

chapter one

DEAD MAN STANDING

It was one of those sweltering summer afternoons in the Smoky Mountains that are unknown to outsiders and a distinct surprise to first-time visitors—humid, sticky, and unyielding. The heavy air lay over us as though it didn't want us to even move.

"You didn't tell me, Walt," my bride of nine years complained. We were heading toward our tenth wedding anniversary that fall, and I had already begun scheming, behind her back, with the help of our friend Sally Jenkins, to give Barb a bedroom makeover and a special trip out of town.

"About what?" I asked, trying to feign innocence but suspecting she had somehow found out about my shenanigans. One thing that was almost impossible in Bryson City, North Carolina, was having a secret remain a secret. Somehow news wafted through our town as easily as mountain breezes.

"About this heat!" Barb exclaimed. "If I had known it was going to be this hot in the mountains, I might have just stayed in Durham and let you come up here by yourself!"

Barb turned to smile at me—one of those "you know I'm kidding" smiles I loved. She turned back to face the mountains. "At least I would have asked the hospital to put an air conditioner in the house!"

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We were sitting on the park bench we had placed in our backyard when we moved to Bryson City, North Carolina, over a year ago. It looked out over an exquisite view across Swain County Recreational Park, then up and into Deep Creek Valley, and finally over nearly endless ridges all the way to the most distant mountain ridges—deep in Great Smoky Mountains National Park—that separated North Carolina from Tennessee.

“Maybe I could call down to the Bryson City icehouse and have them send over a block or two for us to sit on.”

“You mean that old building down by Shuler’s Produce next to the river? It doesn’t look like it’s been open for years. How about you go get us a glass of ice water?”

I nodded and ran into the house to get a glass for each of us—being quiet so as not to wake up our napping children—and then tiptoed to the back screen door and out to Barb.

The view was mesmerizing, and we had now seen it through each of the four seasons—my first year as a practicing family physician—since finishing my family medicine residency at Duke University Medical Center.

“I didn’t know it would be this hot,” I commented. “But then there were so many things we didn’t know about this place until after we settled here, eh?”

Barb threw back her head and laughed. My, how I loved her laughter!

“True enough!”

We both fell silent, reflecting on the beginning of our medical practice here. I had left residency so full of myself. Indeed, I had been very well trained—at least for the technical aspects of practicing medicine. But when it came to small-town politics and jealousies, the art of medicine, the heartbreak of making mistakes and misdiagnoses—all piled on the difficulty of raising a young daughter with cerebral palsy, dealing with one very strong-willed, colicky little boy, and transitioning a big-city girl into a rural doctor’s wife—well, the task was not only full of unexpected events, it was downright daunting.

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Barb turned her ear toward our house for a moment. I could tell she was listening for the children. Kate and Scott were napping, so we had the windows open—both to capture any passing breeze that might happen along and to hear the children if they were to awaken.

My thoughts turned to our small hospital—a sixty-mile drive west from the nearest medical center, which was in Asheville. In the early 1980s, Swain County was still a slow, small, sheltered mountain hamlet. Most of the folks were natives, as were their parents and their parents' parents. Most all of the physicians, and the nurses for that matter, were in at least their third to fourth decade of practice. They had their way of doing things and didn't "hanker to outsiders"—whom they called "flatlanders" if they liked you, or "lowlanders" if they did not. They especially resisted any "newfangled" ways. "Be careful if you say anything negative about anyone, son," Dr. Bill Mitchell, or Mitch as everyone called him, warned me. "It'll get back to them—and me—lickety-split."

Rick Pyeritz, M.D., my medical partner and also a classmate in our family medicine residency at Duke University Medical Center, was on call this day for our practice and for the emergency room. In Bryson City, the on-call doctor was on call for hospital inpatients, the emergency room, the jail inmates of the Swain County Sheriff's Department and Bryson City Police Department, the National Park Service, the coroner's office, the local tourist resorts and attractions, and the area rest home and nursing home. The fact that one of us would cover all the venues in which medical emergencies might occur made it very nice for the other six physicians not on call that particular day.

"When the kids get up, how about we all take a stroll up Deep Creek?" Barb asked.

"Sounds like a great idea!" Deep Creek was the southern wilderness entrance to the Great Smoky Mountains National Park. The creek was wide, tumbling, and ice-cold—a great place to go tubing or to just hike in the solitude of the park.

We looked across the valley. I looked at Barb as a small breeze caught her hair and blew it across her forehead. She swung her

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head to flip it out of the way. “But until the kids get up,” I inquired, “maybe their parents need a nap?”

“Just what do you mean by *nap*?” Barb wondered out loud, tossing a suspicious look my way.

It was my turn to smile and silently look up at the ancient creek and across the ageless mountains.

Suddenly we were startled by a loud sound. We turned to see a car screeching around the hospital and heading down Hospital Hill toward town at a rapid rate of speed.

“Wasn’t that Rick?” asked Barb.

“It was! Wonder where he’s going?”

In a small town it doesn’t take long to find out almost anything.

Even though on call that Saturday afternoon, Rick had found some time to lie down on his couch for a nap. Living in houses owned and provided by the hospital, we were just across the street from the hospital. We had been friends since our internship year at Duke. Our varied backgrounds, interests, and character traits—he a New Englander and I a Southerner; he a single man and I a married one; he a backpacker, naturalist, ornithologist, jogger and I a sedentary family man; he an introvert and I an extrovert—drew us together like opposite ends of the magnet. However, we shared a love of family medicine and a desire to serve the families that honored us by choosing us to be their family physicians—and we were both equally attracted to this rugged wilderness area.

During our days in training at Duke, Rick and I became best friends—while Barb became Rick’s surrogate sister, confidante, and friend. The three of us did many things together, and during the third year of residency, we decided to go into practice together. I arrived in Bryson City a few months before Rick, and during those months, I’d been learning the ropes of private practice, settling into this mountain community and gaining, ever so slowly, a sense of confidence in my own style of practice. And with Rick’s arrival I

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now had a colleague with whom I shared roots and history, mutual respect, comparable training, and medical perspective—as well as a similar outlook concerning the value of spirituality and faith.

Sometime in midslumber, the shrill ring of the phone snatched Rick from his sleep.

“Dr. Pyeritz,” barked the official-sounding voice, “this here’s Deputy Rogers of the Swain County Sheriff’s Department. We’re at the site of a terrible accident and need the coroner up here. Louise Thomas in the emergency room notified me that you’re the coroner on call. Is that correct, sir?”

“That’s right,” Rick replied, in his most official, trying-not-to-sound-just-awakened, coroner-type voice.

“Then, sir, we need you at the scene as soon as possible.”

“Where’s that?”

“Where’s what?”

“The scene—you know—where’s where you’re at?”

“Not sure I can tell you, sir.”

Rick paused for a second as he tried not to laugh. Smiling, he continued. “Well, Deputy, if you can’t tell me where you’re at, how am I supposed to get there?”

“Well, sir, that’s what I’m tryin’ to tell you. I mean, I’m not sure I can explain it. We’re up in the national forest—up on Frye Mountain. It’s not far from town, but it’s not easy to get here. Well, at least it’s not easy to tell someone how to get here. Especially if they’re not from here—uh—sir.”

Rick was beginning to get irritated. “Well, Deputy, you tell me. Just what *am* I supposed to do?”

There was silence for a moment. “I reckon I have an idea, Doctor. How ’bout you drive to the station and catch a ride up here with the sheriff. He’s a comin’ up here. And he’s from here. So he’ll know how to get here.”

“Okay, Deputy. I can do that. When do I need to be there?”

“Where? Here?”

Rick laughed. “No, not there! When do I need to be at the sheriff’s office?”

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“Oh! Well, Doc, you best git on down to the station purty quickly. The sheriff’s gittin’ ready to leave ’bout now.”

“Sounds good. Let me phone Louise and let her know, and then I’ll be right there. Okay?”

“Here?”

“No, Deputy! The sheriff’s office. I’ll call Louise, and you radio to the sheriff that I’m coming to his office. Okay?”

There was silence on the other end for a moment. Then this warning: “Doc, it’s purty gruesome up here. Best be prepared.” Then the deputy hung up.

Rick was glad he had ridden with the sheriff.

Indeed, the site of the death was not far from town as the crow might fly. But the accident scene was far up the rugged side of Frye Mountain and required the sheriff to navigate a number of small, winding, steep lumber roads and execute several frighteningly tight hairpin turns.

During the trip up the mountain, the sheriff was, as usual, quiet and nontalkative. He was concentrating on driving and on smoking a cigarette. Rick didn’t bother him.

Finally they pulled up behind another patrol car—which was parked behind an old logging truck. Beyond the truck, Rick could see the crime scene tape, about four feet off the ground and strung from tree to tree, surrounding the logging truck and then going up a small ridge.

Rick and the sheriff got out of the car and walked past the other vehicles. As he crushed out his cigarette, the sheriff lifted up the tape to let Rick walk underneath.

The deputy came walking down the hill toward them.

“You won’t believe this one, Sheriff. Never seen nothin’ like this, I’ll tell ya!”

“What happened?” asked the sheriff.

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“You just come look. You gotta see this.” Deputy Rogers turned and began hiking up the hill. The sheriff and Rick followed.

They crossed a small ridge. When Rick saw the scene below him, it stopped him in his tracks. *What is this?* he thought. His eye squinted as he stared—almost gawking—at one of the strangest sights he had ever seen.

His first impression was that he was seeing a scarecrow. What appeared to be a human body, standing straight up, was dressed in old overalls and a denim shirt—the standard dress of the lumberman in the western North Carolina mountains. *But*, Rick wondered to himself, *where are his lower legs?* The man looked to be standing on his knees—with both arms hanging down at his sides, his gloved hands nearly touching the ground.

“What in tarnation?” muttered the sheriff, who had stopped beside Rick.

“I told you!” the deputy exclaimed. “I done told you! I ain’t never seen nothin’ like this here. Never!”

Rick and the sheriff began to walk forward toward the body. It was standing straight up—leaning against a large poplar tree, but with no other support whatsoever. In front of the body was the trunk of a recently felled tree. Rick stepped across the log, continuing to stare. *This can’t be a body!* Rick thought. *It’s got to be a fake!*

As he slowly walked around it, Rick noticed that the man’s hard hat was nearly crushed flat—almost like a beret—and was resting on his shoulders. But there was no head! Rick bent down to look more closely. He could not see a head, and the shirt was terribly bloodstained front and back.

“Who is this?” asked the sheriff.

“Clyde Frizzell. Has his home over in Graham County—not far from Robbinsville. Been lumberin’ in the national forests out here his whole life.”

“What happened?” asked Rick.

“His partner is Bobby Burrell. Bobby done said he was usin’ his chain saw to cut down this big ole poplar tree.” Rogers pointed

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to the tree that lay about three or four feet in front of the body—not far from its freshly cut stump.

The deputy continued. “When that cut tree began to fall, Bobby done yelled, ‘Timber!’ just like he always did. Clyde was standin’ right here leanin’ against this tree. He shoulda been safe here, but he just couldn’t see that the tree Bobby was fellin’ was connected to this one just behind him by one big ole vine.”

The deputy pointed out the vine and continued. “When that vine pulled tight, it snapped off the top of the tree Clyde were leanin’ against, and that trunk crashed down and fell right smack-dab down on top of Clyde’s head. It just bonked him on the head and drove him straight into the ground, just like you see him. He done never seen it comin’!”

“Where’s Bobby?” Rick asked.

“I sent him on to the hospital. He was purty tore up. Figure he needs a serious sedative. The men had been lumbering together the best part of four decades.”

Rick set his black bag on the ground and opened it. He reached in and removed a set of latex gloves. Then he stood and began to walk slowly around the body as he pulled on the gloves. When he came back to the front of the body, he first reached for the man’s arm. It was still supple and moved easily. *He hasn’t been dead that long*, Rick thought. He felt for the radial pulse he didn’t expect to feel. There was none.

Then he slowly reached out toward the hard hat. It was driven into the tissues of the shoulder, and it took a bit of wiggling and pulling to remove it. When it slipped up, Rick gasped and fell back. He couldn’t believe his eyes, and an overwhelming sense of nausea overcame him.