

"Since April. About six months."

Silence on the other end. Darius could hear his mother breathing, could imagine her face, the expression she wore when she was trying not to say what she was really thinking.

"And you didn't tell me."

"No."

"Why?"

Darius didn't have a good answer. He had told himself it was because she would be angry, because she would try to stop him, because it was his decision to make. But the truth was simpler: he had been afraid. Afraid of her reaction, afraid of what she might say, afraid that she would make him choose.

"I didn't know how," he said. "I didn't know what to say."

"You could have said, 'Mom, I'm meeting my father.' That would have been a start."

"Would you have been okay with it?"

Another silence, longer this time.

"No," she said finally. "Probably not. But I would have—" She stopped. When she spoke again, her voice was different, harder, older. "I would have wanted to know, Darius. I would have wanted to be part of the conversation."

"I'm sorry."

"I know you are." She sighed. "I need to talk to you. In person. Can you come by this weekend?"

"Yeah. I can do that."

"Saturday. Around noon. Ronald won't be here."

"Okay."

She hung up without saying goodbye. Darius sat on the couch and stared at his phone and tried to figure out what he was feeling. Guilt, mostly. And something else, something that felt like relief. The secret was out. Whatever happened next, at least he didn't have to hide anymore.

---

His mother's apartment was smaller than he remembered.

She had moved again, after the last place raised the rent, to a one-bedroom in a complex near the hospital where she worked. The furniture was the same furniture from his childhood, worn now, faded, holding the shape of the years that had passed.

Denise was sitting at the kitchen table when he came in. She was forty years old, and she looked it—the lines deeper than they had been, the gray in her hair no longer something she bothered to hide. But her eyes were the same, sharp and tired and full of things she never said.

"Sit down," she said.

Darius sat across from her, the way he had sat across from Marcus in the diner. The parallel wasn't lost on him.

"I've been thinking about what to say," Denise said. "All week. Going over it in my head. And I still don't know where to start."

“You could start by telling me how you found out.”

“Does it matter?”

“I guess not.”

Denise folded her hands on the table. Her nails were short, practical, the nails of someone who worked with her hands. She had been a nurse’s aide for twenty years, changing beds and lifting patients and doing the work that kept hospitals running while doctors got the credit.

“I spent fifteen years trying to protect you from him,” she said. “Fifteen years of moving, working, making sure you had what you needed. I did everything I could to give you a life that wasn’t defined by what he did. And now—” She stopped. “Now you’re sitting in a diner with him, showing him photographs. Like none of it mattered.”

“That’s not fair.”

“No?” Her voice was sharp now, the anger she had been holding back starting to show. “What’s not fair about it? I raised you, Darius. I was there. I was always there. And he was gone, and now he’s back, and suddenly you’re—what? Forgiving him? Letting him back in?”

“I’m not forgiving him. I’m just—” Darius struggled to find the words. “I’m trying to understand. Trying to know who he is now. It’s not about you, Mom. It’s about me.”

“It’s about me too.” Denise’s hands were clenched now, her knuckles white. “Everything he did affected me. Every choice he made, I had to live with. When he went to prison, I was twenty-three years old with a five-year-old child and no job and no money and no idea how to survive. I figured it out. I made it work. And I never—” Her voice cracked. “I never got to be angry, because I was too busy keeping us alive.”

Darius didn’t say anything. He had never heard his mother talk like this. She had always been calm, practical, the one who held things together. He hadn’t known that holding things together had cost her so much.

“I’m not asking you to stop seeing him,” Denise said, quieter now. “You’re a grown man. You can make your own choices. But I need you to understand something.” She looked at him, and her eyes were wet. “He broke me, Darius. Not all at once, but piece by piece. Every visit, every phone call, every time I had to explain to you why your father wasn’t coming home—it broke something inside me that I’ve never been able to fix.”

“Mom—”

“Let me finish.” She took a breath. “I don’t hate him. I’ve tried to, but I can’t. I just—I’m tired. I’m tired of carrying it, and I’m tired of being afraid, and I’m tired of wondering what’s going to happen when he shows up and wants to be part of your life again.” She wiped her eyes with the back of her hand. “I don’t know how to do this, Darius. I don’t know how to share you with someone who wasn’t there.”

Darius reached across the table and took his mother’s hand. Her fingers were cold, rough from work, smaller than he remembered.

“You’re not sharing me,” he said. “I’m not going anywhere. You’re still my mother. You’re still the one who was there.”

“But he’s your father.”

“Yeah. He is. And I don’t know what that means yet. I don’t know if it means anything. But I have to find out. I have to know.”

Denise looked at their hands, intertwined on the table. Something in her face shifted, some wall coming down that had been up for a long time.

“He called me,” she said. “A few weeks ago. I didn’t answer. But he left a message.”

“What did he say?”

“That he was sorry. That he understood if I didn’t want to talk to him. That he hoped I was well.” She laughed, a small, broken sound. “Fifteen years, and that’s what he has to say. That he hopes I’m well.”

“Do you want to see him?”

Denise was quiet for a long time. Outside, Darius could hear traffic, voices, the sound of the city going about its business.

“I don’t know,” she said finally. “Part of me wants to. Part of me wants to scream at him for everything he did, for everything he cost us. And part of me—” She stopped. “Part of me just wants to see his face. To know that he’s real. That he’s not just a photograph in a box anymore.”

“I could arrange it. If you want. I could be there.”

Denise looked at him. Her face was tired, older than her years, but there was something in her eyes that looked like the beginning of something.

“Let me think about it,” she said. “Give me time.”

“Okay.”

They sat at the table for another hour, talking about other things, about work and

Ronald and whether Keisha was the right girl for him. They didn't talk about Marcus again, but he was there anyway, a presence in the room, a weight they were both learning to carry.

When Darius left, his mother walked him to the door and hugged him for the first time in years.

"I love you," she said. "Whatever happens, I love you."

"I love you too, Mom."

He walked to his car and drove home to Keisha, and he thought about cycles, about choices, about the things that get passed down from generation to generation whether you want them or not.

He thought about his father, and his mother, and the fifteen years that had separated them.

He thought: maybe some things can be put back together. Maybe not all the way, maybe not perfectly, but enough. Enough to keep going. Enough to try.

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[DOCUMENT: Voicemail Transcript — Marcus Cole to Denise Cole, September 2010]

*[Recording recovered from Denise Cole's saved voicemail file; transcribed for the Cole family archive, 2026]*

"Denise. It's Marcus. I know you probably don't want to hear from me, and I understand if you delete this without listening. But I needed to say something.

I've been seeing Darius. I don't know if he told you. We've been meeting, once a month, at a diner in Lincoln. We're... we're trying. I don't know what we're trying to build, but we're trying.

I'm not calling to ask for anything. I'm not calling to make excuses or to explain myself. I know what I did, and I know what it cost you. I know you spent fifteen years cleaning up my mess, and I know sorry isn't enough. It'll never be enough.

I just wanted you to know that I'm thinking about you. That I hope you're well. That I'm grateful—I don't know if that's the right word—grateful that you raised him, that you kept him safe, that he grew up to be the person he is. That's because of you. Not me. You.

I won't call again unless you want me to. If you ever do want to talk—about anything, about nothing, I don't care—I'm here. I'll always be here.

Take care of yourself, Denise. I mean it. Take care.”

*[End of message. Duration: 1:47]*

## Chapter Seven

Fourteen years is a long time.

Long enough for Marcus to finish parole, to move from the transitional facility to a studio apartment to a one-bedroom in a complex near the warehouse where he worked. Long enough for him to become a shift supervisor, then an assistant manager, then the person who trained new hires and showed them how the system worked. Long enough for the gray to come into his hair and the lines to deepen around his eyes and his body to start telling him things it hadn't told him before—that he was fifty-four years old, that the years inside had cost him more than time.

Long enough for Darius to marry Keisha, to have two children—Marcus Jr., born in 2012, and Amara, born in 2015—to buy a house in a neighborhood that wasn't the one he grew up in, to become the kind of father he had never had. Long enough for him to watch his children grow, to teach them to ride bikes and throw baseballs, to be there for the things Marcus had missed.

Long enough for Denise to meet Marcus for coffee, once, in 2011, and to say the things she needed to say, and to decide that once was enough. They didn't become friends. They didn't become anything. But the weight between them shifted, became something they could carry separately instead of something that crushed them both.

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**[DOCUMENT: Voicemail Recording — Denise Cole to Marcus Cole, April 2011]**

*[Recording recovered from Marcus Cole's saved voicemail file; transcribed for the Cole family archive, 2026]*

*Marcus. It's Denise.*

*I've been sitting here for an hour trying to figure out what to say to you. After all this time. After everything.*

*I don't hate you. I want you to know that. I thought I did, for a long time. I thought hating you was the only thing that would keep me upright. But sitting across from you*

*today, watching you drink that coffee, watching your hands shake when you talked about Darius—I realized it’s not hate. It’s something else. Something I don’t have a word for.*

*You broke us, Marcus. You know that. Whatever happened, whatever you did or didn’t mean to do, you broke us. And I had to pick up the pieces by myself, with a five-year-old who kept asking where his daddy was. I had to figure out how to explain something I didn’t understand. I had to be both parents when I barely knew how to be one.*

*I’m not going to do this again. Today was enough. It had to happen, but it doesn’t have to happen twice. Darius is a man now, and he can make his own choices about what kind of relationship he wants with you. But me? I’m done. Not angry-done. Just done.*

*I hope you find whatever you’re looking for out there. I hope you figure out how to be someone other than who you were. But I can’t be part of that. I did my time too, Marcus. Fifteen years of doing it alone. I’m not signing up for more.*

*Take care of yourself. And take care of our son, if he lets you.*

*Goodbye.*

---

Long enough for Father Thomas Brennan to retire from the prison chaplaincy, to move to a small house in Aurora, to keep working on the project he had started twenty years before: putting Ezekiel Washington’s name on the land where he had built and lost and been forgotten.

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The call came in October 2024.

Marcus was at work, in the office he had earned after years of showing up and doing the job, when his phone buzzed with a number he didn’t recognize. He almost didn’t answer. He was busy, and unknown numbers usually meant scams or surveys or things he didn’t have time for.

But something made him pick up.

“Marcus? It’s Tom Brennan.”

Marcus sat back in his chair. He hadn’t heard from Brennan in almost two years, not since the last time the priest had called to update him on the slow, frustrating progress of his campaign to get a marker placed at the prison.

“Father. How are you?”

“I’m old.” Brennan’s voice was thinner than Marcus remembered, worn down by the years. “But I’m still here. And I have news.”

“What kind of news?”

“They found it. The card you left in the soddie. Someone found it.”

Marcus felt something move through him, some current of memory and surprise that he couldn’t quite name. The index card. The name he had written, the name he had placed in the niche where Ezekiel Washington had once kept his papers. Sixteen years ago, on his last day at Shimerda Ground, he had left it there like a seed planted in the wall.

“How?”

“Structural assessment. The state finally decided to do something about the soddie—it’s been falling apart for years. They sent an engineer out to look at it, see if it’s worth preserving or if they should tear it down. He found the card in the wall.” Brennan paused. “He sent it to the historical society. They sent it to me.”

“Why you?”

“Because I’ve been bothering them about Ezekiel Washington for two decades. They know I’m the one who cares.” Brennan had names now, at the Historical Society, at the university. A woman named Okonkwo had been the first to answer his letters with something other than form language. Brennan’s voice had something in it now, something that sounded like hope. “Marcus, this changes things. The card is evidence. It proves that someone—that you—knew the name, that you placed it there deliberately. It’s documentation. It’s the kind of thing bureaucracies respond to.”

“I don’t understand. How does a card I wrote change anything?”

“Because now there’s a paper trail. Before, it was just me, an old priest making noise about history no one wanted to remember. I’ve been writing them for twenty years. They ignored me. But they can’t ignore an artifact.” Brennan took a breath. “I’ve been trying for years to get the state to put up a marker at the soddie. They keep saying no—it’s a prison, it’s complicated, it would require approvals, it would cost money they don’t have. But a historical artifact found on state property? That triggers a different process. That requires a response.”

Marcus looked out the window of his office, at the loading dock where trucks were coming and going, at the ordinary machinery of the ordinary world.

“What do you need from me?”

“I need you to tell the story. Your story, not just Ezekiel’s. How you learned his name, why you left the card, what it meant to you. I need you to make it personal, to make it human, to make it something the state can’t ignore.”

“I’m not good at that. Telling stories.”

“You don’t have to be good at it. You just have to tell the truth.” Brennan paused. “Will you help me? One more time?”

Marcus thought about the soddie, about the walls he had touched, about the name he had spoken aloud in the dim cool space. He thought about Ezekiel Washington, about the man who had built something and lost it and disappeared into history without a trace.

“Yeah,” he said. “I’ll help.”

---

Darius called that night.

“I talked to Father Brennan,” Darius said. His voice was flat, careful, the way it got when he was trying not to say something he would regret.

“He told you about the card.”

“He told me about the meeting. About the historical society. About you going down to Lincoln to talk about a dead man.”

Marcus heard it then, the thing Darius wasn’t quite saying. “You’re angry.”

“I’m not angry.” A pause. “Okay, maybe I’m angry. Maybe I don’t understand why you’re putting all this energy into someone who’s been dead for a hundred and fifty years when—”

He stopped. Marcus waited.

“When what?”

“When you’re still alive. When I’m still here. When we’re still figuring out how to be father and son after everything that happened.” Darius’s voice cracked, just slightly. “You spent fifteen years locked up. Fifteen years away from me. And now you’re free, and you’re spending your time on a ghost.”

Marcus looked out the window at the dark street, at the houses where people were living their ordinary lives. He thought about Ezekiel Washington, about the soddie, about the name that had been erased and the name that might finally be restored. He thought about what it had cost to learn that name, and what it would cost to speak it.

“It’s not instead of,” Marcus said. “It’s part of.”

“Part of what?”

“Part of who I am. Part of what happened to me. I found that name in the ground I was working, on land I was forced to farm because I was locked up. The same land he was forced to leave because they stole it from him. We’re connected, Darius. Me and him. What happened to him, what happened to me—it’s the same thing, over and over.”

“It’s not the same thing. You’re here. He’s gone.”

“That’s why I have to do this. Because I’m here and he’s gone. Because someone should speak his name, and I’m the one who learned it.”

There was a long silence. Marcus could hear his son breathing on the other end of the line.

“I need you too,” Darius said finally. “The kids need their grandfather. Keisha needs to know you’re going to be around. This—this dead man’s marker—it can’t be more important than us.”

“It’s not more important.” Marcus felt the weight of the words, the inadequacy of them. “But I have to do it anyway. You understand?”

“No,” Darius said. “I don’t understand. But I’ll try.”

The line went dead. Marcus stood there in the dark, holding the phone, knowing he had chosen something that might cost him the relationship he had spent years rebuilding. Knowing he would make the same choice again.

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The meeting was in Lincoln, at the Nebraska State Historical Society.

Marcus drove down on a Saturday morning in early November, the fields brown with late autumn, the sky gray with the promise of weather coming. He hadn’t been to Lincoln much since he’d finished parole, since the city had stopped being a place of obligations and check-ins and became just another city he had no reason to visit.

Brennan was waiting for him in the parking lot. The priest was eighty-one now, stooped and slow, using a walker to get around. But his eyes were the same—sharp, curious, full of the determination that had kept him working on this project for two decades.

“You look good,” Brennan said, shaking Marcus’s hand.

“You look old.”

Brennan laughed. “I am old. That’s what happens when you spend your life waiting for institutions to do the right thing.” He gestured toward the building. “Come on. They’re expecting us.”

The meeting room was small, windowless, filled with the particular fluorescent light of government offices everywhere. There were three people waiting: a woman from the Historical Society, a man from the Department of Correctional Services, and a younger woman who introduced herself as a representative from the Governor’s office.

The Historical Society woman—her name was Dr. Patricia Okonkwo—had the index card in a clear plastic sleeve on the table in front of her.

“Mr. Cole,” she said, “Father Brennan tells us you’re the one who placed this card in the soddie. Is that correct?”

“Yes, ma’am.”

“Can you tell us why?”

Marcus looked at the card, at the name written in his own handwriting, faded now but still legible. Ezekiel Washington. The name he had learned from Brennan, the name he had carried with him for three years inside the prison, the name he had spoken aloud on his last day before walking back to freedom.

“Because someone should have,” he said. “Because the man who built that soddie deserved to be remembered. Because he was erased from history, and I thought—” He stopped, tried to find the right words. “I thought if I put his name there, in the place where he kept his papers, maybe it would matter. Maybe someone would find it someday and know that he was real.”

The man from Corrections—his name was Henderson, and he had the look of someone who had spent too many years in institutions—shifted in his chair.

“Mr. Cole, you were an inmate at Shimerda Ground from 1993 to 2008. Is that correct?”

“Yes.”

“And you placed this card in the soddie without authorization.”

“I didn’t know I needed authorization to write a name on a piece of paper.”

Henderson’s face tightened. “The soddie is state property. Placing unauthorized items—”

“Mr. Henderson,” Dr. Okonkwo said, her voice mild but firm, “I don’t think we need to discuss whether Mr. Cole violated some regulation sixteen years ago. The question is

what we do with the information now.”

The woman from the Governor’s office—her name was Chen, no relation to Marcus’s old parole officer—leaned forward.

“The Governor is interested in this case,” she said. “There’s been a lot of attention lately on—” She paused, chose her words carefully. “On the history of incarceration in Nebraska. On the ways that history intersects with other histories. This story—a Black Civil War veteran who lost his land, the same land where we now operate a prison—it’s the kind of story that resonates.”

“Resonates how?” Marcus asked.

“Politically. Culturally.” Chen spread her hands. “The Governor is looking for opportunities to acknowledge the past without getting bogged down in debates about the present. A historical marker honoring Ezekiel Washington could be that kind of opportunity.”

Brennan leaned forward, his hands gripping his walker. “With respect, Ms. Chen, this isn’t about political opportunities. It’s about justice. It’s about a man who was robbed of everything he built and then erased from memory. If the Governor wants to put up a marker, that’s fine. But it needs to be done right. It needs to tell the truth about what happened to him.”

“What truth, specifically?”

“That his claim was stolen. That the land office ruled against him on false testimony. That the same system that was supposed to protect his rights was used to destroy them.” Brennan’s voice was stronger now, the voice of a man who had been making this argument for twenty years. “Ezekiel Washington wasn’t just a homesteader who failed. He was a veteran who was cheated. There’s a difference.”

Henderson shifted again. “Father, I understand your perspective, but the Department has concerns about the messaging here. Shimerda Ground is a functioning correctional facility. We can’t have a marker on the property that seems to be—”

“Seems to be what? Honest?”

“—that seems to be making a political statement about incarceration.”

“The statement isn’t political. It’s historical.” Brennan looked at Henderson with something that might have been pity. “A Black man built that soddie. He was dispossessed by a legal system that treated him as less than human. A hundred and twenty years later, the state built a prison on the same ground, and the inmates who work the fields are dis-

proportionately Black. That's not a political statement. That's a fact. You can put up a marker or not, but the fact remains either way."

The room was quiet for a moment. Marcus watched the faces around the table—Chen calculating, Henderson defensive, Dr. Okonkwo thoughtful.

Henderson rubbed his face with both hands, and for a moment he looked like what he probably was: a man who had started this job with some kind of idealism and had watched it erode year by year, who knew the statistics Brennan was citing and tried not to think about them, who had a pension to protect and a boss who watched the news. He wasn't evil. He was just someone who had learned that keeping his head down was easier than asking hard questions.

"What exactly are you proposing?" Chen asked.

Brennan reached into his bag and pulled out a folder. Inside was a photograph of the soddie, a map of the property, and a draft of text for a historical marker.

"The soddie is the last physical structure from Ezekiel Washington's time on this land. I'm proposing that it be officially recognized as a historical site, preserved rather than demolished, and that a marker be placed there with the following text."

He passed copies around the table. Marcus read the draft:

*EZEKIEL WASHINGTON HOMESTEAD 1867-1872*

*On this site, Ezekiel Washington, a veteran of the 5th U.S. Colored Troops, arrived in April 1867 to establish a homestead. He built this sod house, dug a well, and cultivated the land for five years. In 1872, his claim was challenged by a land speculator and cancelled by the U.S. Land Office at Beatrice despite evidence of continuous residence. Washington was forced to leave. His subsequent fate is unknown.*

*This marker is placed in recognition of Washington's labor, his service to his country, and the injustice he suffered. The land remembers what the records tried to erase.*

Chen read it twice. "That last line. 'The land remembers what the records tried to erase.' That's—"

"That's the point," Brennan said. "That's the whole point."

"It's not literally true, of course," Chen said. "Land doesn't remember anything. Land just—"

"Holds," Brennan said. "The land holds. People remember. But the state likes poetry better than precision. They'll accept 'the land remembers' because it sounds like closure.

It sounds like the problem is solved.”

---

The negotiations took six months.

Henderson fought every step of the way, raising objections about security, about liability, about the “message” the marker would send. Chen went back and forth between the Historical Society and the Governor’s office, trying to find language that everyone could accept. Dr. Okonkwo worked quietly in the background, documenting the historical record, building the case that the soddie met the criteria for preservation.

Marcus stayed out of most of it. He had told his story, had explained why he left the card, had answered questions about what he knew and when he knew it. The rest was for lawyers and bureaucrats and people who understood how institutions worked.

But he followed the progress. Brennan called him every few weeks with updates—another meeting, another objection, another revision to the marker text. The process was slow, frustrating, full of the kind of delays that made Marcus wonder if anything would ever actually happen.

And then, in April 2025, Brennan called with different news.

“They approved it,” he said. His voice was shaking. “The Governor signed off this morning. They’re going to preserve the soddie and install the marker.”

Marcus sat down on his couch, the phone pressed to his ear, something rising in his chest that he couldn’t name.

“When?”

“They’re talking about a ceremony. Something public, with media coverage. The Governor wants to be there.” Brennan paused. “They want you to be there too, Marcus. They want you to speak.”

“Me? Why?”

“Because you’re part of the story now. You’re the one who put the name back. You’re the one who made this possible.”

Marcus thought about the soddie, about the walls he had touched, about the niche where he had left the card. He thought about Ezekiel Washington, about the man who had stood on that same ground a hundred and fifty years ago, looking at a horizon he thought he could reach.

“Okay,” he said. “I’ll be there.”

“There’s one more thing.” Brennan’s voice was quieter now, more serious. “They’re scheduling the ceremony for next spring. May 2026. A hundred fifty-nine years since Ezekiel first set foot on this ground.”

“That’s over a year away.”

“I know. But Marcus—” Brennan paused. “I’m not sure I’m going to make it that long. The doctors have been—” He stopped. “I’m old, and I’m tired, and I’ve been fighting this fight for a long time. I wanted to see it through. I wanted to be there when the marker went up. But if I’m not—”

“Don’t talk like that.”

“I have to talk like this. I have to be realistic.” Brennan’s voice steadied. “If I’m not there, I need you to finish it. I need you to speak for Ezekiel, to say his name, to make sure he’s remembered. Can you do that?”

Marcus closed his eyes. He thought about all the years Brennan had spent on this project, all the doors he had knocked on, all the letters he had written, all the times he had been told no and kept going anyway.

“Yeah,” he said. “I can do that.”

“Thank you.” Brennan was quiet for a moment. “You know, when I first met you, I didn’t know what to make of you. Just another inmate, I thought. Just another man serving his time. But you saw something in that soddie that most people couldn’t see. You understood that it mattered. That’s rare, Marcus. That’s a gift.”

“I didn’t do anything special. I just wrote a name on a card.”

“You did more than that. You kept the faith. You remembered when everyone else forgot.” Brennan’s voice was fading now, tired. “That’s what matters. That’s what lasts.”

---

Father Thomas Brennan died on December 17, 2025.

Marcus found out from a call, from a woman at the hospice who said she was sorry, who said Brennan had asked that Marcus be notified, who said the funeral would be Thursday at St. Patrick’s in Aurora if he wanted to come.

He went. He sat in a pew near the back and listened to the eulogies, to the stories of a man who had spent his life trying to see other people, to remember what the world wanted to forget. He didn’t speak. He didn’t know what to say.

After the service, Dr. Okonkwo found him in the parking lot.

“Father Brennan asked me to give you this,” she said. She handed him a manila envelope. “He said you’d know what to do with it.”

Inside was a folder containing everything Brennan had collected over twenty years: the Cuzak research, the land office records, the discharge certificate, the index card in its plastic sleeve. And on top of it all, a handwritten note:

*Marcus—*

*If you’re reading this, I didn’t make it to May. I’m sorry. I wanted to be there.*

*But you’ll be there. You’ll speak the name. You’ll tell the story. And that’s enough. That’s more than enough.*

*The marker text is finalized. The ceremony is scheduled. All you have to do is show up and say what’s true.*

*Thank you for putting the name back. Thank you for remembering.*

*The land holds everything. Make sure it holds this too.*

*— Brennan*

Marcus stood in the parking lot, the folder in his hands, the December wind cutting through his coat. He read the note three times, then folded it carefully and put it in his pocket.

Five months until the ceremony. Five months to figure out what to say, how to say it, how to honor a man he had known for twenty years and a man he had never met.

He got in his car and drove home, and he started to write.

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**[DOCUMENT: Nebraska State Historical Society — Press Release, April 2025]**

*FOR IMMEDIATE RELEASE*

*GOVERNOR APPROVES HISTORICAL MARKER FOR EZEKIEL WASHINGTON HOMESTEAD*

*LINCOLN — Governor Patricia Hernandez today announced approval of a historical marker recognizing the Ezekiel Washington Homestead, located on the grounds of Shimerda Ground Correctional Facility in Hamilton County.*

*Ezekiel Washington, a veteran of the 5th U.S. Colored Troops, established a homestead claim on the site in 1867. He built a sod house that still stands today, making it one of the*

*oldest surviving structures in the region. Washington's claim was cancelled in 1872 under disputed circumstances, and he was forced to abandon the property.*

*"Nebraska has a complicated history," Governor Hernandez said. "Acknowledging that history—including its injustices—is part of how we move forward. Ezekiel Washington deserves to be remembered, and this marker ensures that he will be."*

*The marker will be installed in May 2026, commemorating 159 years since Washington established his homestead. A dedication ceremony will be open to the public.*

*The sod structure, previously used for storage by the correctional facility, will be preserved as a historical site. Access will be limited but available to researchers and, on designated occasions, to the public.*

*For more information, contact Dr. Patricia Okonkwo, Nebraska State Historical Society.*

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The Lincoln Journal Star ran a story the week the press release went out.

It was a good story—Marcus could see that, reading it on his computer in the break room at the warehouse. The reporter had talked to Dr. Okonkwo, to someone from the Governor's office, to a historian at the university. The headline was something about "Lost History Restored" and the photograph showed the soddie standing on its rise, the same view Marcus had seen from the cornfields twenty years ago.

The story mentioned Marcus by name. It had to—he was part of the story now, the incarcerated man who had found the name and left it in the wall. The reporter had called him "formerly incarcerated," which was accurate, and had noted that he had served fifteen years at Shimerda Ground, which was also accurate, and had not mentioned what he had done to end up there, which was a mercy.

But it was enough. His name was in the paper, tied to his time inside.

His supervisor found him at his station that afternoon.

"Marcus." Reynolds was a decent man who had given Marcus a chance when not many would. "You got a minute?"

They went to the small office at the back of the warehouse. Reynolds closed the door.

"Someone sent me the article," Reynolds said. "From the paper."

Marcus waited.

"I knew you had a record. We all knew. It's not a secret around here." Reynolds rubbed his face. "But now it's in the paper. Your name, your history, tied to this historical marker thing. Corporate's going to see it. They always see this stuff."

"Are you firing me?"

"No." Reynolds said it quickly, firmly. "I'm not firing you. You're the best assistant manager I've got. But I'm telling you there might be questions. There might be people who have opinions about having someone with your background representing the company in the news."

"I'm not representing the company. I'm representing myself."

"I know that. You know that. But the line gets blurry when your name shows up next to 'formerly incarcerated.'" Reynolds leaned back. "I'm on your side, Marcus. I just want you to know what you might be walking into."

Marcus thought about the marker, about Ezekiel's name finally being spoken. He thought about the cost of speaking it, about what it meant to step into the light after so long in the shadows.

"I appreciate you telling me," Marcus said. "But I'm not going to stop."

Reynolds nodded. "Didn't think you would. Just wanted you to have your eyes open."

Marcus went back to work. He scanned packages and loaded pallets and felt the familiar rhythm of labor that had been his life for so long. But something had shifted. He was visible now, in a way he hadn't been since the trial. His name was in the world again, attached to something other than what he had done wrong.

It was terrifying. It was also, in some way he couldn't quite name, a relief.

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[DOCUMENT: Personal Correspondence — Father Thomas Brennan to Marcus Cole, November 2025]

*[Final letter, found in Brennan's effects after his death. Unsent.]*

*Marcus,*

*I've been thinking about homecoming.*

*In the old stories, the hero goes away and comes back. He fights his battles, survives his trials, and returns to the place he started. The journey changes him, but the home is still there, waiting.*

*But some people never get to come home. Ezekiel Washington never came home. He built a home, and it was taken from him, and he wandered off into history and was lost. For a hundred and fifty years, his name was forgotten. His home stood there, holding his absence, waiting for someone to remember.*

*You remembered. You put his name back. And now, because of you, he's coming home. Not his body—that's been gone for a century, buried somewhere we'll never find. But his name. His story. The truth of what happened to him.*

*That's a kind of homecoming. Maybe the only kind that's possible after so much time.*

*I won't be there to see it. I know that now. The body is failing, and there's nothing to be done. But you'll be there. You'll speak his name. And when you do, tell him—*

*Tell him someone remembered. Tell him someone cared. Tell him the land held what he built, and now it holds his name too.*

*That's all any of us can hope for, in the end. To be remembered. To be spoken of. To leave something behind that matters.*

*You've done that, Marcus. For Ezekiel, and for yourself. Whatever else happens, that can't be taken away.*

*The land holds everything.*

*Make sure it holds this too.*

*— Tom*

## Chapter Eight

The morning of May 3, 2026 was clear and cool, the sky the pale blue of late spring on the prairie.

Marcus woke before dawn in the motel room in Aurora where he had spent the night. He lay in bed and watched the light come through the curtains and thought about the day ahead. The ceremony was scheduled for ten o'clock. The Governor would be there, and Dr. Okonkwo, and reporters from the Lincoln paper and the Omaha stations. There would be speeches and photographs and the unveiling of a bronze marker that would stand beside the soddie for as long as the soddie stood.

And Marcus would speak. He had written and rewritten his remarks a dozen times, trying to find the words that would say what needed to be said. In the end, he had settled on something simple. He would tell the truth. That was all Brennan had asked of him.

That was all he knew how to do.

He got up, showered, put on the suit Darius had helped him buy. He looked at himself in the mirror and saw an old man looking back, fifty-six years old, gray-haired and tired, the years written on his face in lines and shadows. He thought about Ezekiel Washington, who had been thirty-three when he came to this land, who had built and lost and disappeared before he reached the age Marcus was now.

He thought: *I'm here. I'm still here. That has to count for something.*

---

Darius picked him up at eight-thirty.

They drove to the prison in Darius's car, a silver SUV. Marcus rode in the front passenger seat. Keisha was in the back with Marcus Jr., who was fourteen now, tall and quiet, with his grandfather's eyes. Amara, eleven, sat beside them, fidgeting with the hem of her dress.

"You nervous?" Darius asked, glancing at Marcus in the rearview mirror.

"Yeah."

"You'll be fine. Just say what you wrote."

"What if I forget?"

"Then say what you remember. That's what matters anyway."

They drove through Aurora, past the grain elevator and the high school. The town looked the same as it always had, small and quiet, holding its place against the prairie that surrounded it.

The prison came into view on the horizon: the fences, the towers, the low buildings arranged in careful rows. Marcus felt something tighten in his chest, some old reflex that he thought he had outgrown. Eighteen years since he had walked out of that gate. Eighteen years, and his body still remembered.

"You okay, Grandpa?" Amara asked.

Marcus looked at his granddaughter, at her bright curious face, at the life that had come after everything else.

"I'm okay," he said. "Just remembering."

---

The ceremony was held outside, on the rise where the soddie stood.

Chairs had been set up in rows, facing a small platform with a podium and, beside it, a shape covered in cloth: the marker, waiting to be unveiled. The soddie itself had been cleaned and restored, its walls reinforced, its roof replaced with materials that matched the original. It looked almost new, almost like something someone might live in, though no one had lived there for a hundred and fifty years.

At the edge of the ceremony, near the fence line, a work crew was visible in the distance—men in orange moving through the far fields, supervised by a CO in a golf cart. They had been routed away from this area for the event, kept out of the photographs, but they were still there, still working, still part of the landscape. Contractors had done the structural preservation—the reinforced walls, the replaced roof—but the grounds crew that mowed the grass, hauled the chairs, strung the bunting: that was inmate labor, same as always. Those men were back inside now, counted and locked down for the duration of the event. The irony was not lost on Marcus: a ceremony about freedom, held on a prison farm, with incarcerated men doing the setup and barred from attending.

The chairs filled slowly. Marcus recognized some faces: Dr. Okonkwo, who had worked with Brennan for years; Henderson from Corrections, looking uncomfortable in his suit; the Governor, smaller in person than she looked on television, surrounded by aides. There were others too, people Marcus didn't know: historians, reporters, a few descendants of the Cuzak family who had read about the ceremony and come to see the land their ancestors had farmed.

In the third row, Marcus spotted Terrence Williams. He was sitting next to a woman Marcus didn't recognize, wearing a button-down shirt that looked new. Terrence had gotten a job at the warehouse back in 2011, through Darius, through Marcus. Fifteen years now, and he was still there, still clean. When their eyes met, Terrence nodded once, a small acknowledgment between men who understood what it meant to come back from where they had been.

And there was Darius, sitting in the front row with Keisha and the children. Waiting.

The Governor spoke first. She talked about history, about acknowledgment, about the importance of remembering. Her words were careful, measured, designed to offend no one and commit to nothing. Marcus listened and didn't listen, his mind elsewhere, running through the remarks he had written, trying to hold onto what he needed to say.

Then Dr. Okonkwo spoke. She told Ezekiel Washington's story: the 5th Colored Troops, the homestead claim, the soddie he had built, the dispossession that had taken everything from him. She spoke about Brennan, about his decades of research, about the work he had done to bring this moment into being. Her voice caught when she mentioned his death, and she paused for a moment before continuing.

"Father Brennan always said that names matter," she said. "That remembering matters. That saying the truth out loud matters, even when no one seems to be listening." She looked at Marcus. "He asked Marcus Cole to finish what he started. To speak for Ezekiel Washington. To say his name."

She stepped back from the podium. The audience applauded politely. And then it was Marcus's turn.

---

He walked to the podium slowly, feeling the weight of every step.

The paper with his remarks was in his pocket, but he didn't take it out. He looked at the audience, at the faces waiting, at Darius and Keisha and the children in the front row. He looked at the soddie behind him, at the walls that had stood for a hundred and fifty-nine years, at the doorway that was a rectangle of shadow against the morning light.

He thought about Brennan's letter: *Tell him someone remembered. Tell him someone cared.*

He began to speak.

"My name is Marcus Cole. I spent fifteen years at this facility, from 1993 to 2008. I was an inmate. I worked the fields, the same fields that have been worked since 1867, when a man named Ezekiel Washington came here and built this house."

He paused, let the words settle.

"I didn't know his name when I got here. I didn't know anything about him. I just knew there was an old building on the rise, and everyone called it 'the soddie,' and no one seemed to know or care who had built it or why."

He looked at the soddie, at the walls he had touched so many times.

"But I cared. I don't know why, exactly. Maybe because I had a lot of time to think, and the soddie was something to think about. Maybe because I could feel that someone had been here before me, had worked the same ground, had looked at the same sky. Maybe

because I needed to believe that the things we build can outlast us, even when everything else is taken away.”

He took a breath.

“Father Thomas Brennan was the prison chaplain. He told me about Ezekiel Washington. He spent twenty years researching his story, tracking down the records, trying to find out what happened to him. And when I left this place in 2008, I put a card in a niche in the soddie wall, in the place where Ezekiel Washington probably kept his papers, his discharge certificate, the documents that proved he was a free man with a right to this land.”

Marcus reached into his pocket and pulled out the index card in its plastic sleeve. He held it up so the audience could see it.

“This is that card. It was found last year, during a structural assessment. Sixteen years in the wall, waiting to be discovered. Waiting for someone to read the name and ask: who was this man? What happened to him? Why does it matter?”

He put the card away.

“Ezekiel Washington was born enslaved in Ashford County, Virginia. He fought in the Civil War with the 5th United States Colored Troops. He came to Nebraska in 1867 and filed a homestead claim on this land. He built this soddie with his own hands, cut the sod, stacked the walls, made a home where there had been nothing but grass and sky.”

Marcus looked at the audience, at the faces listening, at Darius watching him with something in his eyes that might have been pride.

“He did everything right. He lived on the land, improved it, worked it for five years. He met every requirement of the law. And in 1872, a speculator named Thomas Garrett challenged his claim, and a land office register named Montgomery ruled against him, and Ezekiel Washington lost everything.”

The words came easier now, the story Brennan had told him so many times flowing out of him.

“The testimony against him was false. The ruling was unjust. But he was a Black man in 1872, with no money and no power and no one to speak for him, and the system did what it was designed to do. It took what he had built and gave it to someone else.”

Marcus paused. He looked at the soddie again, at the walls that had survived when the man who built them had been erased.

“We don’t know what happened to Ezekiel Washington after 1872. The records go silent. He disappeared into history, and no one wrote his story down. For a hundred and fifty years, he was forgotten. His name wasn’t on any map or any marker. The only thing that survived was what he built.”

He gestured at the soddie.

“This. These walls. This house he made with his hands. The land held it when the records let it go. The land remembered when everyone else forgot.”

Marcus felt something rising in his chest, some emotion he couldn’t name and didn’t try to control.

“I’m not here to tell you what this means. I’m not here to make a political statement or tell you how to feel. I’m just here to say his name. To put it back on the land where it belongs.”

He straightened, looked out at the audience, spoke clearly and slowly so every word would carry.

“His name was Ezekiel Washington. He was a soldier. He was a farmer. He was a man who built something with his hands and had it taken from him by a system that didn’t see him as fully human.”

He felt his voice crack but kept going.

“He deserved better. He deserved to keep what he built. He deserved to grow old on this land, to die here, to be buried here. He deserved to be remembered.”

Marcus looked at Darius, at his son, at the family he had almost lost and somehow, impossibly, found again.

“I spent fifteen years in prison thinking about what I had lost and what I had done. And when I got out, I spent eighteen more years trying to build something that would last. I’m still trying. I’ll be trying until I die.”

He turned to face the soddie, the walls that Ezekiel had raised, the home that had sheltered strangers for a century and a half.

“Ezekiel Washington tried too. He tried, and he failed, and he was erased. But the land held what he built. And now we’re putting his name back.”

He turned back to the audience.

“That’s all I have to say. His name was Ezekiel Washington. Someone should remember. Someone should care.”

He stepped back from the podium. The audience was silent for a moment. Then Darius stood up, and Keisha stood up, and the children stood up, and the applause began, spreading through the rows until everyone was standing, filling the prairie air with sound.

Marcus didn't hear it. He was looking at the soddie, at the walls, at the shadow of the doorway.

He was thinking: *I said your name. I hope you heard it.*

---

The Governor unveiled the marker.

It was bronze, mounted on a stone base, positioned beside the soddie where it would be visible to anyone who approached. The text was the text Brennan had drafted, the words that had survived months of negotiation:

*EZEKIEL WASHINGTON HOMESTEAD 1867-1872*

*On this site, Ezekiel Washington, a veteran of the 5th U.S. Colored Troops, arrived in April 1867 to establish a homestead. He built this sod house, dug a well, and cultivated the land for five years. In 1872, his claim was challenged by a land speculator and cancelled by the U.S. Land Office at Beatrice despite evidence of continuous residence. Washington was forced to leave. His subsequent fate is unknown.*

*This marker is placed in recognition of Washington's labor, his service to his country, and the injustice he suffered. The land remembers what the records tried to erase.*

The reporters took photographs. People milled around, talking, looking at the soddie, reading the marker. Slowly, the crowd began to disperse.

Beyond the ceremony, the prison went on. The fences still stood. The fields would be planted again this spring, worked by men in orange the way Marcus had worked them. The marker didn't undo that. It didn't give Ezekiel his land back, didn't give Marcus his fifteen years back, didn't repair anything that had been broken. It was just a name on bronze, just an acknowledgment that something had happened here and someone had tried to remember it. That was all. That was everything.

Marcus stayed where he was, standing beside the soddie, looking at the marker with Ezekiel Washington's name on it.

Darius came up beside him.

"You did good," Darius said.

"I don't know. I said what I could."

"That's all any of us can do."

They stood together, father and son, looking at the name on the bronze.

"Can I go inside?" Marcus Jr. asked. He had come up behind them, his sister beside him, both of them looking at the soddie with the curiosity of children who had never seen anything like it.

Marcus looked at Darius, who nodded.

"Go ahead," Marcus said. "Be careful."

The children went through the doorway, disappearing into the shadow inside. Marcus heard their voices, muffled by the thick walls, exclaiming at the darkness, at the coolness, at the strange old place their grandfather had known.

"Will you tell them?" Darius asked. "About Ezekiel? About you?"

"Someday. When they're older. When they can understand."

"What's to understand?"

Marcus thought about it. He thought about Ezekiel Washington, about Václav Shimerda, about Anna and Josef and all the others who had tried to hold this ground. He thought about himself, about the years inside, about the slow work of building something after everything had been destroyed.

"That we're all part of the same story," he said. "That the land holds us whether we know it or not. That the things we build can outlast us, if we're lucky. And that names matter. That remembering matters."

Darius was quiet for a moment. Then he put his hand on Marcus's shoulder.

"You're part of the story too," he said. "You know that, right?"

"I know."

"Good." Darius squeezed his shoulder, then let go. "Come on. Keisha wants to get lunch before we drive back."

"You go ahead. I'll be there in a minute."

Darius nodded and walked toward the car, where Keisha was waiting. Marcus Jr. and Amara came out of the soddie, their faces bright with the adventure of having been inside something so old, so strange, so unlike anything in their ordinary lives.

Marcus watched them go. Then he turned back to the soddie, to the marker, to the name that was finally where it belonged.

He walked through the doorway.

---

The interior was dim and cool, the way it had always been.

The walls were three feet thick, the same earth that Ezekiel had cut and stacked a hundred and fifty-nine years ago. The niche where Marcus had placed the index card was empty now, the card removed for preservation, but the shape of it remained: a small hollow in the wall where something precious had once been kept.

Marcus stood in the center of the room and let the silence settle around him.

He thought about Ezekiel, standing in this same spot, looking at walls he had built with his own hands. He thought about what it must have felt like to make something from nothing, to turn grass and earth into a home, to believe that the work would last.

He thought about what it must have felt like to lose it.

“I don’t know if you can hear me,” Marcus said aloud. His voice was quiet in the dim space, absorbed by the thick walls. “I don’t know if there’s anything left of you to hear. But I wanted to say—”

He stopped. He didn’t know what he wanted to say. He had said so much already, to so many people. What was left?

“Your name is on the land now,” he said. “It’s carved in bronze. It’s not going anywhere. People will read it and know you were here. Know you built this. Know what they did to you.”

The soddie held its silence.

“I put your name back. That’s all I could do. I hope it’s enough.”

He touched the wall, the same wall he had touched eighteen years ago, on his last day as an inmate. The earth was cool and solid under his palm. It felt like something that would last.

“My name is Marcus Cole,” he said. “I was here too. I worked this ground. I looked at these walls and wondered about you. And now I know your name, and you know mine, and we’re both part of what this land holds.”

He thought about Brennan, about his final letter: *The land holds everything. Make sure it holds this too.*

“It holds,” Marcus said. “It holds.”

He stood there for a long moment, his hand on the wall, the past and the present meeting in the dim cool space. Then he turned and walked out through the doorway, into the light, into the morning, into the life that was waiting for him.

Darius was standing by the car, watching him.

“You ready?” Darius called.

Marcus looked back at the soddie one more time. The marker gleamed in the sunlight beside it, the name visible even from this distance.

*EZEKIEL WASHINGTON*

“Yeah,” Marcus said. “I’m ready.”

He walked across the field to where his family was waiting, and they got in the car and drove away, east toward Omaha, toward the city where Darius had grown up and Marcus had been absent and where, somehow, they had found their way back to each other.

Behind them, the soddie stood on the rise, the way it had always stood. The marker stood beside it, the name carved in bronze.

And beyond the marker, the prison went on. A count bell sounded in the distance, muffled by the wind. The work crew in the far field paused, turned, began walking back toward the gate. Tomorrow they would be out here again, working the same ground Ezekiel had worked, the same ground Marcus had worked, the same ground that held everything and gave nothing back. The ceremony was over. The institution continued. The land held both: the name that had been restored and the system that had never stopped.

---

The land held everything.

It held the bones of the animals that had lived and died there since the ice retreated. It held the roots of the grass that had grown for ten thousand years. It held the labor of the man who had cut the sod and stacked it into walls, and the labor of the family who had come after him, and the labor of the men in orange who had worked the fields when the land became a prison.

It held the marker now, bronze and stone, bearing the name of a man who had been erased and was erased no longer. It held the soddie on the rise, its walls solid, its doorway open to the light.

The land did not know the names. The land did not remember or forget. The land only held what was given to it and waited for what would come next.

But the people remembered. The people spoke the names. The people came to the soddie and read the marker and stood in the dim cool space where Ezekiel Washington had once stood, where Marcus Cole had stood, where others would stand in years to come.

The land held everything. The land was what held.

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## Coda

### [DOCUMENT: Visitor Log — Ezekiel Washington Homestead, 2027]

*[Selected entries from first year of public access]*

*June 14, 2027 Patricia Okonkwo, Nebraska State Historical Society “First official visitor under the new access program. The preservation work is complete. The walls will stand another hundred years, at least.”*

*August 3, 2027 Marcus Cole, Lincoln, NE “Brought my grandchildren today. Marcus Jr. is 15 now, Amara is 12. Told them the story. They listened. They touched the walls.”*

*October 12, 2027 Darius Cole, Omaha, NE “Came alone this time. Sat inside for an hour. Didn’t say anything. Didn’t need to.”*

*December 14, 2027 [Anonymous] “My great-great-grandfather was in the 5th USCT. Different company, but the same regiment. I came to pay respects. Thank you for remembering him.”*

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### [DOCUMENT: National Register of Historic Places — Nomination Approved, 2028]

*Property: Ezekiel Washington Homestead Location: Hamilton County, Nebraska Period of Significance: 1867-1872; 2008-2026*

*Recommendation: Approved for listing.*

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*In the spring of 1867, a man named Ezekiel Washington stood on this ground and said: “I am Ezekiel Washington. I claim this ground.”*

*The ground did not know his name then.*

*It holds his name now.*

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**THE END**

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# The Held Land: Appendix

## Principal Characters

### The Washington Line (Part One)

**Ezekiel Washington** — Born enslaved in Ashford County, Virginia, c. 1834. Veteran of the 5th U.S. Colored Troops (Company E), enrolled August 23, 1863, discharged July 14, 1865. Homesteader, 1867–1872. Last documented sighting: militia report, July 1872, east of Valley Station, traveling alone toward Omaha. Fate after dispossession unknown.

### The Shimerda–Cuzak Line (Part Two)

**Václav Shimerda** — Bohemian immigrant. Purchased the former Washington claim in 1885. Died December 14, 1886, age 47.

**Marie Shimerda** — Václav's wife. Held the farm after his death until her own death in winter 1905.

**Anna Shimerda Cuzak** (1874–1934) — Daughter of Václav and Marie. Eleven years old at arrival in October 1885. Married Anton Cuzak in September 1892. Died April 12, 1934, age sixty.

**Marek Shimerda** (1878–1918) — Son of Václav and Marie. Seven years old at arrival. Neurodivergent. Lived in the original soddie until his death. Died October 17, 1918, in the influenza epidemic, age 40.

**Anton Cuzak** (1870–c. 1930s) — Railroad worker from Bohemia; Anna's husband. Met Anna spring 1892, married September 1892. Death date unrecorded in family papers.

**Josef Cuzak** (1893–1954) — Son of Anna and Anton, born 1893. Operated the farm through the Depression. Spent twenty years researching Ezekiel Washington's identity.

Died March 14, 1954.

**Clara Cuzak** — Josef's wife. Present at Anna's burial in 1934.

**Josef Cuzak Jr.** (c. 1922–1997) — Grandson of Anna, son of Josef. Twelve years old at Anna's 1934 burial. Lost the farm to foreclosure in 1983 (Case No. 83-CV-1058). Donated family papers to the Hamilton County Historical Society. Visited family cemetery annually until his death.

### **The Cole Line (Part Three)**

**Marcus Cole** (b. April 14, 1970) — Incarcerated at Shimerda Ground Correctional Facility, September 12, 1993 – September 12, 2008. Discovered Ezekiel Washington's story through Father Brennan. Placed index card bearing Ezekiel's name in the soddie wall on his last day.

**Denise Cole** — Marcus's ex-wife. Mother of Darius. Raised Darius alone during Marcus's incarceration.

**Darius Cole** (b. March 15, 1988) — Marcus's son. Five years old when his father was incarcerated; twenty when Marcus was released. Estranged during incarceration; began reconnecting through letters and meetings in 2008–2009.

**Keisha Carter Cole** — Darius's girlfriend, later wife (married c. 2010). Supported Darius through reconciliation with Marcus.

**Marcus Cole Jr.** (b. 2012) — Grandson of Marcus; son of Darius and Keisha. Named for his grandfather. Fourteen at the 2026 dedication ceremony.

**Amara Cole** (b. 2015) — Granddaughter of Marcus; daughter of Darius and Keisha. Eleven at the 2026 dedication ceremony.

### **Other Principal Characters**

**Father Thomas Brennan** — Prison chaplain at Shimerda Ground, c. 1995 until retirement. Researcher who uncovered Ezekiel Washington's story through the Cuzak family papers. Spent twenty years advocating for a historical marker. Died December 17, 2025.

**Ole Henriksen** — Norwegian homesteader. Saved by Ezekiel during the blizzard of January 1868. His sons Lars and Erik later testified at Ezekiel's proving-up hearing. "O. Henriksen" appears as informant on Václav Shimerda's death certificate.

**Lars Henriksen** — Ole’s son. Helped bury Václav Shimerda. Later testified on behalf of Ezekiel Washington at the 1872 hearing.

**Thomas Garrett** — Land speculator. Filed the challenge that dispossessed Ezekiel Washington in 1872. Acquired the land through cash entry and sold it to Prairie Land and Cattle Company in 1876.

**Dr. Patricia Okonkwo** — Nebraska State Historical Society. Collaborated with Brennan on the research. Instrumental in the 2026 marker installation. First official visitor under the public access program.

**Terrence Williams** — Darius’s childhood friend from North Omaha. Arrested October 2005 on drug charges; served four years and eight months. His arrest on a day Darius declined to accompany him became a pivotal moment in Darius’s life.

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## Timeline of Land Ownership

**1867 (March)** — Ezekiel Washington files Homestead Entry No. 1247 at Brownville Land Office

**1867 (April)** — Ezekiel arrives on claim; begins construction of soddie

**1867–1872** — Washington builds soddie (12 x 14 feet), digs well, builds barn; cultivates land for five years

**1868 (January)** — Ezekiel saves Ole Henriksen during blizzard

**1872 (March 14)** — Ezekiel appears at the land office to prove up; informed of a contest challenge to his claim

**1872 (June 12)** — Contest hearing in Beatrice; Thomas Garrett challenges claim with false testimony of abandonment

**1872 (June)** — Claim cancelled by Register Montgomery despite testimony from Henriksen family; land reverts to public domain

**1872 (July)** — Last documented sighting of Ezekiel (militia report: “Colored man observed on road east of Valley Station, traveling alone”)

**1872 (September)** — Garrett files cash entry; patent issued

**1876** — Garrett sells to Prairie Land and Cattle Company (\$400)

**1885 (October)** – Western Nebraska Land Company sells to Václav Shimerda (\$350); deed recorded; Shimerda family arrives (Anna age 11, Marek age 7)

**1886 (December 14)** – Václav Shimerda dies by suicide in the barn

**1892 (September)** – Anna Shimerda marries Anton Cuzak

**1893** – Josef Cuzak born

**1905 (winter)** – Marie Shimerda dies

**1910** – Life estate deed signed; farm has grown to 640 acres (one full section)

**1918 (October 17)** – Marek Shimerda dies in influenza epidemic, age 40

**1933 (November 4)** – Tax sale: NW, SW, and SE quarters sold to county; NE quarter (original Washington claim) redeemed by Josef Cuzak for \$763.29

**1934 (April 12)** – Anna Shimerda Cuzak dies, age 60; Josef continues operating the NE quarter

**1954 (March 14)** – Josef Cuzak dies; NE quarter passes to Josef Cuzak Jr. (probate notes mention father's incomplete research: "E. Washington – 5th USCT – claim filed 1867, cancelled 1872")

**1971 (September)** – Josef Cuzak Jr. mortgages farm to Hamilton County Farm Credit Association (\$42,000)

**1983 (November 14)** – Farm foreclosed; sheriff's sale; Hamilton County acquires property for \$34,000

**1984 (April)** – State site selection committee recommends property for correctional facility

**1985 (March 3)** – State of Nebraska acquires property from Hamilton County (\$52,000); deed recorded

**1986 (September)** – Shimerda Ground Correctional Facility opens; warden decides to preserve soddie

**1993 (September 12)** – Marcus Cole incarcerated at Shimerda Ground, age 23

**2005–2008** – Marcus Cole and Father Brennan investigate the soddie's origins; February 2008 research notes identify the builder as Ezekiel Washington

**2008 (August 14)** – Marcus Cole granted parole

**2008 (September 12)** – Marcus Cole released after fifteen years; places index card bearing Ezekiel Washington's name in soddie wall niche

**2024 (October)** – Index card discovered during maintenance; referred to Hamilton

County Historical Society, then Nebraska State Historical Society

**2024 (November)** – Meeting in Lincoln: Marcus Cole, Father Brennan, state officials, Dr. Okonkwo

**2025 (April)** – Governor approves marker and preservation; Lincoln Journal Star publishes story

**2025 (December 17)** – Father Thomas Brennan dies

**2026 (May 3)** – Dedication ceremony; bronze marker installed beside soddie

**2027 (June 14)** – Public access program begins; Dr. Okonkwo first official visitor

**2028** – Ezekiel Washington Homestead approved for National Register of Historic Places (Period of Significance: 1867–1872; 2008–2026)

## The Land

**Legal Description:** Northeast Quarter (NE 1/4) of Section 14, Township 9 North, Range 7 West of the Sixth Principal Meridian, Hamilton County, Nebraska

**Size:** 160 acres

**Key Structures:** - **Soddie** (built April 1867): Single room, 12 feet by 14 feet, sod walls with timber doorframe. Grass side down construction. Still standing 2026; preserved under state historical protection. - **Well** (dug 1867): Stone-lined, still functional. Capped when prison built. - **Barn** (original built c. 1867–1870): Repaired by Václav Shimerda 1885–1886. Subsequently rebuilt/replaced. - **Frame house** (built c. 1889 by Shimerdas): Expanded multiple times through early 1900s. Demolished prior to prison construction.

**Cemetery:** Shimerda family cemetery at SW corner of property (crossroads of quarter-section lines). Unconsecrated. Contains graves of Václav Shimerda, Marie Shimerda, Marek Shimerda, and Anna Shimerda Cuzak. Maintained by state per acquisition agreement.

## The Oilcloth

Anna Shimerda discovered a torn scrap of oilcloth lodged in the soddie wall in October 1885. The cloth had been used to wrap something, probably Ezekiel Washington's discharge papers. Anna recognized it as evidence of the previous owner's hasty departure and kept it for nearly fifty years, carrying it in her pocket alongside her mother's rosary. She gave it to Josef in November 1933 after he redeemed the NE quarter from tax sale. The oilcloth's current location is unknown; it is not among the papers Josef Jr. donated to the historical society.

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## Note on Sources

The documents embedded in the novel are synthesized from period-appropriate formats and language. They include: - War Department discharge certificate (1865) - Brownville Land District homestead entry (1867) - Land office contest hearing transcript (1872) - Hamilton County deed and death records (1885–1954) - Nebraska Department of Correctional Services memoranda (1984–2008) - Private correspondence and text messages (2005–2026)

Josef Cuzak's research notes, discovered in the probate file and county historical society collection, provided the evidentiary chain connecting Ezekiel Washington to the land. Father Brennan's twenty years of supplemental research, including National Archives records and the 1873 letter from Ezekiel's sister Josephine, filled remaining gaps.

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*This appendix is intended as a reader reference and does not appear in the main text.*

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## Author's Note on Fractional Fiction

This novel belongs to a series I call Fractional Fiction, a methodology for creating new literary works through the synthesis of public domain texts with contemporary research.

The approach is neither adaptation nor pastiche. It begins with the recognition that certain classic works contain structural wisdom, patterns of human experience refined through generations of readers, that can illuminate present circumstances if properly reactivated. The task is to identify those structures, extract them from their original contexts, and recombine them with contemporary knowledge to produce something that is genuinely new while remaining in conversation with its sources.

*The Held Land* synthesizes three public domain works: Homer's *Odyssey*, Willa Cather's *My Ántonia*, and Leo Tolstoy's *Resurrection*. Each contributes a distinct structural element to the novel's architecture.

From Homer comes the pattern of the man trying to return home. Ezekiel Washington is an Odysseus figure, a veteran of a great war who seeks not a kingdom but a piece of ground he can call his own. His journey to the Nebraska prairie, his years of labor building a home, and his eventual dispossession invert the Homeric trajectory: where Odysseus arrives home after twenty years to reclaim what was always his, Ezekiel builds something from nothing only to have it taken through legal mechanisms that were never designed to protect him. The homecoming fails. The land does not recognize its rightful holder. This inversion is deliberate. The *Odyssey* assumes that home exists, that it waits, that the hero's task is simply to reach it. For Black Americans in the Reconstruction era, home had to be constructed against active resistance, and even successful construction guaranteed nothing. Ezekiel's story asks what happens when the Odyssean promise proves false.

From Cather comes the immigrant woman who is shaped by the land and who shapes it in return. Anna Shimerda is not Ántonia Shimerda, though they share a name, a national origin, and a father who dies by suicide in the first Nebraska winter. Cather's Ántonia becomes a symbol of the pioneer spirit, a celebration of endurance and fertility, the "rich mine of life" that Jim Burden carries with him into adulthood. My Anna inherits something more complicated: a house built by a man who was erased, a debt she cannot repay, a knowledge that her family's survival rests on someone else's dispossession. Where Cather's novel treats the prairie as essentially empty before the immigrants arrived, *The Held Land* insists on the prior claim. The Shimerdas do not settle virgin land. They settle land that has already been settled and stolen, and Anna spends her life carrying the evidence in her pocket. The oilcloth scrap functions as what Cather's novel lacks: an acknowledgment that the immigrant success story has a prehistory, and that prehistory

involves theft.

From Tolstoy comes the structure of moral awakening through confrontation with the carceral system. In *Resurrection*, Prince Nekhlyudov recognizes a woman he once seduced among a group of prisoners being transported to Siberia; his subsequent attempt to help her becomes a journey through the Russian penal system that transforms his understanding of justice, guilt, and redemption. Marcus Cole undergoes a similar transformation, though his position is reversed: he is the prisoner, not the observer, and his awakening comes not through encounter with a victim but through encounter with a predecessor. Learning Ezekiel Washington's name, Marcus recognizes a pattern that connects his own incarceration to a longer history of Black dispossession. The prison stands on the homestead. The labor he performs in the fields is continuous with the labor Ezekiel performed. The system that took Ezekiel's land is ancestral to the system that took Marcus's freedom. Tolstoy's novel ends with Nekhlyudov reading the Gospels and finding in them a program for moral life. Marcus's equivalent revelation is simpler and perhaps more durable: he puts a name back where it belongs. He cannot resurrect Ezekiel Washington. He can only ensure that the erasure does not stand.

The fourth element of synthesis is contemporary carceral research: scholarship on mass incarceration, prison labor, the school-to-prison pipeline, the racial demographics of the American prison system, and the continuities between slavery, convict leasing, and modern correctional agriculture. This research provides the factual substrate for Part Three and shapes the novel's argument about historical continuity. The prison farm is not a metaphor. It is a documented feature of the American correctional landscape, and the disproportionate incarceration of Black Americans is not an accident but a policy outcome with traceable causes. The novel's fictional apparatus, its invented characters and synthesized plot, rests on a foundation of documented fact.

Fractional Fiction is not an attempt to improve upon its sources. Homer, Cather, and Tolstoy require no improvement. The methodology instead proposes that classic works can be decomposed into structural elements, portable patterns of meaning, that remain generative when recombined with new material. The *Odyssey* offers a grammar of homecoming. *My Ántonia* offers a grammar of land and memory. *Resurrection* offers a grammar of moral awakening through systemic encounter. These grammars can be spoken in new contexts, applied to experiences their original authors never imagined, and made to yield

insights that neither the old works nor the new research could produce alone.

Whether the synthesis succeeds is for readers to judge. My task was to honor the sources while creating something that could not be mistaken for any of them. The land holds everything, the novel argues: the bones, the roots, the labor, the names. It holds the old stories too, if we know how to find them.

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## Historical Note

*The Held Land* is a work of fiction, but its fictional architecture rests on historical foundations. The following note distinguishes documented history from novelistic invention and provides context for readers unfamiliar with the periods the novel depicts.

### **The Homestead Act and Black Land Ownership**

The Homestead Act of 1862 opened public domain lands to settlement by any citizen, or any person who had declared intention to become a citizen, who was the head of a household or twenty-one years of age. The act required five years of continuous residence and improvement, after which the homesteader could “prove up” the claim and receive a patent granting fee simple ownership. The filing fee was eighteen dollars, and the land itself was free.

The act did not explicitly exclude Black Americans. Following the Civil War and the passage of the Fourteenth Amendment, Black veterans who had served in the Union Army were theoretically eligible to file claims on the same terms as white veterans. In practice, Black homesteaders faced systematic obstacles: discriminatory treatment at land offices, difficulty obtaining witnesses willing to testify on their behalf, challenges from white settlers and speculators, and violence. The Freedmen’s Bureau encouraged Black settlement in Kansas and Nebraska, and several all-Black towns were established, but the numbers remained small. Historians estimate that fewer than 5,500 Black families successfully proved up homestead claims between 1868 and 1934, compared to approximately 1.6 million white families.

Ezekiel Washington is a fictional character, but his experience, filing a legitimate claim, improving the land for the required period, and losing it through a rigged hearing, reflects documented patterns. Land office registers and receivers held enormous discretionary

power. Challenges could be filed on pretextual grounds, and the burden of proof fell on the original claimant. Black homesteaders who could not produce white witnesses, who faced perjured testimony, or who simply encountered hostile officials had little recourse. The legal mechanisms of dispossession were formally race-neutral, which made them all the more effective.

### **The United States Colored Troops**

The 5th Regiment United States Colored Troops was a real unit, organized in Ohio in 1863 and mustered out in 1865. The regiment saw action at Petersburg and was present at Appomattox. Approximately 180,000 Black men served in the USCT during the Civil War, comprising roughly ten percent of the Union Army. They served in segregated units under white officers, received lower pay than white soldiers until June 1864, and faced the threat of execution or enslavement if captured by Confederate forces.

Ezekiel Washington's service record is fictional but consistent with documented USCT experience. His discharge certificate follows the standard War Department format of the period. His wounds, his march through Virginia, his mustering out at Nashville, these are invented details built on historical patterns.

### **Sod House Construction**

The soddie Ezekiel builds is accurately described. On the treeless prairie, settlers cut strips of sod, typically three inches deep and twelve inches wide, and stacked them grass-side-down to form walls. The roots would knit together over time, creating surprisingly durable structures. A well-built sod house could last decades, though it required regular maintenance and was vulnerable to rain, insects, and rodents. The thick walls provided excellent insulation, keeping the interior cool in summer and warm in winter.

Sod houses were common across Nebraska, Kansas, and the Dakotas from the 1860s through the early twentieth century. Many original soddies survived into the 1930s, and a few carefully preserved examples remain standing today. The novel's description of Ezekiel's construction process draws on first-person accounts collected by the Federal Writers' Project and by historians of Great Plains settlement.

### **Bohemian Immigration**

The Shimerda family's experience parallels documented patterns of Czech (Bohemian) immigration to Nebraska in the 1880s. Nebraska had an active immigration bureau that recruited settlers from Central Europe, and Bohemian communities became established

around Wilber, Crete, and other towns. Willa Cather's *My Ántonia* drew on her childhood observations of Bohemian families near Red Cloud, Nebraska, and the Shimerdas in *The Held Land* are partly descended from Cather's fictional creation.

The suicide of Václav Shimerda follows the plot of Cather's novel, where Mr. Shimerda's death is attributed to homesickness, despair, and the brutal conditions of the first winter. The crossroads burial, in unconsecrated ground, also comes from Cather. I have retained these elements as acknowledgment of the debt.

### **The Farm Crisis of the 1980s**

The foreclosure that ends the Cuzak family's ownership of the land reflects the documented agricultural crisis of the early 1980s. A combination of factors, including the Federal Reserve's interest rate increases to combat inflation, falling commodity prices, and the collapse of farmland values, devastated family farms across the Midwest. Between 1981 and 1986, approximately 235,000 farms were lost to foreclosure or forced sale. The human toll included widespread depression, family dissolution, and a spike in rural suicides.

Hamilton County, Nebraska, where the novel is set, is a real place. The specific legal descriptions, Section 14, Township 9 North, Range 7 West, are fictional but follow actual survey conventions.

### **Prison Agriculture**

The Shimerda Ground Correctional Facility is fictional, but prison farms are real. The practice of using inmate labor for agricultural production dates to the convict leasing system of the post-Civil War South, in which states leased prisoners to private businesses, including plantations, mines, and railroads. Convict leasing was formally abolished by the mid-twentieth century, but prison agriculture continued. Today, several states operate prison farms where inmates grow food for consumption within the correctional system or for sale. Louisiana's Angola Prison, built on a former slave plantation, is the most notorious example.

The demographics of American incarceration inform the novel's argument about historical continuity. Black Americans constitute approximately 13 percent of the U.S. population but approximately 38 percent of the incarcerated population. This disparity has been extensively documented by scholars including Michelle Alexander, Bryan Stevenson, and Elizabeth Hinton. The novel does not argue that modern incarceration is identical to

slavery or to the dispossession of Black homesteaders. It argues that patterns persist, that systems evolve while retaining structural features, and that the specific parcel of land in the novel, worked by an enslaved man's son in 1867 and by incarcerated men in 1993, embodies that continuity.

### **What Is Invented**

The characters are fictional. No Ezekiel Washington filed a homestead claim in Hamilton County, Nebraska. No Shimerda or Cuzak family owned the land described. No Shimerda Ground Correctional Facility exists. The documents embedded in the novel, discharge certificates, land office records, death certificates, prison intake forms, are fabricated, though they follow period-appropriate formats and contain historically plausible details.

The novel's argument, that American land tenure and American incarceration are connected by continuous threads of racial dispossession, is interpretive. Readers may accept or reject that interpretation. The underlying facts, Black homesteaders were systematically dispossessed; Black Americans are disproportionately incarcerated; prison labor has agricultural applications, these are documented. The synthesis is mine.

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## **A Note on Sources**

The following works informed the novel's research. This is a selected bibliography, not a comprehensive one. Readers seeking fuller engagement with the historical and scholarly questions the novel raises will find these texts useful starting points.

### **On the Homestead Act and Black Land Ownership**

Edwards, Richard, Jacob K. Friefeld, and Rebecca S. Wingo. *Homesteading the Plains: Toward a New History*. University of Nebraska Press, 2017.

Franke, Katherine. *Repair: Redeeming the Promise of Abolition*. Haymarket Books, 2019.

Gates, Paul Wallace. *History of Public Land Law Development*. Government Printing Office, 1968.

Lemann, Nicholas. *Redemption: The Last Battle of the Civil War*. Farrar, Straus and Giroux, 2006.

Painter, Nell Irvin. *Exodusters: Black Migration to Kansas After Reconstruction*. W.W. Norton, 1992.

#### **On the United States Colored Troops**

Glatthaar, Joseph T. *Forged in Battle: The Civil War Alliance of Black Soldiers and White Officers*. Louisiana State University Press, 1990.

Trudeau, Noah Andre. *Like Men of War: Black Troops in the Civil War, 1862–1865*. Little, Brown, 1998.

Wilson, Keith P. *Campfires of Freedom: The Camp Life of Black Soldiers During the Civil War*. Kent State University Press, 2002.

#### **On Sod House Construction and Great Plains Settlement**

Dick, Everett. *The Sod-House Frontier, 1854–1890*. University of Nebraska Press, 1979.

Welsch, Roger L. *Sod Walls: The Story of the Nebraska Sod House*. Broken Bow, NE: Purcells, 1968.

#### **On Bohemian Immigration and the Nebraska Prairie**

Cather, Willa. *My Ántonia*. Houghton Mifflin, 1918.

Jerabek, Esther. *Czechs and Slovaks in North America: A Bibliography*. Czechoslovak Society of Arts and Sciences in America, 1976.

Rosicky, Rose. *A History of Czechs (Bohemians) in Nebraska*. Czech Historical Society of Nebraska, 1929.

#### **On the Farm Crisis of the 1980s**

Davidson, Osha Gray. *Broken Heartland: The Rise of America's Rural Ghetto*. University of Iowa Press, 1996.

Dudley, Kathryn Marie. *Debt and Dispossession: Farm Loss in America's Heartland*. University of Chicago Press, 2000.

Strange, Marty. *Family Farming: A New Economic Vision*. University of Nebraska Press, 1988.

#### **On Mass Incarceration and Prison Labor**

Alexander, Michelle. *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*. The New Press, 2010.

Blackmon, Douglas A. *Slavery by Another Name: The Re-Enslavement of Black Americans from the Civil War to World War II*. Anchor Books, 2009.

Hinton, Elizabeth. *From the War on Poverty to the War on Crime: The Making of Mass*

*Incarceration in America*. Harvard University Press, 2016.

Oshinsky, David M. *“Worse Than Slavery”: Parchman Farm and the Ordeal of Jim Crow Justice*. Free Press, 1996.

Stevenson, Bryan. *Just Mercy: A Story of Justice and Redemption*. Spiegel & Grau, 2014.

Thompson, Heather Ann. *Blood in the Water: The Attica Prison Uprising of 1971 and Its Legacy*. Pantheon, 2016.

### Primary Sources and Archives

The novel’s documentary texture draws on formats found in the following collections, though no specific documents were reproduced:

National Archives and Records Administration. Records of the Adjutant General’s Office (Record Group 94), including Compiled Military Service Records of Volunteer Union Soldiers Who Served with the United States Colored Troops.

Nebraska State Historical Society. Land records, county histories, and Federal Writers’ Project interviews.

General Land Office Records, Bureau of Land Management. Homestead case files and tract books.

## Genealogical Charts

### The Shimerda-Cuzak Line

VÁCLAV SHIMERDA (c. 1839-1886)

m.

MARIE SHIMERDA (c. 1845-1905)

|

+-----+-----+

|

|

ANNA

MAREK

(1874-

(1878-1918)

1934)

Never married

|  
m. 1892 ANTON CUZAK (1870-c.1930s)

|  
+---+---+---+---+---+---+

| | | | | | |  
J M A L V P  
O A N U Á A  
S R T C C V  
E I O I L E  
F E N E A L  
          Jr V

1893 1895 1897 1899 1902 1902  
-54                   (twins)

|  
m. CLARA CUZAK

|  
+---+---+---+---+

| | |  
JOSEF MARY ANTON  
Jr. CUZAK III  
HEND-

c.1922 RICKS  
-1997

|  
m. MARGARET CUZAK

|  
[Line ends with foreclosure,  
1983. Josef Jr. donated  
family papers to Hamilton  
County Historical Society  
before his death in 1997.]

Notes: - Václav Shimerda died by suicide December 14, 1886, in the barn he had re-

paired that autumn. - Marie Shimerda held the farm alone for nearly twenty years after Václav's death. - Anna carried the oilcloth scrap, evidence of the prior owner, for forty-nine years. - Marek Shimerda lived in the original soddie until his death in the 1918 influenza epidemic. - Josef Cuzak spent twenty years researching the identity of the man who built the soddie; his notes, found in the probate file, contained the name "E. Washington." - Only the NE Quarter (original 160 acres) remained in Cuzak hands after the 1933 tax sale; the other three quarters were lost. - The line's connection to the land ended with the 1983 foreclosure, ninety-eight years after Václav's purchase.

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## The Cole Line

MARCUS COLE (b. 1970)

m.

DENISE COLE (divorced)

|

Incarcerated 1993-2008

Shimerda Ground Facility

|

DARIUS COLE (b. 1988)

|

m. c. 2010

KEISHA CARTER COLE

|

+--+--+

| |

MARCUS AMARA

Jr. COLE

b.2012 b.2015

| |

Named Eleven at

for his the 2026

grand- dedication

father

**Notes:** - Marcus Cole was twenty-three when incarcerated, thirty-eight when released. - Darius Cole was five years old when his father entered prison, twenty when Marcus was released. - Darius stopped visiting his father at age fourteen; contact was not reestablished until Marcus's release. - The reconciliation between Marcus and Darius began through letters in winter 2008–2009; their first in-person meeting was April 12, 2009. - Marcus Cole Jr. was named for his grandfather, not his father, a gesture of reconciliation across the generations. - Keisha Carter Cole supported Darius through the reconciliation process; her insistence on boundaries (“If he pushes, if he tries to buy forgiveness with promises, we stop”) shaped how father and son rebuilt their relationship. - Marcus Cole placed Ezekiel Washington's name in the soddie wall on September 12, 2008, his last day of incarceration; he returned to the soddie on May 3, 2026, for the dedication ceremony, with three generations of his family present.

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## Reading Group Guide

The following questions are designed to facilitate discussion of *The Held Land* in book clubs, classrooms, and reading groups. They move from specific textual observations toward broader thematic and historical questions.

### On Structure and Form

The novel is divided into three parts spanning 159 years. What is gained by this multi-generational structure? What connections between the three parts might be lost if each were told as a separate story?

The narrative includes numerous embedded documents: discharge certificates, land office records, death certificates, prison intake forms, text messages. How do these documents function differently than the narrative prose? What do they add to the reader's understanding that narration alone could not provide?

Each part of the novel centers on a different character's relationship to the same piece of land. How does the land itself function as a character? In what sense does the land “hold” the things the novel claims it holds?

**On Part One: Ezekiel Washington**

Ezekiel's first act on his claim is to speak his name aloud: "I am Ezekiel Washington. I claim this ground." Why does he do this? What is the relationship between naming and claiming?

The novel states that Ezekiel "was wrong" to think the land "has never been held by papers," noting that "people had held this land for longer than any deed could measure." How does this acknowledgment of Indigenous prior claim complicate the novel's treatment of Ezekiel's homestead?

Ezekiel saves Ole Henriksen during the blizzard despite having every reason to distrust a white stranger. What motivates this act? How does it shape what follows?

The proving-up hearing is decided on perjured testimony that Ezekiel abandoned his claim. Why does the novel present this as a quasi-legal process rather than simple theft or violence? What does the legal form of dispossession accomplish that extralegal violence would not?

**On Part Two: Anna Shimerda Cuzak**

Anna finds the oilcloth scrap on her first day in the soddie and keeps it for nearly fifty years. Why does this object matter to her? What does it represent?

Anna's mother tells her: "We live in what he built. We owe him that much. We stay." Is staying a form of repayment? Can the Shimerdas' success on the land be separated from the dispossession that made it available to them?

Marek Shimerda is described as "neurodivergent" and spends his life in the original soddie, writing words that "didn't connect to anything Anna could see." Yet he is the one who speaks of "the water man" and insists "he never left." What is Marek's function in the novel? What does he perceive that others do not?

The Shimerdas survive the Depression by sacrificing everything except the original 160 acres. Why is preserving this specific parcel so important to Anna? Why not let it go and start over elsewhere?

**On Part Three: Marcus Cole**

Marcus spends fifteen years incarcerated on the same land Ezekiel homesteaded. The novel draws explicit parallels: both men work the fields, both are Black, both are caught in systems that claim legal legitimacy. Are these parallels fair? What are the differences between Ezekiel's situation and Marcus's?

Father Brennan tells Marcus: “You’re part of this story now.” What does it mean to be “part of” a story that began before you were born? What obligations, if any, does such participation create?

Marcus places the index card bearing Ezekiel’s name in the soddie wall on his last day of incarceration. He cannot “fix” what happened to Ezekiel or “give back what they took.” Is this gesture meaningful? What does it accomplish?

The reconciliation between Marcus and Darius happens slowly, through letters and monthly meetings over years. Why does the novel devote so much attention to this process? How does the father-son relationship mirror or contrast with the novel’s larger themes?

#### **On History and Continuity**

The novel argues that patterns of dispossession connect Ezekiel’s experience in 1872 to Marcus’s experience in 1993. Is this argument persuasive? What evidence does the novel provide? What counterarguments might be raised?

The land passes through many hands: Ezekiel, Garrett, the cattle company, the Shimerdas, the Cuzaks, the county, the state. Does ownership matter? Is there a meaningful difference between these various holders?

Josef Cuzak spends twenty years researching Ezekiel Washington’s identity but dies before he can “put his name somewhere the land will keep it.” Why does the novel make Josef’s research incomplete? What is passed on to the next generation, and what is lost?

The novel ends with a dedication ceremony and a bronze marker, but also with the prison continuing to operate: “The ceremony was over. The institution continued.” Is this ending hopeful, tragic, or something else?

#### **On Reading and Response**

The Author’s Note describes the novel as a synthesis of Homer’s *Odyssey*, Cather’s *My Ántonia*, and Tolstoy’s *Resurrection*. If you are familiar with any of these works, what connections do you see? If you are not, does knowing about the sources change how you read the novel?

The novel includes a Historical Note distinguishing documented fact from fictional invention. Does this distinction matter to you as a reader? Would the novel’s impact be different if everything in it were true, or if everything were invented?

What does it mean for land to “hold” something? The novel uses this verb repeatedly:

the land holds bones, roots, labor, names. Is this a metaphor, or is the novel making a literal claim about the relationship between earth and memory?

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## Afterword: On Black Land Loss

In 1910, Black Americans owned approximately 16 million acres of farmland, the peak of Black land ownership in the United States. By 1997, that figure had fallen to fewer than 2.5 million acres, a loss of more than 80 percent in less than a century. The decline was not accidental. It was produced by identifiable policies, documented practices, and specific decisions made by individuals and institutions at every level of American government.

This afterword sketches the history of Black land loss in America, not to explain the novel that precedes it, but to provide context for readers who wish to understand the documented patterns that the novel's fictional characters embody.

### The Promise

The promise began before the Civil War ended. In January 1865, General William Tecumseh Sherman issued Special Field Order No. 15, setting aside a strip of coastal land from Charleston, South Carolina, to Jacksonville, Florida, for settlement by freed people. Each family would receive forty acres; the Army would loan mules. Within months, approximately 40,000 freedpeople had settled on 400,000 acres of this land.

The promise was revoked almost immediately. After Lincoln's assassination, President Andrew Johnson ordered the land returned to its former Confederate owners. The Freedmen's Bureau, established to assist formerly enslaved people in the transition to freedom, was given neither the resources nor the authority to resist. By the end of 1865, most of the Sherman land had been restored to the planters who had owned it before the war.

The Homestead Act of 1862 offered a different path. Any citizen could claim 160 acres of public domain land, improve it for five years, and receive a patent granting fee simple ownership. After the Fourteenth Amendment established birthright citizenship, Black Americans were theoretically eligible. Some succeeded. The community of Nicodemus, Kansas, founded by Black homesteaders in 1877, survives today as a National Historic Site. Dearfield, Colorado, founded in 1910, flourished for two decades before the Depression and the Dust Bowl destroyed it.

But the numbers remained small. The Homestead Act distributed approximately 270 million acres of public land between 1862 and 1934. Black families received fewer than 1 million of those acres. The reasons were structural: discrimination at land offices, lack of access to capital, difficulty traveling to western territories, violence and intimidation, and the simple fact that most Black Americans in the late nineteenth century lived in the South, far from the public domain.

### **The Taking**

For those Black families who did acquire land, whether through homesteading, purchase, or the rare instances of redistribution, the twentieth century brought systematic dispossession.

The mechanisms were various. Partition sales allowed any heir to force the sale of jointly held property, even over the objections of other heirs; speculators exploited this provision to acquire Black-owned land at below-market prices. Tax sales transferred land to county governments when owners fell behind on payments, often by small amounts and often without adequate notice. Eminent domain allowed governments to seize land for public purposes, and the purposes were defined to include highways, reservoirs, and urban renewal projects that disproportionately affected Black communities.

Violence was also a mechanism. Between 1865 and 1965, thousands of Black landowners were driven from their property by white mobs. The “whitecapping” campaigns of the late nineteenth century targeted successful Black farmers for terrorization and expulsion. Entire Black communities were destroyed: Wilmington, North Carolina, in 1898; Atlanta in 1906; East St. Louis in 1917; Tulsa in 1921; Rosewood, Florida, in 1923. The land left behind was rarely returned.

The United States Department of Agriculture, established in 1862 to support American farmers, became an instrument of dispossession. From the 1930s through the 1990s, USDA programs systematically discriminated against Black farmers. Loan applications were denied, delayed, or approved at lower amounts than comparable applications from white farmers. Technical assistance was withheld. Complaints were ignored. A 1997 investigation found that the USDA had operated a “system of discrimination” against Black farmers for decades, resulting in the loss of hundreds of thousands of acres.

The *Pigford v. Glickman* lawsuit, filed in 1997, documented this discrimination. The settlement, reached in 1999, provided compensation to approximately 16,000 Black farm-

ers, later expanded to include additional claimants. But compensation could not restore what had been lost. By the time of the settlement, Black farm ownership had declined to less than 1 percent of all U.S. farms, down from 14 percent in 1920.

### **The Pattern**

The novelist's task is not to explain history but to embody it. Ezekiel Washington is a fictional character, but his dispossession follows a documented pattern: the legal mechanisms of land transfer weaponized against Black owners, the formal procedures that provided cover for theft, the erasure of names and claims from the official record. Anna Shimerda is a fictional character, but her family's presence on Ezekiel's former land reflects a documented pattern: the immigrant success story built on ground cleared by prior dispossession, the inheritance of stolen property laundered through the generations until its origins become invisible.

Marcus Cole is a fictional character, but his incarceration reflects documented patterns that scholars have traced in detail. Michelle Alexander's *The New Jim Crow* argues that mass incarceration functions as a system of racialized social control continuous with slavery and Jim Crow segregation. Douglas Blackmon's *Slavery by Another Name* documents how convict leasing re-enslaved Black Southerners for decades after emancipation. The prison farm where Marcus works is fictional, but Louisiana's Angola Prison is real: 18,000 acres of former slave plantation, worked by a prison population that is approximately 75 percent Black, producing agricultural goods for sale and for consumption within the state correctional system.

The land holds everything, the novel argues. It holds the bones and the roots and the labor. It holds the names that were erased and the names that were never recorded. It holds the patterns that repeat across generations, the legal forms that change their names while retaining their functions, the theft that calls itself transfer and the dispossession that calls itself due process.

### **The Present**

Black land loss continues. Between 2012 and 2017, the number of Black farm operators in the United States declined by 12 percent. The COVID-19 pandemic and associated economic disruptions accelerated foreclosures and forced sales. Heirs' property, land passed down through generations without clear title, remains vulnerable to partition sales and tax seizures. The mechanisms documented in the twentieth century remain operational

in the twenty-first.

Efforts at repair have been modest. The Emergency Relief for Farmers of Color Act, included in the American Rescue Plan of 2021, allocated \$4 billion for debt relief and other assistance to Black and other minority farmers. The provision was immediately challenged in court by white farmers alleging discrimination; an injunction blocked its implementation. Subsequent legislation removed the race-based criteria, substituting “economically distressed” farmers as the target population.

The Freedmen’s Bureau records, digitized and made available online by the National Archives and the Smithsonian, allow descendants to trace family histories that were deliberately obscured. Land loss documentation projects at universities and nonprofit organizations are compiling records of dispossession, identifying the specific parcels taken and the mechanisms used. Reparations proposals at the federal, state, and local levels have included land restoration and land access as components. The Movement for Black Lives, in its 2016 policy platform, called for “public and private land trusts for Black and Indigenous communities.”

Whether any of this will result in meaningful restoration remains to be seen. The land that was taken has been developed, subdivided, transferred, built upon, paved over. The people who were dispossessed are dead; their descendants are scattered. The historical record is incomplete, deliberately so; those who took the land had every incentive to obscure the taking.

What remains is the pattern, and the recognition of the pattern, and the refusal to let the pattern continue without witness. Ezekiel Washington’s name is fictional, but the names of real Black landowners who were dispossessed are documented in county records, land office files, and family memories across the American South and Midwest. Their stories deserve to be recovered, recorded, and remembered.

The land holds everything. Including what we choose to put back.

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*David Boles New York City 2026*

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## About the Author

David Boles writes fiction, drama, and nonfiction from New York City, where he has lived and worked for decades. He holds an MFA from Columbia University and teaches dramatic writing. His Fractional Fiction series, of which *The Held Land* is a part, synthesizes classic literature with contemporary research to tell new stories about enduring questions.

His other books include *The Dying Grove*, *The Inheritance*, *The Kinship of Strangers*, and *Passage Land*. He hosts the Human Meme podcast and publishes Prairie Voice, which examines rural American life. He is a member of the Dramatists Guild, the Authors Guild, and PEN America.

He shares his apartment with Percy and Lotty, two British Shorthairs who have opinions about everything.

Visit him at [BolesBooks.com](http://BolesBooks.com).

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## Also by David Boles

**Fractional Fiction Series** *The Dying Grove* *The Inheritance* *The Kinship of Strangers* *The Held Land*

**Novels** *Passage Land* *The Last Living American White Male*

**Drama** *The Wound Remains Faithful: A Tragedy of Nora*

**Nonfiction** *Arm Angles in American Sign Language* (with Janna Sweenie)

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