BRANDED

Francis Lynde

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[Frontispiece: The resemblance . . .

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BRANDED

BY

FRANCIS LYNDE

AUTHOR OF
THE TAMING OF RED BUTTE
WESTERN,
THE CITY OF NUMBERED DAYS,
ETC.

FRONTISPIECE BY
ARTHUR E. BECHER

GROSSET & DUNLAP

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To the one who, more clearly than
any other, can best understand and
appreciate the motive for its writing,
this book is affectionately inscribed by

THE AUTHOR

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BRANDED

I

The Heating of the Iron

It was not until the evening when old John Runnels, who had been the town marshal in my school days, and was now chief of police under the new city charter, came into the dingy little private banking room to arrest me that I began to realize, though only in a sort of dumb and dazed fashion, how much my promise to Agatha Geddis might be going to cost me.

But even if the full meaning of the promise had been grasped at the time when my word was given, it is an open question if the earlier recognition of the possible consequences would have made any difference. Before we go any

farther, let it be clearly understood that there was no sentiment involved; at least, no sentimental sentiment. Years before, I, like most of the other town boys of my age, had taken my turn as Agatha's fetcher and carrier; but that was only a passing spasm—a gust of the calf-love which stirs up momentary whirlwinds in youthful hearts. The real reason for the promise-making lay deeper. Abel Geddis had been crabbedly kind to me, helping me through my final year in the High School after my father died, and taking me into his private bank the week after I was graduated. And Agatha was Abel Geddis's daughter.

Over and above the daughterhood, she was by far the prettiest girl in Glendale, with a beauty of the luscious type; eyes that could toll a man over the edge of a bluff and lips that had a trick of quivering like a hurt baby's when she was begging for something she was afraid she wasn't going to get. All through the school years she had been one of my classmates, and a majority of the town boys were foolish about her, partly because she had a way of twisting them around her fingers; partly, perhaps, because her father was the rich man of the community and the president of the Farmers' Bank.

She had sent for me to come up to the big house on the hill the night before this other night of old John Runnels's call. I went, taking it as a matter of course that she wished to talk to me about the trouble at the bank, and saying to myself that I was going to be iron and steel and adamant; this when I might have known that I should be only putty in her hands. She met me on the porch, and made me sit with my back to the window, which was open, while she faced me, sitting in the hammock where the house lights fell fairly upon her and I could get the full benefit of the honeying eyes and baby lips as she talked.

She had begun by saying in catchy little murmurings that I knew better than any one else what it was going to mean to her—to all of them—if her father's crookedness (she called it his "mistake") in using the depositors' money for his own speculations should be published abroad; and I did. She was engaged to

young Wheeland, son of the copper magnate Wheeland, of New York, and the wedding date was set. Black ruin was staring them all in the face, she said, and I could save them, if I only would. What would be shouted from the housetops as a penitentiary offense in the president of the bank would be condoned as a mere error in judgment on the part of a hired bookkeeper.

If I would only consent to let the directors think that I was the one who had passed upon and accepted the mining-stock collateral—which had taken the place in the bank's vault of the good, hard money of the depositors—well, I could see how easily the dreadful crisis would be tided over; and besides earning the undying gratitude of the family, her father would stand by me and I would lose nothing in the end.

For one little minute she almost made me believe what she didn't believe herself—that the crime wasn't a crime. Her father, "our eminent and public-spirited fellow-citizen, the Hon. Abel Geddis," to quote the editor of the Glendale *Daily Courier*, was desperately involved. For months he had been throwing good money after bad in a Western gold mine; not only his own money, but the bank's as well. At the long last the half-dozen sleepy directors, three of them retired farmers and the other three local merchants, had awakened to the fact that there was something wrong. They didn't know fully, as yet, just what they were in for; Geddis's part of the bookkeeping was in a horrible muddle owing to his efforts to hide the defalcation. But they knew enough to be certain that somebody had been skating upon thin ice and had broken through.

"You can't help seeing just how it is, Herbert," Agatha had pleaded, with the soulful look in her pretty eyes and the baby lips all in a tremble. "If the faintest breath of this gets out, VanBruce Wheeland will have to know, and then everything will come to an end and I shall want to go and drown myself in the river. You are young and strong and brave, and you can live down a—an error of judgment"—she kept on calling it that, as if the words had been put into her

mouth; as they probably had. "Promise me, Herbert, won't you?—for—for the sake of the old times when you used to carry my books to school, and I—I ——"

What was the use? Every man is privileged to be a fool once in a while, and a young man sometimes twice in a while. I promised her that I would shoulder the load, or at least find some way out for her father; and when she asked me how it could be done, I was besotted enough to explain how the mining-stock business had really passed through my hands—as it had in a purely routine way—and telling her in so many words that everything would be all right for her father when the investigating committee should come to overhaul the books and the securities.

When I got up to go, she went to the front steps with me, and at the last yearning minute a warm tear had splashed on the back of my hand. At that I kissed her and told her not to worry another minute. And this brings me back to that other evening just twenty-four hours later; I in the bank, with the accusing account books spread out under the electric light on the high desk, and old John Runnels, looking never a whit less the good-natured, easy-going town marshal in his brass-buttoned uniform and gilt-banded cap, stumbling over the threshold as he let himself in at the side door which had been left on the latch.

I had started, half-guiltily, I suppose, when the door opened; and Runnels, who had known me and my people ever since my father had moved in from the farm to give us children the advantage of the town school, shook his grizzled head sorrowfully.

"I'd ruther take a lickin' than to say it, but I reckon you'll have to come along with me, Bertie," he began soberly, laying a big-knuckled hand on my shoulder. "It all came out in the meetin' to-day, and the d'rectors 're sayin' that you hadn't ort to be allowed to run loose any longer."

The high desk stool was where I could grab at it, and it saved me from

tumbling over backward.

"Go with you?" I gasped. "You mean to—to *jail*?"

Runnels nodded. "Jest for to-night. I reckon you'll be bailed, come mornin'—if that blamed security comp'ny that's on your bond don't kick up too big a fight about it."

"Hold on—wait a minute," I begged. "There is nothing criminal against me, Uncle John. Mr. Geddis will tell you that. I——"

The big hand slipped from my shoulder and became a cautionary signal to flag me down.

"You mustn't tell me nothin' about it, Bertie; I don't want to have to take the stand and testify against your father's boy. Besides, it ain't no kind o' use. You done it yourself when you was up at Abel Geddis's house las' night. Two of the d'rectors, Tom Fitch and old man Withers, was settin' behind the window curtains in the front room whilst you was talkin' to Miss Agathy on the porch. You know, better'n I do, what they heard you say."

For a second the familiar interior of the bank went black for me. I was young in those days; much too young to know that human nature in the lump is neither all saint nor all devil; that a man may be a second father to you for years, and then turn and hold your head under water until you drown when he is fighting for himself. It had been a trap, deliberately set and baited with Agatha. I remembered now that she had not spoken loud enough to be overheard; while I, with my back to the open window, had talked in ordinary tones. Fitch and Withers had heard me say that the investigating committee would find nothing against Abel Geddis, and they had naturally taken it as a confession of my own guilt.

I remember that I went quite methodically about putting things away while

Runnels waited, though every move was dumbly mechanical. Something seemed to have died inside of me, and I suppose the psychologists would say that it was the subconscious Bert Weyburn who put the books in the vault, locked the iron door, set the high desk in order, and turned off all the lights save the one we always left turned on in front of the vault.

Afterward, when we were in the street together, and Runnels was walking me around the square to the police station, the dead thing inside of me came alive. It had gone to sleep a pretty decent young fellow, with a soft spot in his heart for his fellow men, and a boy's belief in the ultimate goodness of all women. It awoke a raging devil. It was all I could do to keep from throttling unsuspecting John Runnels as we tramped along side by side. I could have done it. I had inherited my father's well-knit frame and serviceable muscles, and all through my office experience I had kept myself fit with long walks and a few bits of home-made gymnastic apparatus in my room at Mrs. Thompson's. And the new-born devil was ready with the suggestion.

I have been glad many times since that old John never knew; glad that the frenzied curses that came boiling up out of that inner hell were wordless. I contrived to hold in while Runnels was hurrying me through the station office and past the sleepy sergeant at the desk. But when the cell door had opened and closed for me, and old John's heavy footsteps were no longer echoing in the iron-floored corridor, the newly hatched devil broke loose and I made a pretty bad night of it.

II

The Searing Touch

Out of the first twenty-four hours, when my little raft of respectability and good report was going to pieces under me, I have brought one heart-mellowing recollection. In the morning it was old John Runnels himself who brought me my cell breakfast, and he did it to spare me the shame of being served by the police-station turnkey. Past that, he sat on the edge of the iron cot and talked to me while I tried to eat.

"They was aimin' to telegraph the sheriff and have you railroaded slap up to the county seat las' night, but I told 'em nary," he confided. "I wasn't allowin' to have 'em jerk you out of your home town before you'd had a chance to pick a lawyer and talk to your friends; no sir-ee, I wasn't."

"I guess I haven't any friends any more," I was still bitter enough to say. And then: "Tell me, if you can, Uncle John, just what the charge against me is."

"I reckon you know a heap better'n I do, Bertie," was his sober rejoinder, "but I can tell you what I heard. They say you've been takin' the bank's money to put into a gold mine somewheres out yonder in the Rocky Mountains."

"Who swore out the warrant for my arrest?"

"Ab Withers."

Abner Withers, town miser, note-shaver and skinflint, was the one man on the board of directors of the bank whom I had always most cordially detested. Back in my childhood, before my father had got upon his feet, Withers had planned to foreclose a mortgage on the home farm, making the hampering of my father so that he could not pay the debt a part of the plan. More than once I had half suspected that he was in with Geddis on the mining deal, but I had no proof of this.

"You say they were getting ready to railroad me out of town last night: I suppose they will do it to-day, won't they?"

"Not if I can help it, Bertie. I'm goin' to try to hold you here till you've had time to kind of straighten yourself around and ketch up with the procession. I don't know what in Sam Hill you wanted to go and bu'st yourself up for, this way, but I'm owin' it to Amos Weyburn dead to help his boy get some sort of a fair show for his white alley. You ask me anything in reason, and I'll do it."

I considered the most necessary requirements hastily. My mother and sister were absent on a visit to a distant relative in the far-away Saskatchewan wheat country, and I thanked God for that. It was altogether unlikely that they would see any of the home newspapers, for some time, at least, and any anxiety on that score might be dismissed, or at all events postponed. The most pressing need was for a lawyer, and since lawyers do not serve without fees, I was glad to remember that my savings, which were still reposing in Abel Geddis's bank vault, would enable me to pay as I went.

By this time, in bitter revulsion from gratitude to fierce enmity, I was determined to defend myself tooth and nail. At one stroke Abel Geddis had cancelled all my obligations to him. At the very moment when I was promising his daughter to help cover up his criminality, he had been deliberately plotting to make me his scapegoat.

"I need a lawyer, of course," I told Runnels; and then I made the first and worst of a long series of wretched mistakes. "Send word to Cy Whitredge and tell him I'd like to see him."

If anybody had asked me five minutes after Runnels went away why I had chosen Cyrus Whitredge to be my counsel I doubt if I could have offered any justifiable reason. Whitredge was known throughout our end of the State as a criminal lawyer, shrewd, unscrupulous, and with a reputation built up entirely

upon his singular success in defeating the ends of justice. Before a jury of farmers and small merchants, such as I was likely to have, I had prejudiced my case at the very outset.

I was completely and thoroughly convinced of this a little later when Whitredge came to see me. He was a lean man, leather-faced, and with an eye like that of a fish. To my consternation and keen disheartenment he assumed my guilt from the moment the cell door was locked upon him and he had seated himself upon the iron-framed cot to nurse a knee in the locked fingers of his bony hands.

"You've got the wrong idea of things, altogether, Weyburn," he criticised, after I had tried to tell him that I was being made to hold the bag for some one else; and his use of the bare surname, when he had known me from boyhood, cut me like a knife. "You can't expect me to do anything for you unless you are entirely frank with me. As your counsel, I've got to know the facts; and you gain absolutely nothing by insisting to me that you are not guilty."

There was more of it; a good bit more in which I stubbornly asserted my innocence while Whitredge used every trick and wile known to his craft to entrap me into admitting that I was guilty, in the act if not in the intention.

"You can't deny—you don't deny—that you knew these mining sharps, Hempstead and Lesherton, pretty intimately, that you saw them frequently and talked with them in the way of business, and that you knew all about the capitalization scheme they were trying to put over," was Whitredge's summing up of the situation. "You'll have to loosen up, Weyburn, if you expect to get any help. I'll come around again this afternoon, and maybe by that time you will have taken a tumble to yourself."

He got up, rattled the door for the turnkey, and then wheeled upon me with a sharp question.

"I take it you've got a little ready money hid away somewhere, haven't you?" he demanded.

I told him I had; but when I added that my savings were all in the bank he swore impatiently.

"That will mean an order from the court before you can even pay your counsel's retainer—always providing your account hasn't already been attached to apply on the shortage," he snapped; and at that the corridor officer came to let him out and he went away.

Having lived in Glendale practically all my life, I had a good right to expect that at least a few of my friends would rally to my support in the time of trouble. They came, possibly a half-dozen of them in all, between Whitredge's visit and old John Runnels's bringing of my dinner at one o'clock.

Who they were, and what they said to me, are matters which shall be burled in the deepest pit of oblivion I can find or dig. For the best of them, in the turning of a single leaf in the lifebook, I had apparently become an outcast, a pariah. One and all, they had already tried and condemned me unheard, and though there were clammy-handed offers of assistance they were purely perfunctory, as I could see, and there was never a man of them all to say heartily, "Bert Weyburn, I don't believe it of you." It wasn't the fault of any of these cold comfort bringers that the milk of human kindness didn't turn to vinegar in me that day, or that I did not drink the cup of bitterness and isolation to the very dregs.

I know now, of course, that I was boyishly hot-hearted and unfair; that I was too young and inexperienced to make allowances for that deathless trait in human nature—in all animate nature—which prompts the well to recoil instinctively from the pest-stricken. Later on—but I needn't anticipate.

It was along in the latter part of the afternoon, and before Whitredge's

return, that Agatha came. Her appearance in my cell was a total surprise. I was standing at the little grated window when I heard footsteps in the corridor. I thought it was Whitredge coming back, and was morose enough not to turn or look around until after the door had opened and clanged shut again. Then I wheeled to find myself looking straight into the man-melting eyes.

"Oh, Herbert!" she gasped; and with that she dropped upon the cot and put her face in her hands.

If only the women wouldn't weep at us how vastly different this world would be! All day long I had been praying that I might some time have the chance to hold a mirror up to Agatha Geddis; a mirror that would reflect her soul and show her what a mean and shriveled thing it was. But what I did was to sit beside her and put my arm around her and try to comfort her as I might have comforted my sister.

When her sobbing fit had subsided and she began to talk I found out what she had come for—or I thought I did. It was all a miserable mistake—so she protested—and Abner Withers was the responsible one. It was he who had insisted that I should be arrested and prosecuted; and, thus far, her father had not been able to make him listen to reason. But it would come out all right in the end, if I would only be patient and wait. Mr. Whitredge had been up to the house to see her father, and they had had a long talk. Among other things, she had heard her father say that he would bear all the expenses, meaning—I supposed—that he would see to it that Whitredge did not lose his fee.

I have more than once had professional mesmerists try to hypnotize me, without success. But there is little doubt that Agatha Geddis turned the trick for me that afternoon in the steel cell of the Glendale police station. As she talked, my heart grew putty-soft again. As before, she dwelt upon the terrible consequences, the awful disgrace, the wreck of her happiness, and all that; and once more I promised her that I would stand by her. Even after she had gone I

told myself that since the worst had already happened, it would be cowardly and unmanly to turn back.

Later, when the reaction came, it is more than likely that I swung back to the other extreme, writing Agatha Geddis down in the book of bitter remembrances as a cold-blooded, plotting fiend in woman's form. She was not that. It may be said that, at this earlier period, she was merely a loosely bound fagot of evil potentialities. Doubtless the threatened cataclysm appeared sufficiently terrifying to her, and she was willing to use any means that might offer to avert it. But it may be conceded, in bare justice, that in this stage of her development she was nothing worse than a self-centered young egoist, immature, and struggling, quite without malice, to make things come her way.

It was quite late in the afternoon when Whitredge made his second visit to my cell, and this time his attitude was entirely different. Also, he dropped the curt use of my surname.

"We're going to ignore the question of your culpability for the present, Bert, and wrestle with the plain facts of the case," was the way he began on me. "From what you said this morning, I was led to infer that you had some notion of trying to shift the responsibility to Mr. Geddis. I won't say that something couldn't be done along that line; not to do you any good, you understand, but to do other folks a lot of harm. You could probably roil the water and stir up the mud pretty badly for all concerned. But in the outcome, and before a jury, you'd be likely to get the hot end of it. I'll be frank with you. If I were in your shoes, I'd rather have Geddis for me than against me. He has money and influence, and you are a young man without either."

"You are trying to advise me to plead guilty?" I asked.

"Oh, of course, the formal plea in court would be 'Not guilty.' I'm merely advising you not to make the fight vindictive. If you don't, I'm inclined to believe that Geddis will stand by you and you'll get off easy."

It was on the tip of my tongue to say that I would fight to the last gasp before I would suffer myself to be tried and condemned for a crime of which I was innocent. Then the distorted sense of honor got in its work again. Agatha Geddis's visit was still recent enough to make me believe that I owed her something.

"You'll have to get me out of it in some way," I returned. "I can't afford to be convicted."

"Abel Geddis has been a pretty good friend of yours in the past, Bert," the lawyer suggested. "You don't want to forget that."

"I'm not forgetting it, and I'm giving him all the credit that is due him. But you can't blame me for thinking a little of my mother and sister, and myself. You know what a prison sentence means to a man, better than I do. I couldn't stand for that."

Whitredge stroked his long chin and looked past me out of the little grated window.

"We'd hope for the best, of course," he returned. "If we can make it appear as an error in judgment"—there was that cursed phrase again—"without any real criminal intention, and if we can prove that you didn't reap any monetary benefit from the transfer of the mining stock, there is good reason to hope that the court may be lenient. Do I understand that you are giving me a free hand in the case, Bert?"

"I don't see that there is anything else for me to do," I said, half-doubtfully; and as he was going I asked him about the question of bail.

"I have waived the preliminary examination for you—merely to save you the humiliation of appearing in a justice's court in Glendale," was the evasive reply.

"But without the examination I shan't have a chance to offer bail, shall I?"

Whitredge shook his head. "The guaranty company that is on your bond beat us to it, I'm sorry to say. They sent their attorney over from Cincinnati last night, and he is here now, prepared to refuse the company's consent in the matter of ball. That is another reason why, acting for you, I have waived the preliminary. Without the guaranty company's assent to the arrangement it would be useless for us to offer sureties, though Geddis and two or three others have expressed their willingness to sign for you."

"Then what am I to expect?"

"Nothing worse than a little delay. Court is in session, and you will be taken to Jefferson. If the grand jury finds a true bill against you, the cause will probably be tried at the present term of court. There need be nothing humiliating or embarrassing for you here in Glendale. Sam Jorkins will take you over to Jefferson on the midnight train, and you needn't see any of the home-town folks unless you want to."

Remembering the clammy handshakings of the forenoon, I thought I should never again want to see anybody that I knew. And thus I made the second of the miserable blunders which led to all that followed.

"Let it be that way," I said. "If Jorkins will go with me up to Mrs. Thompson's so that I can get a few things and pack a grip——"

"Oh, of course," said Whitredge, readily enough. "I'll have a carriage to take you to the train, and it can drive around by your boarding-house. But you mustn't try to run away. I suppose you wouldn't do anything like that, would you?—even if you had a good chance?"

I turned upon him as quick as a flash.

"Do you mean that you're trying to give me a hint that I'd better run away?" I demanded.

He took a step toward the cell door and I had a fleeting impression that he was listening to determine whether or not there was any one in the corridor. When he faced me again he was frowning reprovingly.

"I am a member of the bar in good standing," he reminded me stiffly. "If you knew the first letter of the legal alphabet you'd know that I couldn't advise a client to run away."

"Damn the legal alphabet!" I broke out hotly. "You're a man, Cy Whitredge; and I'm another man and in trouble. Can't you drop the professional cant for half a minute and talk straight?"

At this he shook his head again.

"It would prejudice your case mighty badly—that is, if you should try it and not succeed. On the other hand—but no; I won't say another word. Your best friend wouldn't advise you to make such a break. Besides, you have no money, and you couldn't get very far without it. I shouldn't even think of it, if I were you. Dwelling on a thing like that sometimes gives it a chance to get hold of you. But this is all foolishness, of course. You are going to Jefferson, and you'll take your medicine like a man if you have to. That's all, I believe, for the present. Keep a stiff upper lip, and if anybody comes to see you, don't talk too much. I'll be over at the county seat in a day or two, and we'll thresh it out some more."

After Runnels had brought me my supper, and I had nothing to do but to wait for the constable and train-time, I did the very thing that Whitredge had advised me not to do; I couldn't get it out of my mind that freedom at any price was now the most desirable thing on earth—in the universe, for that matter. It was facilely easy to picture a future in some far distant corner of the country

where I might begin all over again and make good. Other men had done it. Every once in a while I had read in the newspapers the story of some fellow who had eluded his fate, deserved or otherwise, years before and had lived and builded anew and in a fashion to win the applause of all men.

Because I had lived in a small town the better part of my life, I had the mistaken notion that the world is very wide and that there must be no end of safe hiding-places for the man who needs to seek one. From that to imagining the possible details was only a series of steps, each one carrying me a little nearer to the brink of decision. As I have said, I had money of my own in the bank vault; much more than enough to bribe easy-going Sam Jorkins, the constable who, as Whitredge had said, was to take me to Jefferson. I weighed and measured all the chances and hazards, and there were only two for which I could not provide in advance. There was a possibility that Geddis might be staying late in the bank; and if he were not, there was the other possibility that he might have changed the combination on the vault lock since my arrest.

The more I thought about it, the more fiercely the escape notion gripped me. Whitredge's talk had made it perfectly plain that the best I could hope for in a court trial would be a light sentence. As train-time drew near, the obsession pushed reason and all the scruples aside. If I could only persuade Jorkins to let me go to the bank on the drive to the station——

The town clock in the tower of the new city hall was striking eleven when good old John Runnels and the constable came for me. At the final moment I was telling myself feverishly that it would be of no use for me to try to bribe honest Sam Jorkins; that this was the fatal weakness in my plan of escape. Hence, I could have shouted for joy when Runnels unlocked the cell door and turned me over, not to Jorkins, but to a stranger; a hard-faced man roughly dressed, and with the scar of a knife slash across his right cheek.

"This is Bill Simmons, a deputy from Jefferson, Bertie; come to take you

over to the county ja—to the sheriff's office," said Runnels. "I've told him he ain't goin' to have no use for them handcuffs he's brought along."

"That may be," growled the sheriff's messenger. "All the same, I ain't takin' no chances—not me!" and with that he whipped the manacles from his pocket. But Runnels intervened quickly.

"Nary!—not here in my shop, you don't, Simmons," he said. "For two cents I'd go along with Bertie, myself, if only to see to it that he gets a fair show. You treat him right and white, or I'll fire you out, warrant or no warrant!"

When we reached the street I said I wanted to go around by way of my boarding-house for a change of clothing.

"That's all been 'tended to," said the surly deputy, with a jerk of his thumb toward a suitcase in the seat beside the driver of the hack carriage. "You get in and keep quiet; that's all you've got to do."

After this he said nothing and made no further move until we were jouncing along on our way to the railroad station. Then, without warning, he turned upon me suddenly and tried to snap the hand-cuffs on my wrists.

It was all I was waiting for; something to pull the trigger. In a flash the savage, which, in the best of us, lies but skin-deep under the veneer of habit and the civilized conventions, leaped alive. There was a fierce grapple in the interior of the darkened carriage—fierce but silent—and the blood sang in my veins when I found that I was more than a match for the scar-faced deputy. With fingers to throat I choked him into submission, and when I had taken his pistol and hand-cuffed him with his own manacles, the step that made me a criminal in fact had been overpassed.

"One yip out of you, and you get a bullet out of your own gun!" I warned him; and then I got speech with the driver, a squat, thickset Irishman, whose

face and brogue were both strange to me.

"Drive to the Farmers' Bank—side door—and be quick about it!" I called to him over the lowered window-sash.

"I'm hired to go to the train. Who's payin' me for the side-trip?" he queried impatiently.

"I am," I snapped; adding: "There's money in it for you if you put the whip on."

He obeyed the order with what might have seemed suspicious readiness, if I had been cool enough to consider it, and a minute or two later the hack ground its wheels against the curb at the side door of the bank building. With the pistol at his ribs I pushed the deputy out ahead of me. My keys were still in my pocket—Runnels hadn't searched me for anything—and I opened the door and entered, driving Simmons a step in advance.

The bank was untenanted, as I knew it would be if Geddis should not be there, since we had never employed a night watchman. At that time of night there was nothing stirring in the town, and in the midnight silence the ticking of the clock on the wall over Abel Geddis's desk crashed into the stillness like the blows of a hammer. I made the deputy sit down under the vault light while I worked the combination. The lock had not been changed, and the door opened at the first trial.

Again pushing Simmons ahead of me, I entered the vault. It was a fairly modern structure; Geddis had had it rebuilt within the year; and it was electric-lighted and large enough to serve the double purpose of a bank strong-room and a safety deposit. Shoving the deputy into a corner I opened the cash-box and took out the exact amount of my savings, neither more nor less. Simmons stretched his neck and leered at me with an evil grin.

"You're the fine little crook, all right enough," he remarked. "They was sayin' over at Jefferson that you was a Sunday-school sup'rintendent, or somethin' o' that sort. Them kind is always the flyest."

It struck me suddenly that he was taking his defeat pretty easily, but there was no time for a nice weighing of other men's motives.

"I'm fly enough to give you what's coming to you," I said; and with that I snapped off the electric light, darted out, slammed the vault door and shot the bolts. For a few hours at least, during the latter part of which he might have to breathe rather bad air, the deputy was an obstruction removed.

My hurriedly formed plan of escape would probably have made a professional criminal weep; but it was the only one I could think of on the spur of the moment. In the next county, at a distance of thirty-odd miles, there was another railroad. If I could succeed in bribing the Irish hack-driver, I might be far on my way before the bank vault would be opened and the alarm given.

The Irishman took my money readily enough and offered no objections when I told him what I wished to do. Also, he claimed to be familiar with the cross-country road to Vilasville, saying that he could set me down in the village before daylight. Oddly enough, he made no comment on the absence of the deputy, and seemed quite as willing to haul one passenger as two. With my liberal bribe for a stimulant he whipped up his horses, and in a few minutes we were out of town and rolling smoothly along the intercounty pike.

For a time the sudden break with all the well-behaved traditions kept me awake and in a fever heat of excitement. But along in the small hours the monotonous *clack-clack* of the horses' hoofs on the limestone pike and the steady rumbling of the wheels quieted me. Reflecting that I had had little sleep the night before, and that the way ahead would be perilous enough to ask for sharpened faculties and a well-rested body, I braced myself in a corner of the carriage and closed my eyes.

When I awakened, after what seemed like only the shortest hand-space of dreamless oblivion, a misty dawn was breaking and the carriage was stopped in a town street and in front of a brick building with barred windows. While I was blinking and rubbing my eyes in astoundment, a big, bearded man whose face was strangely familiar opened the door and whipped the captured pistol from the seat.

"This was one time when the longest way 'round was the shortest way home," chuckled the big pistol-snatcher quizzically. And then: "Old Ab Withers seems to know you better than most of us do, Bert. He told me I'd better not risk you on the train with just one Glendale constable; that I'd better send a rig and two deputies after you, if I wanted to make sure o' seein' you. What have you done with Simmons?"

I told him briefly.

"All right," he said. "Climb down out o' that and come on in. The jig's up."

It was not until I was standing on the sidewalk beside the gigantic sheriff, with the Irishman grinning at me from his seat in the hack, that I realized fully what had happened. Instead of taking me to Vilasville, the driver, who was Simmons's partner and fellow deputy, had changed his route while I was asleep and brought me to the county seat.

III

In the Name of the Law

Of course, I didn't have to wait until Whitredge came over to the county seat to learn that I had hopelessly cooked my goose by the clumsy attempt at an escape. What I did not suspect then, nor, indeed, for a long time afterward, was the possibility that Withers or Geddis, or both of them, had forestalled me in the matter of bribing the two deputies; that my foolish attempt had been anticipated, and that Whitredge, himself, was not wholly above suspicion as an accessory before the fact. For it was his thinly veiled suggestion that put the thing into my head.

However, that is neither here nor there. With the charge before it, the grand jury quickly brought in a true bill against me; and on the plea of the county prosecuting attorney my case was advanced on the docket and set for trial within the week, the argument for haste being the critical state of affairs in the business of the Farmers' Bank of Glendale; a state of affairs which demanded that the responsibility for certain shortages in the bank's assets be fixed immediately as between the accused bookkeeper and cashier and his superiors. Whitredge brought me word of this hurry-up proposal, and either was, or pretended to be, properly indignant over the unseemly haste.

"You just say the word, Bert, and I'll have the case postponed until the next term of court, or else I'll know the reason why!" he blustered stoutly.

"Why should I wish to have it postponed, when the delay would merely mean six months more of jail for me?" I objected.

"It might give us some chance to frame up some sort of a defense; and, besides, it would give public opinion a little time to die down," he suggested. "I say it isn't fair to try you while everybody's hot and excited and wrathy about the money loss. Still, if you think you're all ready, and want to take the chance

_____"

He knew I did, and was only egging me on. What he and all the rest of them were working for was to get me out of the way as swiftly as possible. I knew this afterward, after I had time to think it out and piece it together; and God knows, they gave me all the time I needed to do the thinking.

So, with the prisoner's counsel making no motion to the contrary, the trial date stood, and shortly I found myself in the dock, with good old Judge Haskins peering down at me over the top of his spectacles. Like many of the older people in the county, the judge had known my father well, and I am willing to believe that it was not easy for him to sit in judgment upon that father's son.

The trial was fair enough, as such things go. In the selection of the jury, Whitredge made free use of his challenging privilege; but it seemed to me that he always objected to the intelligent man and chose the other kind. When our Anglo-Saxon ancestors fought for the right of trial by jury, and got it, they passed down to us a sword with two edges. Their idea, which was embodied in the common law, was that a man should be tried by a jury of his peers. But the way things have worked out, the man of average intelligence is apt to have to face a dozen jurors who are chosen partly for their lack of intelligence, and partly because their earning ability is so low that they are willing to serve for the paltry wage of a juror, whatever it may be.

So far as the presentation of the case went, the county attorney had it all his own way. Certain of the bank's moneys were missing, and they had been replaced by worthless mining stock. Specifically, the charge was that I had been borrowing the bank's money and investing it in the mining stock—all without authority from anybody higher up—and that at the last I had grown panic-stricken, or something, and had turned the stock in as part of the bank's assets.

Chandler, the prosecuting attorney, called only two witnesses, Withers and Fitch. They both testified that they had heard me admit that I was guilty. There were no details given which could involve Agatha Geddis. It was merely stated that my admission of guilt was made at Abel Geddis's house, and both witnesses asserted that Geddis himself was not present.

Whitredge leaned over and whispered to me while this evidence was being taken.

"Chandler knows, and we all know, that this acknowledgment of yours was made in a talk with Miss Geddis. We are all willing to spare her the humiliation of being brought into court. But it is your perfect right to have her called if you wish it."

Knowing well enough by this time what I was in for, I was still foolish enough, or besotted enough, to shake my head. "I don't wish it," I said; and since this was practically telling Whitredge not to do so, he did not cross-examine the two witnesses.

When the prosecution rested, Whitredge took up his line of defense. He tried to show, rather lamely, I thought, that I had always lived within my means, hadn't been dissipated, and had never been known to bet, either on horse races or on the stock market; that whatever I had done had been done without criminal intent. In this part of the trial I had a heart-warming surprise. The afternoon train from Glendale brought a big bunch of young people, and a good sprinkling of older ones, all eager to testify to my former good character. I saw then how unfair I had been in the bitterness of that first day. The shock of my arrest had simply dammed up the sympathy stream like a sudden frost; but now the reaction had come and I was not without friends. That little demonstration went with me though many a long and weary day afterward.

Naturally, the greater part of this "character evidence" was thrown out as

irrelevant. The trial wasn't held for the purpose of ascertaining what sort of a young man I had been in the past. It was supposed to be an attempt to get at the facts in a particular case; and according to the testimony of two uncontradicted witnesses, I had admitted these facts.

Chandler said nothing about my attempt to escape until he came to address the jury. But then he drove the nail in good and hard. The deputy sheriff, Simmons, bruised and beaten, was shown to the jurors, and the prosecuting attorney made much of the fact that I had not stopped at a possible murder in shutting Simmons up in the bank vault. There was nothing said about the bribe to the other deputy who had figured as the hack driver; from which I inferred that the Irishman had pocketed my money and held his peace.

Whitredge's summing-up was as lame in effect as it was rantingly emotional. He liked to hear himself talk, and his stock in trade as a criminal lawyer consisted mainly of perfervid appeals to the sympathies of his juries. Here, he pleaded, with the tremolo stop pulled all the way out, was a young man whose entire future would be blasted—and all that sort of thing. It hadn't the slightest effect upon the group of stolid hill farmers and laborers in the box who sat and yawned through it, and I fancy it wasn't intended to have any.

Good old Judge Haskins's charge to the jury was all that a fair and upright judge could make it. He was no party to the agreement between the attorneys to keep Agatha Geddis out of it, or even to any knowledge of it, as he proved by pointing out to the jury the lack of detail in Fitch's and Withers's testimony. Also, he cautioned the twelve not to make too much of the attempted escape. He said—what most judges wouldn't have said—that the attempt was entirely extraneous to the charge upon which I had been arraigned; that it was not to be taken as a presumption of guilt; that it proved nothing either way. He added that an innocent man badly involved might be as easily terrified into taking flight as a guilty one. If the jury, upon due deliberation, should be convinced that I had misappropriated the bank's funds, the verdict should be "Guilty"; but not

otherwise.

It was merely in conformity with time-honored custom that the jurymen rose and left the box and filed out of the court-room, I am sure, for they were back again in almost no time. Though I had every reason to expect it, the low-voiced verdict of "Guilty as charged" struck me like the blow of a fist.

"Brace up and be a man!" Whitredge leaned over to whisper in my ear; and then the good old judge, with his voice shaking a little, pronounced my sentence. Five years was the minimum for the offense with which I stood charged. But a law recently passed gave the judges a new power. Within the nominal period of five years my sentence was made indeterminate. The law was vindicated and I became a convict.

IV

Scars

I was twenty-five years old, almost to a day, when Judge Haskins pronounced the words which were to make me for the next five years or less—the period to be determined upon my good behavior—an inmate of the State penitentiary. Lacking the needful good behavior, five long years would be taken out of the best part of life for me, and what was worse (I realized this even in the tumultuous storm of first-moment impressions and emotions), my entire point of view was certain to be hopelessly twisted and distorted for all the years that I might live beyond my release.

Surely little blame can attach to the confession that out of the tumult came a hot-hearted and vindictive determination to live for a single purpose; to work and strive and endure so that I might be the sooner free to square my account with Abel Geddis and Abner Withers. I need make no secret now of the depth of this hatred. At times, when the obsession was strongest upon me, the fear that one or both of them might die before my chance should come was almost maddening. They were both old men, and in the nature of things there was always a possibility that death might forestall me.

So it was this motive at first that made me jealous of my good-conduct marks; made me study the prison regulations and live up to them with a rigidity that knew no lapses. I am not defending the motive; I cheerfully admit that it was unworthy. None the less, I owe it something: it sustained me and kept me sane and cool-headed at a time when, without some such stimulus, I might have lost my reason.

Of the three succeeding years and what they brought or failed to bring the least said will be, perhaps, the soonest mended. I am glad to be able to write it down that my native State had, and still has, a fairly enlightened prison system; or at least it is less brutalizing than many others. During my period of incarceration the warden-in-office was an upright and impartial man, just to his charges and even kindly and fatherly when the circumstances would warrant. After my steady determination to earn an early release became apparent, I was made a "trusty," and for two of the three years I was the prison bookkeeper.

Study as I might, I could never determine how the prison life affected my associates; but for me it held few real hardships beyond the confinement, the disgrace, and the fear that before I could outlive it I should become a criminal in fact. Fight the idea as we may, environment, association, and suggestion have a great deal to say to the human atom. I was treated as a criminal, was believed to be a criminal, and mingled daily with criminals. Put yourself in my place and try to imagine what it would make of you in three changes of the calendar.

During the three years I received but one letter from home, and wrote but one. Almost as soon as my sentence period began I had a heart-broken letter from my sister. She and my mother had returned from Canada, only to find me dead and buried to the world. I answered the letter, begging her not to write again, or to expect me to write. It seemed a refinement of humiliation to have the home letters come addressed to me in a prison; and besides, I was like the sick man who turns his face to the wall, wishing neither to see nor to hear until the paroxysm has passed. I may say here that both of these good women respected my wishes and my foolish scruples. They wrote no more; and, what was still harder for my mother, I think, they made no journeys half across the State on the prison visiting days.

It will be seen that I have cut the time down from the five-year limit imposed by my sentence; and so it was cut down in reality. After I had been promoted to the work in the prison offices my life settled into a monotonous routine, with nothing eventful or disturbing to mark the passing weeks and months; and by living strictly within the prison requirements, working faithfully, and never once earning even a reprimand from the kindly warden or his deputy, I was given the full benefit of my "good time," and at the end of the third year, with a prison-provided suit on my back and five dollars of the State's money in my pocket, I was paroled.

Though I have been its beneficiary and victim, and have been made to suffer cruelly under its restrictions, I make here no arraignment of the law which provides in some States—my own among the number—for the indeterminate prison sentence. The reform was doubtless conceived in mercy and a true spirit of sociological lenity toward the offender. But in practice it may be so surrounded with safeguards and limitations, so wrapped up in provisos and conditions, as to completely defeat its own end and reverse its intent.

Under the law as it stood—and still stands, I believe—in my own commonwealth, I was required to remain in the State; to report, at least once a

month, by letter to the prison authorities, and in person to the chief of police in any city in which I might be living; to retain my own name; and to bind myself to tell a straightforward story of my conviction and imprisonment at any time and to any one who should require it. The omission to comply with any of these restrictions and requirements would automatically cancel my parole and subject me to arrest and re-imprisonment for the unexpired period of the original sentence.

Again I ask you to put yourself in the place of a man paroled under such conditions. With such handicaps, what possible chance can a released man have to secure honest employment? Fortunately for me, I was still only twenty-eight—young and hopeful; and I started out to do my best, saying only that nothing should tempt me to go back to Glendale where, I was told, my mother and sister were still living in retirement and under the shadow of the family disgrace.

Knowing that the released convict usually heads for the largest city he can reach, thus obeying the common-sense instinct which prompts him to lose himself quickly in a crowd, I planned to do the opposite thing. I told myself that I was not a criminal, and therefore would not follow the criminal's example. I would board an interurban trolley and expend a portion of my five dollars in reaching some obscure town in a distant part of the State, where I would begin the new life honestly and openly in any employment that might offer.

There was nobody to meet me as I forthfared from the prison gates, but I was not expecting any one and so was not disappointed. None the less, on my way to the central trolley station I had a half-confirmed conviction that I was followed; that the follower had been behind me all the way from the prison street.

After making several fruitless attempts I finally succeeded in fixing upon the particular person in the scattering sidewalk procession who made all the turns

that I made, keeping always a few paces in the rear. He was a man of about my own age, round-faced and rather fleshy. In my Glendale days I should have set him down at once as a traveling salesman. He looked the part and dressed it.

Farther along, upon reaching the interurban station, I was able to breathe freer and to smile at the qualms of my new-liberty nervousness. Just as I was parting with two of my five dollars for a ticket to the chosen destination my man came up to the ticket window, followed by a hotel porter carrying a grip and a sample case. I saw then how facilely easy it was going to be to take fright at shadows. Evidently the young man was a salesman, and his apparent pursuit of me had been merely a coincidence in corner turnings. And in the recoil from the apprehensive extreme I refused to attach any significance to the fact that he was purchasing a ticket to the same distant town to which I had but now paid my own passage.

During the leisurely five-hour run across the State the object of my suspicions—my foolish suspicions, I was now calling them—paid no attention to me, so far as I could determine. Save for the few minutes at noon when the interurban car stopped to permit its passengers to snatch a hasty luncheon at a farm-town restaurant, he did not once leave his place, which was two seats behind mine and on the opposite side of the car. On the contrary, like a seasoned traveler, he made himself comfortable behind the barricade of hand-baggage and wore out the entire time with sundry newspapers and magazines. Moreover, at our common destination he did not follow me to the one old-fashioned hotel; instead, he led the way to it, and was buying a cigar at the little counter show-case when I came up to bargain, with another of my precious dollars, for the supper, lodging and breakfast which were to launch me upon the new career.

After this, I saw the fat-faced traveling man but twice, and both times casually. At supper he had a small table to himself in one corner of the room; and the following morning, when I went out to lay siege to my new world, he

was smoking in the hotel office and again buried in a newspaper. Two hours later I had found employment driving a grocer's delivery wagon, and in the triumph of having so soon found even this humblest of footholds in a workaday world, I had completely forgotten him.

Having thus made my cast for fortune and secured the foothold, it took me less than a week to learn that I had made a capital mistake in choosing a small town. Under that condition of my parole which required me to report in my true character to the town marshal I assured myself that I might as well have published my story in the county newspaper. Before the end of the week half of my customers on the delivery route were beginning to look askance at me, and when the Saturday night came I was discharged. I knew perfectly well what was coming when the boss, a big-bodied, good-natured man who had made his money as a farmer and was now losing it as the town grocer, called me into his little box of an office at the back of the shop.

"Say, Weyburn; when I asked you where you had been working before you came here, you didn't tell me the truth," was the way he began on me.

"I told you I had worked in a bank in Glendale," I protested; "which was and is the truth."

"I know; but you didn't tell me that you'd put in the last three years in the pen, and were out on parole."

"No, I didn't tell you that. But I would have told you if you had asked me."

"I can't stand for it," he grumbled, chewing at the unlighted cigar which was his Saturday night indulgence. "And if I could, the customers wouldn't. I suppose as many as a dozen women have been to me in the last few days. They say they can't afford to be watchin' the back door every time you come 'round with the groceries. You see how it is."

I saw; but I was still foolish enough to try to stem the pitiless tide.

"Would it make any difference if I were to say that I was as innocent of the crime for which I was convicted as any of these frightened women?" I suggested.

"They all say that," was the colorless retort. "The point is, Weyburn, that you was convicted. There ain't no gettin' 'round that. You've worn the stripes, and you'll just have to make up your mind to live it down before you can expect people to forget it."

If I hadn't been the wretched victim of this paradox it might have provoked a smile.

"How am I ever going to live it down, Mr. Bucks, if nobody will give me a chance?" I asked.

"I know," he agreed readily enough. "But I'm losin' money here, every day, as it is, and I can't afford to make experiments. I'm sorry for you, honestly, Weyburn; but you see how it is."

"Yes, I see," I returned. "You think I ought to be given a chance, but you prefer to have somebody else give it to me. I don't blame you. Perhaps under similar conditions I'd do the same thing myself. Pay me and I'll disappear."

He did pay me, and tried to give me two dollars more than the agreed weekly wage, generously putting it upon the ground of the lack of notice. I shall always be glad that I still had pride enough left to refuse the charity. Even at this early twisting of the thumb-screws I was beginning to realize that self-respect would be the first thing to go by the board, and the fight to save it was almost instinctive.

Before leaving Bucks I tried to find out how he had learned my story; this

though I was definitely charging the exposure to the town marshal as being the only person who could have spread it abroad. To my surprise, the grocer defended the marshal promptly and warmly.

"That shows how little you know Cal Giddings," he retorted. "He's the last man on top of earth to go 'round givin' you a black eye of that sort."

"May I ask what reason you have for thinking so?" I inquired.

"Sure you may. I've known Cal ever since we was little kids together. I've seen him every day this week, and he knew you was workin' for me. If he'd 'a' told anybody, it would 'a' been me; you can bet your hat on that."

"Then where did you hear the story?" I persisted.

"Why, I dunno just where I did hear it first. Everybody in town seems to know it," he asserted; and with this unsatisfying answer I was obliged to be contented.

The next attempt was made in a small industrial city on the opposite side of the State. This time I went to the chief of police as soon as I arrived, and after making the required report, I had it out with him in plain speech.

"I am going to try to get work here in your city," I said, "and I'd like to know beforehand how much leeway you are going to give me."

The portly thief-taker leaned back in his chair and regarded me with a coldly appraisive eye. He was a coarse-featured man with a face that would have fitted admirably in any rogues' gallery in the land.

"You're in bad, young fellow," he growled. "We've got plenty and more than enough of your kind in this town, without takin' on any more."

"But I am keeping my parole," I pleaded. "I have come to you like a man the

first thing, and have made my report according to the conditions. Somebody has got to give me a chance."

"You'll earn it, damn' good and plenty, if you stay here to get it," was the gruff response. "What kind of a job are you lookin' for?"

It was hard to confide in such a man, even casually, but I had no choice.

"I am willing to take anything I can get, but my experience has been mostly in office work," I told him; adding: "I suppose I might call myself a fairly expert bookkeeper."

"Umph!" he grunted, shifting his cigar from one corner of the hard-bitted mouth to the other. "That means that you want to try for a job where you can work the till-tapping game again."

Not having as yet learned my lesson line by line, I was incautious enough to say: "I have yet to work it the first time."

"Like hell you have! See here, young fellow—you needn't spring that kind of talk on me. I know you and your kind up one side and down the other. You say you've put three years in 'stir' and that settles it." At this point he broke off short, righted his chair with a snap and reached for a bill-spindle on his desk. After a glance at one of the impaled memoranda he sat back again, chewing his cigar and staring into vacancy. A full minute elapsed before he deigned to become once more aware of my presence. Then he whirled upon me to rap out an explosive question.

"What did you say your name was?" and when I told him: "Aw right; you come back here this afternoon and we'll see whether you stay or move on. That's all. Now get out. I'm busy."

I went away and killed time as I could until the middle of the afternoon.

Upon returning to police headquarters I found the hard-faced chief tilted in his chair with his feet on his desk, looking as if he hadn't moved since my visit of the forenoon. When he saw who it was cutting off the afternoon sunlight he straightened up with a growl, rummaged in a file of papers and jerked out a typewritten sheet which he glanced over as one who reads only the headings.

"James Bertrand Weyburn, eh?" he rasped. "I know all about you now, and you may as well can all that didn't-do-it stuff. Forget it and come down to business. You say you want to hit the straight-and-narrow: how would a job in a coal yard fit you?—keepin' books and weighin'-in the coal cars?"

I told him, humbly enough, that I was too nearly a beggar to be a chooser; that I'd be only too glad to get a chance at anything at which I might earn a living.

"Aw right," was the curt rejoinder. "You hike over to the Consolidated Coal Company's yard on the West Side, and tell Mullins, the head book-keeper, that I sent you, see? Tell him to call me on the 'phone if he wants to know anything more about you. That's all. Pull your freight out of here and get busy—if you don't want to get the 'move on' out of this burg."

Notwithstanding this crabbed speech, matching all the other things this man had said to me, I left police headquarters with a warm spot in my heart, thinking that I had lighted upon a diamond in the rough and hadn't had discernment enough to recognize it.

Yet there was a small mystery thrusting itself into this second interview with the chief. What was the content of the typewritten sheet he had consulted, and who had written it? If it had been a telegram I might have concluded that he had wired the warden of the penitentiary for a corroboration of my story. But it was not a telegram.

I was still puzzling over the mystery half an hour later when I found the coal

yard and the bookkeeper, Mullins, a red-faced Irishman who winked solemnly when I told him that Chief Callahan had sent me.

"Know anything at all about the railroad end of the coal business?" was the first inquiry shot at me; but it was not made until after the book-keeper had shut himself into the telephone booth, presumably for a wire talk with Callahan.

I shook my head. "None of the details. But I can learn."

"Maybe you can, and maybe you can't. We'll try you out on the railroad desk, and Peters 'll show you what you don't know. Peel your coat and jump in. Hours eight to six; pay, sixty dollars a month: more bimeby if you're worth it."

Robert Louis Stevenson's cheerful little opening verse:

> "Light foot and tight foot,
> And green grass spread;
> Early in the morning,
> And hope is on ahead,"

was ringing in my ears when I squared myself at the railroad desk and attacked the first big bunch of "flimsies," as the tissue copies of the waybills are called. It was almost unbelievable that my luck had turned so soon, and yet the fact seemed undeniable. I had a job to which I had been recommended by the one man in the city who knew my record. No questions had been asked, and the inference seemed to be that none were going to be asked.

I was all of a busy week getting a firm working hold upon the routine of my desk, and during that time I didn't exchange a dozen words with Mullins, who appeared to be the head and front of Consolidated Coal, locally, at least, and whose word, in the office and about the yards, was law. None the less, the little mystery connected with this easy finding of a job in a strange city persisted, and it kept me from dwelling too pointedly upon the object for which I meant to live

and work; namely, the squaring of accounts with Abel Geddis and Abner Withers.

Singularly enough, it took me, trained accountant as I was, a full month to find out what I had been let in for, and why the job I was holding down had been given to an ex-convict. It was my duty to check the railroad waybills on consignments of coal, to correct the weights, and to make claims for overcharges and shortages. I made these claims as I had been told to make them, taking the figures of the weights from Peters, who, in turn, took them from the scale men in the yard. It was Peters who gave the snap away one night when we two were working overtime in the otherwise deserted offices.

"Say, Weyburn; you've got about the coldest nerve of any fellow I've ever run up against," he said, looking up from his place across the flat-topped desk.

"What makes you say that, Tommy?" I asked.

"Because it's so. I've been watching you. You've been sitting on the lid for an even month, now, and never batting an eye when these railroad fellows come at you and make their little roar about the overcharges. Believe me, it takes nerve to do that—and carry it off as if you were reading 'em a verse out o' the Bible. Blaisdell, the lad who was here before you, went batty and talked in his sleep. Told me once he couldn't see anything but stripes, any way he looked."

"I don't know what you're talking about," I said, with a sudden sinking of the heart. "Why should it take nerve to tell a railroad agent he's been overcharging us?"

Peters's laugh was a cackle. "You're the traffic man of this outfit: do you know the rates on coal from the mines to Western Central common points?"

"Of course I do."

"Got 'em all down in the printed tariff, so you can't help knowing 'em, eh? Consolidated Coal pays these rates, doesn't it?—all according to Hoyle and the Interstate Commerce laws?"

"I suppose we pay them. I check the bills as they are presented."

"Exactly. But every little so-while you have to make a whaling big claim on the railroad company for overcharges, and maybe you've noticed that these claims are always paid—or maybe you haven't?"

I was beginning to see the hole in the millstone.

"I make the claims on the weights as you give them to me, Peters. Do you mean to tell me that you've been giving me false figures?"

The yard clerk stuck his tongue in his cheek. "I'm not telling you anything. You know as well as I do that it's against the law to give or receive rebates. But if you're not a heap greener than you look, you know that we're getting our cut rates, just the same. All we need is a man right here at your desk who has the nerve to make out the claims, and is fly enough to do a little bluffing and ask no questions. You're all right, Bertie."

"But the figures of the weights," I insisted. "You are the man who gives them to me, and you are responsible if they are wrong."

"Not in a thousand years!" was the prompt retort. "I never put anything on paper—you're the man that does that—and if the Interstate Commerce people should break in, I'd have the best little forgettery of any clock-watcher in the works. Nix for me, Weyburn; you are the chap with the figures, and the only man in the shop who has them down in black on white. When the roar comes, it'll be up to you, and Mullins will throw up his hands and accuse you of having a private graft of some sort with the railroad clerks in the claim office. That's

about what he'll do."

My overtime companion had finished his job and was putting on his coat. I let him go without further talk, but after he had gone, I stayed long enough to check over the files of the yard-master's blotter. When the checking was completed I knew perfectly well why I had been hired so promptly, and why Mullins had been willing to take on an ex-convict. My basing figures, which Peters had been giving me verbally, were all wrong. The majority of the claims I had been making from day to day were fraudulent, and in paying them the railroad company was merely rebating the coal rates for Consolidated Coal.

It was easy to see where I stood. A scapegoat was necessary, and with a prison record behind me I had about as much show as a rat in a trap. If there should be an investigation, Mullins would swear that I had entire charge of the claim department. And having no written data to fall back upon, I should be helpless.

The date of this disheartening discovery chanced to be the 25th of the month —our regular pay-day, and I had my month's salary in my pocket when I left the office about eleven o'clock to go to my boarding-house. At the nearest street corner I met the patrolman on the beat.

"Hello, cully!" he growled as I was passing him; and then with a hand on my arm he stopped me. "You're forgettin' somethin', ain't you?"

"I guess not," I answered.

"I guess yes," he retorted. "It's pay-day at the works, and you gotta come across."

Here was the remainder of the conspiracy made plain as day. The crooked chief of police had turned me over to the crooked coal company to do crooked work, and I was to be held up for a graft on my salary. With a swift return of

the blood-boiling which had once helped me to manhandle the deputy, Simmons, I faced the patrolman.

"And if I don't come across—what then?"

The policeman grinned good-naturedly. "You're goin' to 'produce' all right. You're a paroled man, and you can't afford to have the chief get it in for you."

It was just here that the three nerve-breaking years got in their work. I couldn't face the grafter down, and—I confess it with shame—I was horribly afraid.

"How much?" I asked, and my tongue was dry in my mouth.

'This is the first mont', and we'll let you down easy. You fork over a ten-spot for the campaign fund and we'll call it square. Next mont' it'll be more."

I paid the blackmail with trembling hands, and when the patrolman was out of sight around the corner I ran to reach my boarding place, intent only upon flight, instant and secret, from this moral cesspool of a city. I remembered that there was a westbound train passing through at midnight, and by hurrying I hoped to be able to catch it.

V

The Downward Path

I had left the board money and a note for my landlady on the mantel in the darkened dining-room, had reached the railroad station, and was about to buy a ticket to the farthest corner of the State, when I suddenly remembered that I was running away with an additional handicap to be added to all the others. Leaving the coal company and the city without notice or explanation, I was making it impossible to keep my record clear in the monthly report to the prison authorities.

With a sinking heart I realized that I must wait and fight it out with Mullins to some sort of a conclusion which would give me a clean slate. There must be nothing that I could not explain clearly to any one who might ask. I had a job, and I must be able to give my reason for quitting it. With this new entanglement to put leaden shoes on my feet, I retraced my steps through the eight weary blocks to the boarding-house, dodging through back streets and walking because I hadn't the nerve to face the cheerful throng of theater-goers at that hour crowding the street-cars.

I think Mullins knew or suspected what was coming when I went to him the next morning and told him I wished to have a talk with him. Without a word he grabbed me by the arm and dragged me into the little private office which was used at odd times by the district manager.

"I'm quitting this morning, Mr. Mullins," I began, when the door was shut. "If my work has been satisfactory, I should like to have a letter of recommendation."

The bookkeeper smoked a corn-cob pipe, and he stopped to refill and light it before he opened on me.

"What's wrong?" he demanded. For an Irishman he was always exceedingly sparing of his words.

"Suppose we say that the climate doesn't agree with me here."

"You're no sick man!" he shot back; and then: "Want more pay?"

"No; I want a letter of recommendation."

"We never give 'em."

"So I have heard. But this time, Mr. Mullins, you are going to make an exception and break your rule."

"Not for you, we won't."

"Why not for me?"

"Because we're knowing your record. You're fixing to go back to the pen, where you came from."

"You knew my record when you hired me. Chief Callahan gave it to you, and I knew that he did. But that is neither here nor there; I want my letter, and I want you to say in it that I am leaving to look for a more favorable climate."

"And if I don't give it to you?—if I tell you to go straight plumb to hell?"

"In that case I shall take all the chances—*all* of them, mind you—-and write a letter to the Interstate Commerce Commission."

If the man had had a gun in his hands I believe he would have killed me. There was manslaughter in his little gray, pig-like eyes. But he recovered himself quickly.

"If you're that kind of a gink, I'm damned glad to get rid of you at any price," he rasped; and then went to the district manager's desk and wrote me the letter, "To Whom it may Concern," practically as I dictated it.

That ended it, and when the letter was signed and flung across the desk at me I lost no time in getting out of the noxious atmosphere of the place. But before I was well out of the yard it occurred to me that I had still left a loaded weapon in Mullins's hands. Though the threat of exposure might tie him and his grafting coal company up, he could still appeal to Callahan, who would doubtless find an excuse for arresting me before I could leave town. And once in the hands of the chief crook I should be lost.

Under the spur of this new menace I returned quickly to the coal office, with some inchoate idea of trying to bully the scoundrelly chief of police through the hold I had acquired upon the coal company. The office was empty when I reached it, and at first I thought Mullins had gone out. But at a second glance I saw that he was in the telephone closet, the door of which he had left ajar. Overhearing my own name barked into the transmitter, I listened without scruple.

"——Yes, Weyburn; that's what I'm telling you. He's flew the coop.… Yes, he knows something—too damned much.… No, I wouldn't snag him here; he might talk too loud and get somebody to believe him—some fool in a Federal grand jury, for instance. Let him go—with a plain-clothes man to find out where he heads for—and then wire that outfit that piped him off when he came here. That'll settle him."

There may have been more of it, but I did not wait to hear. Speed was my best chance now, and I slipped out noiselessly and ran for the railroad station. If I should be lucky enough to find a train ready to leave, I might yet hope to escape whatever trap it might be that the bookkeeper and his official accomplice were going to set for me.

Reaching the station I found that the first train through would be a westbound, and that it was not due for half an hour. The wait was painfully trying. I did not dare to buy a ticket for fear Callahan might have telephoned the

ticket office. As the passengers for the expected train straggled in I sought vainly to identify the spy who was undoubtedly among them; and when the train thundered up to the platform I made haste to board it and to lose myself quickly in the crowded smoking-car. Later, when the conductor made his round, I paid a cash fare to the end of the division, forbearing to draw a full breath of relief until the cesspool city had faded to a smoky blur on the horizon.

With time to think, I began to puzzle anxiously over the new development of mystery opened up by the overheard telephone talk. Who or what was the "outfit" that had been meddling in my sorry affair?—that was to be wired when my new destination should be ascertained? One by one the suspicious circumstances remarshaled themselves; the feeling that I had been spied upon, the speedy publicity which my story had attained in the town where I had made my earliest attempt at wage-earning, the memorandum which Chief Callahan had consulted before sending me to the crooked coal company. It seemed singular to me afterward that the one answer to all of these small mysteries should not have suggested itself at once. But it did not.

The end of the conductor's run—the point which I had paid fare—came at midday at the capital of the State, where there was a stop long enough to enable the train's people—or those who chose to evade the dining-car—to seek a lunch counter. I went with the others and had a frugal sandwich and a cup of coffee, hastening afterward to the station ticket office to buy a ticket to a town well over toward the western boundary of my prison State, and chosen haphazard from its location on the wall-map beside the ticket window. A little later, upon resuming my seat in the train, I had a small shock. Sitting just across the aisle, and once more barricaded behind his hand-baggage and buried in a newspaper, was the round-faced salesman who had been my traveling companion on the day of my release from prison.

Naturally, all the suspicions I had been harboring for the past few hours leaped alive again at the sight of this man. But at the second train stop in the

westward flight they were promptly disconnected from my *vis-à-vis* across the aisle when the salesman gathered his belongings and disappeared; left the train—as I made sure by looking out of the window and seeing him cross the station platform. In the short run from the capital he had not so much as looked in my direction, emerging from his newspaper only once for a word with the conductor at the moment of ticket-collecting.

After he was gone I was able to smile grimly and call it a coincidence, wondering meanwhile, if one of the consequences of my hideously disarranged life was to be a lapse into chittering cowardice; an endless starting aside at shadows.

The new field of endeavor, chosen blindly at the ticket window in the capital, proved to be a small manufacturing city. Here the chief of police, to whom I reported on the evening of my arrival, was of a type exactly opposite to the grafting brute from whose jurisdiction I had fled; a promoted town-marshal, like John Runnels of Glendale; a shrewd-eyed, kindly old man who heard my story patiently and gave me a word of encouragement that was like a draft of cold water in the desert.

"You're goin' to get a square deal in this town, my boy," he said, after I had enlarged upon my story sufficiently to make it include my late experience with Callahan and Mullins. "It ain't any part of my job to bruise the broken reed n'r quench the smokin' flax. You don't look like a thief, and, anyways, if you're tryin' to make an honest livin', that settles all the old scores—or it ort to. Go find you a job, if you can. What you've told me stays right in here"—tapping his broad chest—"leastwise, it won't be used against you as long as you walk straight."

Under such kindly auspices it did seem as if I ought to be able to dig a quiet little rifle-pit in the field of respectability and good repute and to hold it against all comers. But, oddly enough, I couldn't do it—not to save my life. My

experience had all been in office work, and since business was good in the small city, I had little difficulty in finding employment. Yet in each case—and there were five of them, one after another—I secured work only to lose it almost immediately. By some means my story had got out, and it spread through the town like an epidemic. After the fifth failure I went back to the fatherly old chief of police to confess defeat and to notify him that I was leaving town.

In this interview he made me tell him more about my trial and conviction, and when I finished he was shaking his head. "There's something sort o' queer about this pull-down of yours, Weyburn," he commented. "I gave you my word not to talk unless you went back on me, and I've kept it. You hain't told anybody else?"

"Not a soul."

"Still, it's been told—not once, but a heap o' times. Have you tried chasin' it back to its startin' point?"

"Yes; but it is no good. It seems to be in the air."

"Well, it's a dum shame. It looks as if you had somebody houndin' you out o' sheer spite. Is there anybody back behind that would do that?"

I suppose I was bat-blind; but the suggestion, even when it was added to the mysterious entanglements that were tripping me at every step, failed to open my eyes. Truly, Abel Geddis and Abner Withers had used me ruthlessly as their criminal stop-gap, but since I had paid the penalty and still bore the criminal odium, I could postulate no possible reason why they should reach out across the three-year interval to add cruel persecution to injury.

"No," I said, after a reflective pause. "There are only the two old men I have named. And now that it is all over, I can see that they were only shoving me

into the breach to save themselves."

He nodded, half-doubtfully, I thought; and then: "You're goin' to try again somewheres else?"

I replied that there was nothing else to do; whereupon this white-haired old angel, who seemed so vastly out of place as the head of even a small city's police department, made an astounding proposal.

"Get your bit of dunnage—I s'pose you hain't got very much, have you?—and come around here about dark this evenin'. I'll have my buggy ready and we'll drive over to Altamont, so you can take the train there instead of here. If there's anybody follerin' you up and blacklistin' you, maybe that'll throw 'em off the track."

It was a splendid bit of kindness; and when I could swallow the lump it brought into my throat I accepted joyfully. And as the disappearance was planned, so it was carried out. In the dusk of the evening the good old man drove me the ten miles across to the neighboring village, and after thanking him out of a full heart I boarded a train and began my wanderings afresh.

VI

A Good Samaritan

After such a disheartening experience in a community where I had had the

help and countenance of a just and charitable head of the police department, I went back to the smaller places. Merely because it seemed foolish to take the time to learn a new trade when I already had one, I still sought office work. There was little difficulty in finding such employment—at humble wages; the unattainable thing was the keeping of it. Though I could never succeed in running it down and bringing it to bay, a pitiless Nemesis seemed to dog me from town to town. Gossiping marshals there may have been, now and then, to spread my story; but I had twice been given proof that another agency must be at work—a mysterious persecution that I could neither fight nor outwit, nor account for upon any reasonable hypothesis.

So the hopeless and one-sided battle went on as I fled from post to pillar up and down and back and forth in the "permitted" area, doing a bit of extra bookkeeping here and another there. The result was always the same. Work of that kind necessarily carried more or less responsibility, and in consequence I was never retained more than a few days at a time.

It was borne in upon me more and more that I must sink lower, into some walk in life in which no questions were asked. This conviction impressed itself upon me with greater emphasis at each succeeding failure, and the decision to drop into the ranks of the unidentified was finally reached in a small city in the agricultural section of the State where I had been employed for a few days in a hardware and implement store as shipping clerk. Once more I was discharged, peremptorily, and with a reproachful reprimand for having thrust myself, unplacarded, upon well-behaved people.

"I don't admit your right to say such things to me, Mr. Haddon," I protested, after the reproach had been well rubbed in. "I have given you good service for small pay, and there was no reason why I should have furnished you with an autobiography when you didn't ask it. In the circumstances it seems that I am the one to be aggrieved, but I'll waive the right to defend myself if you'll tell me where you got your information."

The implement dealer was a thin, ascetic person, with cold gray eyes and two distinct sets of manners; one for his customers and another for his employees; and the look he gave me was meant to be withering.

"I don't recognize your right to question me, at all," he objected, with the air of one who brushes an annoying insect from his coat-sleeve. "It is enough to say that my source of information is entirely reliable. By your own act you have placed yourself outside of the pale. If you break a natural law, Nature exacts the just penalty. It is the same in the moral field."

"But if any penalty were due from me I have paid it," I retorted.

"No; you have paid only a part of it—the law's part. Society still has its claims and they must be met; recognized and satisfied to the final jot and tittle."

Though this man was a church member, and a rather prominent one in Springville—we may call the small city Springville because that isn't its real name—I did not accuse him, even mentally, of conscious hypocrisy. What I said, upon leaving him, was that I hoped he'd never have to pay any of the penalties himself. I did not know then—what I learned later—that he was a very whited sepulchre; a man who was growing rich by a systematic process of robbing his farmer customers on time sales.

Turned out once again upon an unsympathetic world, I was minded to do what I had done so many times before—take the first train and vanish. But a small incident delayed the vanishing—for the moment, at least. On the way to the railroad station I saw a sight, commoner at that time in my native State than it is now, I am glad to be able to say; a young, farmer-looking fellow overcome by liquor, reeling and stumbling and finding the sidewalk far too narrow. He was coming toward me, and I yielded to the impulse which prompts most of us at such times; the disposition to give the inebriate all the room he wants—to pass by, like the priest and the Levite, on the other side.

Just as I was stepping into the roadway, the drunken man collided heavily with a telephone pole, caught clumsily at it to save himself, and fell, striking his head on the curbstone and rolling into the gutter. It was a case for the Good Samaritan, and, as it happened, that time-honored personage was at hand. Before I could edge away, as I confess I was trying to do, a clean-cut young man in the fatigue uniform of the Church militant came striding across the street.

"Here, you!" he snapped briskly to me. "Don't turn your back that way on a man needing help! That fellow's hurt!"

We got the pole-bombarder up, between us, and truly he was hurt. There was a cut over one eye where he had butted into one of the climbing-steps on the pole, and either that, or the knock on the curbstone, had made him take the count. Since Springville wasn't citified enough to have a hospital or an ambulance, I supposed we would carry the wounded man to the nearest drug store. But my Good Samaritan wasn't built that way. Hastily commandeering a passing dray, he made me help him load the unconscious man into it, and the three of us were trundled swiftly through a couple of cross streets to a—to a church, I was going to say, but it was to a small house beside the church.

Here, with the help of the driver, we got the John Barleycorn victim into the house and spread him out on a clean white bed, muddy boots, sodden clothes, bloody head and all. I asked if I should go for a doctor, but the Samaritan shook his head. "No," he said; "you and I can do all that is necessary." Then he paid the dray driver and we fell to work.

It was worth something to see that handsome, well-built young theologue—it didn't seem as if he could have been more than a boy freshly out of the seminary—strip off his coat and roll up his sleeves and go to it like a veteran surgeon. In a few minutes, with such help as I could render, he had the cut cleaned and bandaged, the red face sponged off, and the worst of the street dirt brushed from the man's clothing.

"That is about all we can do—until he gets over the double effects of the hurt and the whiskey," he said, when the job was finished; and then, with a sort of search-warrant look at me: "Are you very busy?"

I told him I was not.

"All right; you stay here with him and keep an eye on him while I go and find out who he is and where he belongs." And with that he put on his coat and left the house.

He was gone for over an hour, and during that time I sat by the bed, keeping watch over the patient and letting my thoughts wander as they would. Here was a little exhibition of a spirit which had been conspicuously absent in my later experiences of the world and its peopling. Apparently the milk of human kindness had not become entirely a figure of speech. One man, at least, was trying to live up to the requirements of a nominally Christian civilization, and if this bit of rescue work were a fair sample, he was making a success of it.

I took it for granted that he was the minister of the next-door church, and that the house was its parsonage or rectory. It was a simple story-and-a-half cottage, plainly furnished but exquisitely neat and home-like. There were books everywhere, and an atmosphere about as much of the place as I could see to make me decide that it was a man's house—I mean that the young minister wasn't as yet sharing it with a woman. You can tell pretty well. A woman's touch about a house interior is as easily distinguishable as the stars on a clear night.

From my place at the bedside I could look through an open door into the sitting-room. There were easy-chairs and a writing-table and a general air of man-comfort. Among the pictures on the walls was one of a stately group of college buildings; another was a class picture taken with a church, or perhaps it was the college chapel, for a background.

When the hour was about up, the man on the bed began to stir and show signs that he was coming out of the unconscious fit. Pretty soon he opened his eyes and asked, in a liquor-thickened voice, where he was. I told him he had had an accident and was in the hands of his friends; and at that he dropped off to sleep, and was still sleeping when a farm wagon stopped at the cottage gate and the Good Samaritan came in. His search had been successful. Our broken-winged bird was a young farmer living a few miles out of town. The young minister had found his team, and a friend to drive it, and both friend and team were at the gate ready to take the battered one home.

With the help of the volunteer driver we got the young farmer up and out and into the wagon; and there the Samaritan outreaching ended—or I supposed it was ended. But as a matter of fact, it was merely transferring itself to me. As I was moving off to resume my interrupted dash for the railroad station, Whitley—I read his name on the notice board of the near-by church—stopped me.

"What's your hurry?" he asked; adding: "I haven't had time to get acquainted with you yet."

I answered briefly that I was leaving town, and this brought the questioner's watch out of his pocket.

"There is no train in either direction before nine o'clock this evening," he demurred. And then: "It is nearly six now: if you haven't anything better to do, why not stay and take dinner with me? I'm a lone bachelor-man, and I'd be mighty glad of your company."

The wagon had driven off and the street was empty. I looked my potential host squarely in the eyes and said the first thing that came uppermost.

"I have just been discharged from Mr. Haddon's store—for what Mr. Haddon considers to be good and sufficient cause. I don't believe you want me at your dinner-table."

His smile was as refreshing as a cool breeze on a hot summer day.

"I don't care what Mr. Haddon has said or done to you. If you can't give any better reason than that——"

"But I can," I interposed. "I am a paroled convict."

Without another word he opened the gate and drew me inside with an arm linked in mine. And he didn't speak again until he had planted me in the easiest of the big chairs before the grate fire in the cozy sitting-room, and had found a couple of pipes, filling one for me and the other for himself.

"Now, then, tell me all about it," he commanded, "You are having plenty of trouble; your face says that much. Begin back a bit and let it lead up to Mr. Zadoc Haddon as a climax, if you wish."

It had been so long since I had had a chance really to confide in anybody that I unloaded it all; the whole bitter burden of it. Whitley heard me through patiently, and when I was done, put his finger on the single omission in the story.

"You haven't told me whether you did or did not use the bank's money for your own account in the mining speculation," he said.

I shook my head. "I have learned by hard experience not to say much about that part of it."

"Why?" he asked.

"If you knew convicts you wouldn't ask. They will all tell you that they were innocent of the crimes for which they were sentenced."

He smoked in silence for a minute or two and then said: "You are not a

criminal, Weyburn."

"I am not far from it at the present time—whatever I was in the beginning."

Another silence, and then: "It seems incredible to me that you, or any man in your situation, should find the world so hard-hearted. It isn't hard-hearted as a whole, you know; on the contrary, it is kind and helpful and charitable to a degree that you'd never suspect until you appeal to it. I know, because I am appealing to it every day."

Again I shook my head.

"It draws a line in its charity; and the ex-convict is on the wrong side of that line." I was going on to say more, but at that moment a white-haired old negro in a spotless serving jacket came to the door to say that dinner was ready, and we went together to the tiny dining-room in the rear.

At dinner, which was the most appetizing meal I had sat down to in many a long day, Whitley told me more about himself, sparing me, as I made sure, the necessity of further talk about my own wretched experiences. He was Southern born and bred—which accounted for the old negro serving man—and Springville was his first parish north of the Ohio River. He was enthusiastic over his work, and he seemed to forget completely who and what I was as he talked of it.

Later, when we had come again to the sitting-room with its cheerful fire, we talked of books, finding common ground in the field of autobiography and travel. Whitley's reading in this field had been much wider than mine, and his knowledge of far countries and the men who wrote about them was a revelation to such a dabbler as I had been. Book after book was taken from the shelves and dipped into, and before I realized it the evening—so different from any I had enjoyed for months and years—had slipped away and the little clock on the mantel was chiming the half-hour after eight. It was time for me to efface

myself, and I said so—a bit unsteadily, perhaps, for the pleasant evening had been as the shadow of a great rock in a thirsty land.

"No," said Whitley, quite definitely. "You are not going to-night. I have a spare bed upstairs and I want you to stay—as my guest. Beyond that, you are not going to leave Springville merely because Mr. Haddon has seen fit to deny you your little meed of justice and a fair show."

"It's no use," I said. "The story is out, and it will follow me wherever I go—doubtless with Mr. Haddon's help. You'd best let me go while the going is easy."

"No," he Insisted. "You are a part of my work—one of my reasons for existence. Christianity means something, Weyburn, and I am here to define its meaning in specific cases. There is a little legacy of common justice due you, and I shall take it upon myself to see that you get it. As for Zadoc Haddon, you needn't worry about him. I am ashamed to say that he is a member of my own church, but that doesn't prevent him from being a wolf in sheep's clothing. I have told him so to his face, and he has tried to get me ousted—without success, so far."

I saw difficulties and more difficulties for this generous young fellow who was so ready to champion my cause, and it seemed only decent to spare him if I could. But at the end of my protest he summed the situation up in a single sentence:

"What you say about me is all beside the mark; somebody has got to give you the chance you are needing, and the fight may just as well be made here in Springville as anywhere. Sit down again and let's dig a little deeper into that Mexican book of Enock's. I do like his blunt English way of describing things; don't you?"

Though the next three days were full of hopes and despairings for me I shall

pass over them lightly. Each day, though he did not tell me in detail what he was doing, I knew that Whitley was trying his best to find a place for me; and I knew, too, that he was meeting with no success. He was such a fine, upstanding fellow, and so full of holy zeal and enthusiasm, that it was hard for him to acknowledge defeat. But on the third evening, after a dinner at which he had tried vainly to bridge the gaps that were continually opening out in the talk, he threw up his hands.

"Weyburn," he began, when the pipes were lighted and he had poked the grate fire into a roaring blaze, "don't you know, these last three days have come mighty near to making me lose faith in my kind. It's simply wretched—miserable!"

"I would have saved you if you had been willing to let me," I reminded him.

"The question is much bigger than Bert Weyburn or John Whitley, or both of them put together," he asserted soberly. "It involves the entire fabric of Christianity, and our so-called Christian civilization. The Church is here to shadow forth the spirit and teachings of Christ, or it isn't—one of the two. If it falls in its mission it is a hollow mockery; a thing beneath contempt. I go to my fellow Christians with a simple plea for justice for a man who needs it, and what do I get? I am told, with all the sickening variations, that it won't do; that the thing I am proposing is one of the things that 'isn't done'; that society must be protected, and all that!"

"The mills of the gods," I suggested.

"Nothing of the sort! It's a radical defect in the existing scheme of things. Heavens and earth, Weyburn, you are not a pariah! Assuming that you really did the thing for which you were punished—and I don't believe you did—is that any reason why we should stultify ourselves absolutely and deny the very first principles of the religion we profess? But I mustn't be unfair. Perhaps the fault is partly mine, after all. Perhaps I haven't done my duty by these people."

"No; the fault is not yours," I hastened to say.

"I'm hoping it is; some of it, at least. Just the same, the wretched fact remains. You might be the biggest villain unhung—if only you hadn't passed through the courts and the penitentiary. As you thought probably was the case, your story is known all over town; though how it has got such a wide publication in so short a time is more than I can fathom. Men whom I would bank on; men to whom I have felt that I could go in any conceivable extremity, have turned me down as soon as I mentioned your name. The prison story is like a big, brutal, inanimate mountain standing squarely in the way; and I—I haven't the faith needful for its removal!"

Being under the deepest obligation to this dear young fellow who was bruising himself for me, I said what I could to lighten his burden. But in the midst of it he got up and reached for his hat and overcoat.

"I have just thought of something," he explained hastily; "something that may throw a good bit of light on this thing. You sit right here and toast your shins. I'm going out for a little while."

He was gone for the better part of an hour, during which interval I obeyed his injunction literally, sitting before the fire and basking in its home-like warmth; making the most of the comfort of it all before I should again go forth to face an inclement world. When Whitley came in and flung himself into a chair on the opposite side of the hearth his dark eyes were blazing.

"Weyburn," he began abruptly, "what I have to tell you will stir every evil passion you've ever harbored; and yet, in decent justice to you, it must be told. Have you ever suspected that your fight for reinstatement has been deliberately handicapped, right from the beginning?"

"I have suspected it at times; yes," I returned. "But there is no proof."

"There *is* proof," he shot back. "By the merest chance I stumbled upon it a few minutes ago. I went out with the intention of going to Zadoc Haddon and making him tell me where he got the information that you are the desperate criminal he professes to believe you to be. While we were sitting here it struck me all at once that this thing was being helped along by some one who had an object in view. At Haddon's house the doorman told me that Haddon had an appointment with an out-of-town customer and had gone to the hotel to keep it; and rather than wait, I went over to the Hamilton House to try to find my man. I didn't find him; but in the lobby of the hotel somebody found me. As I was turning away from the desk after asking for Haddon, a heavy-set young man, neatly dressed, stepped up and asked if my name was Whitley. I admitted it. Then he asked if I would give him a few minutes, and we went aside to sit facing each other in a couple of the lobby chairs. Weyburn, that young man is in the employ of a private detective agency, and what he wished to do, and did do, was to warn me that I was sheltering a dangerous criminal in my house!"

In a flash all the small mysteries that had been befogging me for months made themselves transparently clear: the man I had called a traveling salesman who had followed me from the prison gates to the scene of my first humble effort; the memorandum Chief Callahan had consulted; the "outfit" that was to be notified when my next destination was known; the second appearance of the "salesman" on the train at the capital, and his disappearance when he had learned from the conductor the name of my next stopping-place; and after this the long series of hitherto unaccountable blacklistings. My mouth was dry, but I contrived to tell Whitley to go on.

"I will," he conceded; "but you must promise me to control yourself. Naturally, my first impulse, when this scamp began on me, was to cut him off short and tell him what I thought of the despicable business to which he was lending himself. But the second thought was craftier, and I hope I may be forgiven for yielding to it. By leading him on I got the entire brutal story. It

seems that the two old men upon whose complaint you were indicted knew when you were to be paroled. They profess to believe that you are a menace to society; that the prison authorities were at fault in releasing you short of the limit of your sentence. Hence, through his employers, they have set this man upon your track to see to it—I use his own words—that you do not have an opportunity to rob some one else."

I suppose I should have been driven mad with vindictive fury at this plain revelation of the true cause of most of my misfortunes, but there is a point beyond which the beaten man cannot rise to renew the fight, and I had reached and passed it. Wherefore I found myself saying, quite calmly:

"Neither Abel Geddis nor Abner Withers would spend one copper penny for any such altruistic reason as this man has given you, Whitley. Their motive is strictly selfish and personal. They are either afraid that I may go back to Glendale and try to expose them; or that I may take the shorter and surer way of balancing the account by killing them—as, at one time, I meant to."

"Oh, but my dear fellow!" Whitley protested. "In that case they would hardly take a course which was calculated to drive you to desperation!"

"You don't understand it all," I rejoined. "Everything has been done secretly, and it is only by the merest chance that I have now learned the truth. This man you have been talking to has been following me, or keeping track of me, ever since I left the penitentiary. I have seen him twice, and I took him to be a traveling salesman—as he doubtless intended I should. You can see how it was designed to work out. With a sufficient amount of discouragement it was reasonable to assume that the prison bird would finally yield to the inevitable; become a criminal in fact and get himself locked up again out of harm's way."

"You think that was the motive?"

"I am as certain of it as I should be if I could read the minds of those two old

plotters in my home town. You see, I've summered and wintered them. The only thing I can't understand is why I have been so blind; why I didn't assume all this long ago and act accordingly."

"But why, *why* should they be so utterly lost to every sense of right and justice; to all the promptings of common humanity? It's hideously incredible!"

"I have given you two reasons, and you may take your choice. It is either the fear of death—the fear of the vengeance of a man whose life they have ruined, or else the transaction in which they involved me, and in which they made me their scapegoat, was more far-reaching than I, or anybody in Glendale, supposed it was."

Whitley sat for a full minute staring absently into the fire. Then he said, very gently: "Now that you know the truth, what will you do?"

"I know well enough what I ought to do. We may pass over the fellow at the Hamilton House; he is only a poor tool in the hands of the master workmen. I bear him no malice of the blood-letting sort. But really, Whitley, I ought to go back to Glendale and rid the earth of those two old villains who have earned their blotting-out."

Again there was a pause, and then: "Well, why don't you do it?"

I laughed rather bitterly.

"Because all the fight has been taken out of me, Whitley. That is the reason and the only reason."

His smile was beatific. "No, it isn't," he denied. "You know you couldn't do it; you couldn't bring yourself to do it. Maybe, in the heat of passion … but to go deliberately: no, Weyburn; if you think you could do such a thing as that, I can tell you that I know you better than you know yourself."

"I merely said that that was what I ought to do. I know well enough that I shan't do it, but the reason is far beneath that which you are good enough to hint at. I'm a broken man, Whitley; what I have gone through in the past few months has smashed my nerve. You can't understand that—I don't expect you to. But if I should meet those two old men when I leave this house, I should probably run away from them and try to hide."

"But what *will* you do?" he queried.

"What can I do, more than I've been doing?"

Again a silence intervened.

"I wish I knew how to advise you," Whitley said at length. "If there were only some way in which you might shake off this wretched hired spy!"

"I can't. If I dodge him, he has only to wait until I report myself again to the prison authorities. The one thing I can do is to relieve you of my threatening presence, and I'll do that now—to-night, while the going is good."

He was at the end of his resources, as I knew he must be, and he made no objections. But at train-time he got up and put on his overcoat to accompany me as far as the station. It was a rough night outside, and I tried to dissuade him, but he wouldn't have it that way. "No," he said; "it's my privilege to speed the parting guest, if I can do no more than that," and so we breasted the spitting snow-storm which was sweeping the empty streets, tramping in silence until we reached the shelter of the train-shed.

It was after the train had whistled for the crossing below the town that Whitley asked me again what I intended doing. I answered him frankly because it was his due.

"It has come down to one of two things: day-labor, in a field where a man is

merely a number on the pay-roll—or that other road which is always open to the prison-bird."

He put his hand on my shoulder. "You are not going to take the other road, Weyburn," he said gravely.

"I hope not—I hope I shan't be driven to."

"You mustn't make it conditional. I know you are not a criminal; you were not a criminal when you were convicted. You can't afford to begin to be one now."

"Neither can I afford to starve," I interposed. "Other men live by their wits, and so can I, if I'm driven to it. But I'll play fair with you, Whitley. So long as I can keep body and soul together, with a pick and shovel, or any other implement that comes to hand, I'll stick. I owe you that much, if only for the reason that you are—with the single exception of an old police chief who lives at the other edge of the State—the one really human being I've met since I shook hands with the warden."

The train was in and the conductor was waving his lantern. Whitley grasped my hand and wrung it. "Be a man, and God bless you!" he said in low tones. "And when the pinch comes again and you are tempted to the limit, just remember that there is a fellow back here in Springville who believes in you, and who will limp a little all the rest of his days if you stumble and fall and refuse to get up. Good-night and good-by!"

VII

The Plunge

By the train which bore me away from Springville I went only far enough to put me safely beyond the possibility of stumbling upon any of the places where I had hitherto sought work; though as to that, I had little hope of escaping the relentless blacklister who had been set upon me.

About midnight I had a talk with the flagman in the smoking-car, calling myself a laborer looking for a job and asking about the prospects in the region through which we were passing. I was told that there were swamp lands in the next county, and that the contractors who were installing systems of under-draining had been advertising for men.

Accordingly, the next morning found me in the new field, with one set of difficulties outpaced for the moment only to make room for another. The first man I tackled was the foreman of a ditching crew, and he looked me over with a cold and contemptuous eye.

"Show yer hands!" he rasped, and when I held them out, palms upward: "On yer way, Misther Counter-hopper; 'tis wor-rkin'min we're hirin' here this day—not anny lily-fingered dudes!"

So it was, in a disheartening number of instances; on a railroad grading force in an adjoining county, on city buildings where I asked to be taken as an unskilled helper, with a sewer contractor in another city, as a shoveler in a village brick-yard. Finally I landed a job as a stacker in a lumberyard; and now I found another of the day-laborer difficulties lying in wait for me. At the time of my commitment for trial I was in good physical condition. But the three years in prison had made me soft and flabby, a handicap which liberty—with a string tied to it—had done little to remove; and four hard days of the stacking, in

which two of us were handling two-by-ten eighteen-foot joists to the top of a pile twelve feet high, finished me.

The boss grinned understandingly when he gave me my time-check for the four days.

"I thought you wouldn't last very long at the stacking," he commented; "that's a man's job." Then: "Got any head for figures?"

I faced him fairly. "I can't take a job of that kind."

"Why can't you?"

He got the reason in a single sentence.

"Paroled man, hey? What was you in for?"

I named the charge, and did not add that it was an unjust one. I had pleaded the miscarriage of justice so many times, only to be called a liar, that it seemed useless to try to explain.

"Robbed a bank, did you? Well, I don't know as I think any worse of you for spittin' it right out. Tryin' to brace up?"

"I'm trying to earn an honest living."

"And havin' a mighty hard time of it, I reckon—'r you wouldn't be makin' a push at stackin' lumber with them blistered hands. Say, boy; I sort o' like your looks, and I'm goin' to give you a boost. They're needin' a log-scaler in the sawmill. If you know figures, you can catch on in half a day. Chase your feet down to the mill foreman and tell him I sent you."

I went gladly enough, secured the new job, learned how to do it acceptably, and was temerariously happy and light-hearted for two whole weeks. Then my

Nemesis found me again. In the third week I chanced to get a glimpse of a short, heavy-set man talking to a bunch of my fellow laborers. Before I could cross the mill yard to identify the stranger he turned and walked quickly away; but the sixth sense of apprehension which develops so surely and quickly in the ex-convict told me that the heavy-set man was Abel Geddis's hired blacklister, and that I was once more on the toboggan slide.

Pay-day came at the end of the week, and when the envelopes had been given out the mill foreman took me aside.

"I'm sorry, Weyburn," he began curtly, "but I'm afraid you'll have to be moving on. Personally, I don't care, one way or the other, what you've been or where you hall from. You do your work well, and that's all I ask of any man. But your story has got out among the hands, and that settles it. They won't work with a convict."

When I took the long road again after this latest rebuff I knew that the fine resolution with which I had left the prison five months earlier was breaking down. The relentless pressure was doing its work, and I began to ask myself how long I could hold out as a law-abiding citizen and a victim of injustice against the belief of the world that I was neither.

The five months' wanderings had carried me the length and breadth of the State, and I had avoided only the large cities and my home neighborhood. But with the lumber company's money in my pocket I boarded a train for the State metropolis. At the end of the experiment I was doing what the released criminal usually does at the outset—seeking an opportunity to lose myself in the crowd.

Jobs were notably harder to find in the great city, though police headquarters, where I reported myself, placed no obstacles in my way so far as I know; took no note of me in any fashion, as I was afterward led to believe. That the hired traducer would follow and find me I made no doubt; but by this time I was becoming so inured to this peculiar hardship that I refused to cross

bridges until I came to them, and was at times even able to forget, in the discouragements of other hardships, that I was a marked man.

In the search for means to keep body and soul together it was easy to forget. Day labor offered only now and then, and in my increasing physical unfitness I could not hold my own against the trained muscles of seasoned roustabouts, porters and freight-handlers. Worse still, the physical deterrent grew by what it fed upon—or by the lack of feeding. Part of the time I couldn't get enough to eat; and there were cold and blustering nights when I had not the few cents which would have given me a bed in a cheap lodging-house.

It was in this deepest abyss in the valley of disheartenment that I met a former prison-mate named Kellow; a forger whose time of release from the penitentiary coincided nearly with my own. The meeting was wholly by chance. I was crossing one of the city bridges at night, pointing for one of the river warehouses where I hoped to find a tramp's lodging and shelter from the bitter wind, when I walked blindly into a man coming in the opposite direction. The recognition was instant and mutual.

Like myself, Kellow had been a "trusty," and under certain relaxations of the rule of silence in the prison we had talked and an acquaintance of a sort had slowly grown and ripened. In this intimacy, which I had striven to hold at arm's length, I had come to know the forger as a criminal of the most dangerous breed; a man of parts and of some education, but wholly lacking in the moral sense; a rule-keeper in prison only because he was shrewd enough to appreciate the fact that he was bringing the day of release nearer by piling up "good-conduct" time.

"Well, pinch me! Look who's here!" was his greeting when we met on the bridge.

For a silent moment it was I who did the looking. Kellow had grown a pair

of curling black mustaches since his release; he was well-dressed, erect and alert, and was smoking a cigar the fragrance of which made me sick and faint with an attack of the long-denied tobacco hunger.

"You're out, too, are you?" I managed to say at last, shivering in the cold blast which came sweeping up the river.

"Three months, and then some," he returned jauntily. "I'm collecting a little on the old debt now, and doing fairly well at it, thank you."

"The old debt?" I queried.

"Yep; the one that the little old round world owes every man: three squares, a tailor, a bed and a pocket-roll."

"You look as if you had acquired all four," I agreed, setting my jaw to keep my teeth from chattering.

"Sure I have; and you look as if you hadn't," he countered. And then: "What's the matter? Just plain hard luck? Or is it the parole scare?"

"Both," I admitted.

He shot me a quick look.

"I can put you onto a dead sure thing, if you're game for it. Let's hunt us a warm place and chew it over."

The place was the back room of an all-night saloon in the slum quarter beyond the bridge. It was warm, stiflingly warm and close, after the outdoor blast and chill, and it reeked like a sty. Kellow kicked out a chair for me and drew up one for himself on the opposite side of the small round card-table over which a single gas-jet hissed and sizzled, lighting the tiny box of a place with a sickly yellow glare.

"What'll it be?" he asked, when the waiter came in.

"A piece of bread and meat from the lunch counter, if you don't mind," I said; and then, in an apology for which I instantly despised myself: "Liquor doesn't agree with me lately; it—it would gag me."

Kellow ordered whiskey for himself, and after the waiter was gone he stared at me contemptuously.

"So it's come to that, has it?" he derided. "You're so damned hungry you're afraid to put a drop of bug-juice under your belt. You're a fool, Weyburn. I know what you've been doing, just as well as if you'd told me the whole story. Also, I'll believe now what I didn't believe while we were in 'stir'; you were pinched for something you didn't do."

"Well?" I said, neither affirming nor denying. The free lunch had come and I was falling upon it like a famished wolf. I hadn't a penny in my pockets, and the bread and meat stood for breakfast, dinner and supper combined.

Kellow swallowed his whiskey at a gulp and stood the empty glass bottom upward on the table.

"Been trying the honest lay, I suppose—handing in your name and number wherever you went?" he suggested.

I nodded, adding that there was nothing else to be done, as I saw it.

He laughed scornfully. "A minute ago I said you were a fool, but you're worse than that—you're an infant! Why, good hell, Weyburn, there are a dozen ways to beat the parole game! Look at me: I'm here, ain't I? And the warden knows all about it, does he? Not on your life! Every four weeks he gets a letter from me telling him what a fine time I'm having on Dad's farm down in Wayne,

and how I'm all to the good and thanking him every day for all he did for me. What?"

"Somebody mails those letters for you in Wayne?" I asked.

"Sure! And a little split for the marshal in the nearest town does the rest. Bimeby, when I've collected enough of the debt I spoke of, I'll shake the dust and disappear."

"They'll find you and bring you back."

"Not without a fine-tooth comb, they won't. This old world is plenty good and wide when you learn how to use it."

"I suppose I haven't learned yet; and I don't want to learn—in your way, Kellow."

Again he gave me the sneering laugh.

"You may as well begin, and have it over with. It's all the same to you, now, whether you cracked the bank or didn't. You may think you can live square and live the prison-smell down, but you can't. It'll stick to you like your skin. Wherever you go, you'll be a marked man."

Though I had devoured the bar hand-out to the final crumb, I was still half-famished; and hunger is but a poor ally in any battle. What he was saying was truth of the truth, so far as the blunt facts were concerned. Every failure I had made in the six weary months confirmed it. There was little room in the world of the well-behaved for the man who was honest enough—or foolish enough—to confess himself an ex-convict; less still for a man who had been made the object of a persecuting conspiracy. None the less, I had resolution, or obstinacy, enough to say:

"I don't believe it."

"That's what makes me say you're a fool!" he snapped back. "You've got the name, and you may as well have the game. The world is dead easy, if you take it on its blind side; easy living, easy money. Listen, Weyburn, and I'll show you how you can climb into the bandwagon."

I listened because I could not well help it, being the man's wretched beneficiary, in a sense. As he talked I felt the ground of good resolutions slipping from beneath my feet. He was staging the old and time-honored swindle—the gold-brick game—and he needed a confederate. The fish was almost as good as landed, and with a little coaching I could step in and clinch the robbery. Kellow proposed to stake me for the clothes and the needful stage properties; and my knowledge of banking and finance, limited as it was, would do the rest. It was a cinch, he averred, and when it was pulled off we could divide the spoils and vanish.

It was hardly a temptation. That word calls up a mental picture of stern virtues assailed on every side and standing like a rock in a storm. But, stripped of their poetic glamor, the virtues—and the vices, for that matter,—are purely human; they can rise no higher or sink no lower than the flesh-and-blood medium through which they find their expression. The six months of hardship and humiliation which had brought me to a pass at which I could eat a saloon luncheon at the expense of a thief were pushing me over the brink. Kellow sat back in his chair, smoking quietly, but I could feel his black eyes boring into my brain. When he judged that the time was fully ripe, he drew a fat roll of bank-notes from his pocket, stripped ten ten-dollar bills from it and tossed them across the table to me.

"There's the stake, and here's the lay," said he, tersely. "Your name's Smollett; you've struck it rich, and you're on your way home to New York, we'll say, from your mine in Colorado. You're stopping at the Marlborough,

and we'll run across you accidentally—I and the come-on—to-morrow forenoon in the hotel lobby. Get that?"

"I hear what you are saying."

"All right. Now for the preliminaries. Any all-night pawnbroker can fit you out with a couple of grips and some clothes that will let you dress the part—or at least let you into the hotel. Then, to-morrow morning bright and early you can hit the ready-made tailors and blossom out right as the honest miner spending some of his money for the glad rags. I'm at the Marlborough myself—J. T. Jewett, Room 706—but, of course, I won't know you; you'll just butt in as a stranger to both of us. When we get together I'll give you the cues as we go along."

During all this talk the hundred dollars had lain on the table between us. It didn't look like money to me; it stood for food and decent clothing and a bath—but chiefly for food. Slowly I took it up and fingered it, almost reverently, straightening out the crumpled corners of the bills and smoothing them down.…

I scarcely know how I got away from Kellow, nor do I know why he chose to stay on there in the back room of that miserable doggery, drinking whiskey sours alone and smoking his high-priced cigars. But I do know that I was up against the fight of my life when I went out to face the bitter night wind in the streets.

It was a singular thing that helped me to win the fight, temporarily, at least. By all accounts it ought to have been those three heart-warming days spent with Whitley a month earlier, and his farewell words of helpfulness and cheer spoken as I was boarding the outgoing train at the Springville station. But though Whitley's sturdy faith in me came to do its part, it was another and much longer leap of memory that made me hesitate and draw back; a flash carrying me back to my school-days in Glendale … to a certain afternoon when a plain-faced little girl, the daughter of our physics and chemistry teacher, had told me, with

her brown eyes ablaze, what she thought of dishonesty in general, and in particular of the dishonesty of a boy in her class who was lying and stealing his way past his examinations.

I don't know to this day why I should have recalled Polly Everton and her flaming little diatribe against thievery and hypocrisy at that desperate moment. She, and her quiet college-professor father who had seemed so out of place teaching in a Glendale school, had dropped out of my life years before. But the fact remained, and at the memory, Kellow's bribe, gripped pocket-deep in my hand, burnt me like a coal of fire. With a gasp I realized that I was over the brink at last, stumbling and falling into the pit which has no bottom. With a single dollar of the thief's money spent and gone beyond recall, I should be lost.

With that memory of little Polly Everton to drive me, I went doggedly back to the riverside slum and sought for Kellow where I had left him. He was gone, but the newly aroused resolution, the outworn swimmer's stubborn steeling of the nerves and muscles to make one more stroke before he drowns, persisted. Footsore and half-frozen, I tramped the dozen squares to the great hotel in the business district. The night clerk sized me up for precisely what I was, listening with only half an ear to my stammering question. But he deigned to answer it, nevertheless. Yes; Mr. Jewett was the gentleman who had Number 706, but he was not in. His key was still in the box.

There were writing-desks in the lobby, a number of them, and I went to the first that offered. Some guest had left a few sheets of the hotel paper and an envelope. Without a written word to go with it, I slipped the unbroken bribe into the envelope, sealed the flap hurriedly and went back to the clerk.

"Put this in Mr. Jewett's key-box, if you please," I requested; and when I had seen the thing done, and had verified the number of the box with my own eyes, I headed once more for the inhospitable streets.

It was on the icy sidewalk, directly in front of the revolving doors of the big hotel, that my miracle was wrought. While I hesitated, not knowing which way to turn for shelter for the remainder of the night, a cab drove up and a man, muffled to the ears in a fur-lined overcoat, got out. He was apparently an arrival from one of the night trains; while he was slamming the cab door a bell-hop from the Marlborough skated across the sidewalk, snatched a couple of grips from the front seat of the cab and disappeared with them.

Humped and shivering, I was almost at the traveler's elbow when he turned and felt in his pockets for the money to pay the cab driver. I was so busy envying him the possession of that warm, fur-lined coat that I didn't pay much attention to what he was doing, but it was evident that he had forgotten in which pocket he carried his change, since he was feeling first in one and then in another.

Suddenly my heart skipped a beat and then fell to hammering a fierce tattoo as a gust of the highwayman's madness swept over me. The man had taken out a huge pocket roll of bank-notes and was running the bills over to see if there were one small enough to serve the cab-paying purpose. Obviously there was not, and with a grunt of impatience he searched again, this time unearthing a handful of silver. Dropping the proper coin into the cabman's outstretched hand, he turned and disappeared through the revolving doors, and at the same instant the cabby whipped up his horse and drove away. Then I saw it lying almost at my feet; a small black pocketbook which the traveler had let fall in his fumbling search for change.

Judged by any code of ethics—my own, for that matter—what followed was entirely indefensible. The grab for the treasure, its swift hiding, the breathless dash into the shadows of the nearest cross street; all these named me for what I was at the moment—a half-starved, half-frozen, despair-hounded thief. When I had made sure that there was no policeman in sight I examined my prize by the light of a crossing electric. The black pocketbook contained

sixty-three dollars in bills and a single half-dollar in silver. And a hasty search revealed nothing by which the loser could be identified; there were no papers, no cards, nothing but the money.

Though a desperate disregard for anything like property rights had prompted the sudden snatch and the thief-like dash for cover, I am glad to be able to say that common honesty, or some shadowy simulacrum of it, revived presently and sent me back to the hotel, though not without terrible foot-draggings, you may be sure. And as I went, many-tongued temptation clamored riotously for a hearing: the man had so much—he would never miss this carelessly spilt driblet; I had no means of identifying him, and with the fur-lined coat removed I should probably fail to recognize him; if I should try to describe him, the hotel clerk, he of the detached and superior manner, would doubtless take the pocketbook in charge and that would be the last I should ever hear of it.

Giving these arguments their just weight, I hope I may take some small credit for the perseverance which finally drove me through the swinging doors and up to the clerk's counter. For the second time that night I sought speech with the bediamonded chief lackey, and got it grudgingly. No; no one had registered within the past few minutes, and no man answering my exceedingly incomplete description had presented himself at the counter. Conscious that I must do, there and then, all that ever could be done, I persisted.

"The gentleman I speak of came in a cab and he had two hand-bags; they were brought in by one of the bell-boys," I said, thinking that this might afford the clue.

The clerk looked afar over my head. "Some guest who already has his room and had gone to fetch his grips." Then, with the contemptuous lip-curl that I had encountered too often not to recognize it at sight: "Who are you, anyway?—a plain-clothes man looking for crooks? You'll not find them in the Marlborough. We don't keep that kind of a house."

I turned away, gripping the precious treasure-trove in my pocket. For a full half-year I had kept faith with the prison authorities and the law, living the life of a hunted animal and coming at last to the choice between starvation and a deliberate plunge into the underworld. Through it all I had obeyed the requirements of my parole in letter and in spirit. But now——

The black pocketbook was warm in my hand. It was mine, if not by the finder's right, at least by the right of possession, and it contained the price of freedom. Before I had reached the corner, of the first street my determination was taken, and there had been but one instant of hesitation. This had come in a frenzied burst of red rage when I remembered that, when all was said, I owed this last downward step, as well as all that had gone before, to two old men who … I stopped short in my shuffling race to the railroad station. I had money; enough to take me to Glendale—and far beyond when the deed should be done. Years before I had sworn to kill them, and since that time they had doubly earned their blotting-out.

I don't know to this day whether it was some remaining shreds of the conventional conscience, or a broken man's inability to screw retaliatory determination to the murder point, that sent me onward to the westbound station and framed my reply to the ticket agent's curt question, "Where to?" when I thrust my money through his wicket. Be that as it may, a short half-hour later I had boarded a through westbound train and was crouching in the corner of a seat in the overheated smoking-car with a ticket to Denver in my pocket. Though I was not on my way to commit a double murder, I was none the less an outlaw. I had broken my parole.

VIII

Westward

A sleety rain was retarding the March dawn and obscuring the Middle Western farmstead landscape when the lights were turned off in the through-train smoking-car. A glance at the railroad time-table which had been given me with my ticket proved that the train was well past the boundaries of my home State, and suddenly the vile atmosphere of the crowded, night-fouled car seemed shot through with the life-giving ozone of freedom.

Before long, however, the reaction set in. True, I was free at last, but it was the freedom only of the escaped convict—of the fugitive. To be recaptured now would mean a return to prison and the serving out of the remainder of the full five-year term, with an added penalty for the broken parole. I knew well the critical watchfulness with which the workings of the new law were regarded. The indeterminate sentence itself was on trial, and the prison authorities and others interested were resolved that the trial should be fair and impartial. Therefore I might count confidently upon pursuit.

At first there seemed little likelihood that my midnight flight could be traced. In the great city I had left behind I had been only an uncounted unit in a submerged minority. It was doubtful if any one besides Kellow and the keeper of the police records would know or remember my name. There had been many travelers to board the through train with me, and surely one might consider himself safely lost in such a throng, if only by reason of the unit inconsequence.

But now I was to be brought face to face with a peril which constantly besets the fugitive of any sort in an age of rapid and easy travel. Under such

conditions the smallness of the modern world has passed into a hackneyed proverb. I had scarcely rubbed the sleep out of my eyes and straightened up in the car seat which had served for a bed when some one came down the aisle, a hand was clapped on my shoulder, and a cheery voice said:

"Well, I'll be dog-daddled! Bert Weyburn—of all the people in the world!"

There was murder in my heart when I looked up and recognized a Glendale man whom I had known practically all my life; a rattle-brained young fellow named Barton, who had tried a dozen different occupations after leaving school, and had, at my last account of him, become a traveling salesman for our single large factory—a wagon-making company.

Under the existing conditions Barton was easily the last man on earth whom I should have chosen out of a worldful of men for a traveling companion; but before I could do more than nod a surly response to his greeting he had slipped into the empty half of the seat and was offering me a cigar.

At first our talk was awkwardly constrained, as it was bound to be with one party to it wishing fervently that the other were at the bottom of the sea. But Horace Barton was much too good-natured, and too loquacious, to let the constraint remain as a barrier. Working around by degrees to the *status quo*—my *status quo*—he finally broke the ice in the pond of the intimate personalities—as I knew he would.

"I'm mighty glad to see you out, and alive and well, Bert," was the way in which he brushed aside the awkwardnesses. "You've had pretty tough lines, I know; but that's no reason why you should be grouchy with me. I'm not letting it make any difference, am I?"

"Not here on the train," I conceded, sourly.

"No; and, by George, I wouldn't let it at home, either! I'll bet you've got a

few friends left in Glendale, right now, and you've had 'em all along. Been back there since you—since—er——"

I shook my head, and he went on as if he were afraid that a stop might prove fatal to another start.

"It sure isn't any of my butt-in, but I don't believe you ought to dodge the home town, Bert. There are a lot of good people there, and if I were in your fix, I believe I'd want to go and bully it out right where it happened. You've bought your little chunk of experience and paid for it, and now you're a free man just like the rest of us. You want to buck up, and tell them that don't like it to go straight plumb to the dickens."

There was ample reason why he should take this tone with me if he felt like it. I looked like a derelict and was acting like one. Moreover, I was tormented to the verge of madness by the fear that the conductor might come along on a ticket-punching tour, and that by this means Barton would learn my ultimate destination—which would be equivalent, I fancied, to publishing it in the Glendale *Daily Courier*.

"Cut it out!" I said gruffly. "If Glendale were the last place in the universe, I wouldn't go back there."

He dropped the argument with perfect good-humor, and even made apology. "I take it all back; it's none of my business. Of course, you know best what you want to do. You're a free man, as I say, and can go where you please."

His repetition of this "free man" phrase suddenly opened my eyes. He had forgotten, as doubtless a good many others had, all about the indeterminate sentence and its terms, if, indeed, he—and the others—had ever known anything about its conditions. It was not to be wondered at. Three years and a half will ordinarily blot the best of us out of remembrance—at least as to details.

It was at this point that I twisted the talk by thrusting in a question of my own.

"No; I haven't been in Glendale right lately—been out on the road for a couple of weeks," was Barton's answer to the question. "We've widened the old wagon-shop out some few lines since you knew us, and I've been making a round of the agencies. I was in the big city last night and got a wire to go to St. Louis. The wire got balled up somewhere, and I didn't get it until late at night. Made me hustle, too. I'd been out of the city for the day and didn't get back to the Marlborough until nearly midnight."

This bit of detail made no impression upon me at the moment because I was too busy with the thoughts suggested by the fact that I might have Barton with me all day. Returning to Glendale at the end of his round, he would be sure to talk, and in due time the prison authorities would learn that I had been last seen in St. Louis. This accidental meeting with Barton figured as a crude misfortune, but I saw no way to mitigate it.

About this time came the first call for breakfast in the dining-car, and I hoped this would relieve me of Barton's presence, for a while, at any rate. But I was reckoning altogether without my host.

"Breakfast, eh?—that fits me all the way down to the ground," was his welcoming of the waiter's sing-song call. "Come along, old man, and we'll go eat a few things. This is on me."

I tried to refuse. Apart from a frantic desire to be quit of him, I was in no condition to present myself in the dining-car. I showed him my grimy hands, and at that he made me forgive him in advance for all the harm he might eventually do me.

"That's perfectly all right," he laughed. "Fellow can't help getting that way on

the road. My sleeper is the first one back, and the dining-car's coupled on behind. You come along into the Pullman with me and wash up. I've got a bunch of clean collars and a shirt, if you want them; and if the Pullman man makes a roar I'll tell him you're my long-lost brother and give him the best ten-cent cigar he ever smoked—I get 'em at a discount from a fellow who makes a little on the side by selling his samples." And when I still hung back—"Don't be an ass, Bertie. This old world isn't half as mean as you'd like to think it is."

I yielded, weakly, I was going to say; yet perhaps it wasn't altogether weakness. For the first time since leaving the penitentiary I was meeting a man from home; a man who knew, and apparently didn't care. I went to the Pullman with Barton and was lucky enough to meet the ticket-punching train conductor on the way. Barton was a step or two ahead of me and he did not see my ticket. In consequence, the Colorado destination was still my own secret.

In the Pullman wash-room Barton stood by me like a man, fetching his own clean linen and tipping the porter to make him turn his back while I had a wash and a shave and a change. One who has always marched in the ranks of the well-groomed may never realize the importance of soap and water in a civilized world. As a moral stimulus, the combination yields nothing to all the Uplift Foundations the multi-millionaires have ever laid. When I took my place at the table for two opposite Barton in the diner, I was able to look the world in the eye, and to forget, momentarily at least, in the luxury of clean hands and clean linen, that I was practically an outlaw with a price upon my head.

Yearning like a shipwrecked mariner for home news, I led Barton on to talk of Glendale and the various happenings in the little town during my long absence. Though I had quartered the home State in all directions for half a year he was, as I have said, the first Glendale man I had met.

He told me many things that I was eager to know; how my mother and sister were living quietly at the town place, which the income from the farm enabled

them to retain. For several years after her majority my sister, older than I, had taught in the public school; she was now, so Barton said, conducting a small private school for backward little ones at home.

There were other news items, many of them. Old John Runnels was still chief of police; Tom Fitch, the hardware man, was the new mayor; Buck Severance, my one-time chum in the High School, was now chief of the fire department, having won his spurs—or rather, I should say, his red helmet and silver trumpet—at the fire which had destroyed the Blickerman Department Store.

"And the bank?" I asked.

"Which one? We've got three of them now, if you please, and one's a National."

"I meant the Farmers'," I said.

"Something right funny about that, Bert," Barton commented. "The old bank is rocking along and doing a little business in farm mortgages and note-shaving at the old stand, same as usual, but it's got a hoodoo. The other banks do most of the commercial business—all of it, you might say; still, they say Geddis and old Abner Withers are getting richer and richer every day."

"Agatha is married?" I asked.

"No; and that's another of the funny things. Her engagement with young Copper-Money was broken off—nobody knew just how or why—shortly after your—er—shortly after the trouble at the bank three years and a half ago. Agatha's out West somewhere now—in a sanitorium, I believe. Her health has been rather poor for the last year or so."

This was news indeed. As I had known her as girl and woman, Agatha

Geddis had always been the picture of health. I put up a fervent little prayer that her particular sanitorium might not prove to be in the vicinity of Denver. If it should be it meant another move for me.

"I didn't see the finish of the bank trouble before they buried me, did I, Barton?" I queried.

"You bet your life you didn't! There was the dickens to pay all around. Under the State law, as you probably know, the depositors' losses had to be made up, to the extent of twice the amount of the stockholdings, by the stockholders in the bank. When they came to count noses they found that Geddis and Withers hadn't done a thing but to quietly unload their bank stock here and there and everywhere, until they held only enough to give them their votes. There was a yell to raise the roof, but the stockholders of record had to come across. It teetotally smashed a round dozen of the best farmers in the county; and I heard, on the quiet, that it caught a good many outsiders who had been buying Farmers' stock at a bargain, among them this young Mr. Copper-Money who was going to marry Agatha—and didn't. Geddis and Withers played it mighty fine—and mighty low-down."

All this was a revelation to me. In my time Geddis and Withers together had held a majority of the stock in the close little corporation known as the Farmers' Bank. The despicable trick by means of which Geddis, or both of them, had shifted the defalcation loss to other shoulders proved two things conclusively: that the scheme had been well planned for in advance, and that the two old men had worked in collusion. I remembered my suspicion—the one I couldn't prove—that Withers had been as deep in the mud as Geddis was in the mire.

"What became of the mining stock?" I inquired.

"Geddis put it into the assets, 'to help out against the loss,' as he said. Nobody wanted it, of course; and then, to be right large-hearted and generous, Geddis bought it in, personally—at ten cents on the dollar."

"And you say Geddis is still running the bank?"

"Oh, yes; he and Withers run it and own it. As you'd imagine, Farmers' Bank stock was mighty nearly a drug in the market, after all the bills had been paid, and, just to help their neighbors out of a hole, as they put it, the two old skinflints went around buying it back. I don't know what they paid; different prices, I suppose. But Hawkins, our manager, told me that he sold his for twenty-five cents on the dollar, flat, and was blamed good and glad to get that much out of it."

It was just here that my breakfast threatened to choke me. If I had been as guilty as everybody believed I was, I should still have been a white-robed angel with wings compared with these two old Pharisees who had deliberately robbed their friends and neighbors, catching them both coming and going. And yet I was a hunted outlaw, and they were honored and respected—or at least they were out of jail and able to live and flourish among their deluded victims.

The choking was only momentary. Barton was in a reminiscent mood, and he went rambling on about people in whom I was most deeply interested. It was like a breath of the good old home air in my nostrils just to sit and listen to him.

But it seems as though there has to be a fly in everybody's pot of sweetened jam. In the midst of things, at a moment when I was gratefully rejoicing in the ability to push my wretched life-catastrophe a little way into the background, I had a glimpse of a new face at the farther end of the dining-car. A large-framed man with drooping mustaches had just come in from the Pullman, and the dining-car steward was looking his car over to find a place for the newcomer at the well-filled tables.

I did not have to look twice to identify the man with the drooping mustaches. For three long and weary years I had seen him dally in the office of the State

penitentiary. His name was William Cummings, and he was the deputy warden.

IX

The Cup of Trembling

Why I should have chosen, haphazard, and solely because it chanced to be the first that offered, a train which numbered among its passengers not only a man from my home town of Glendale, but also the deputy warden of the penitentiary, is one of those mysteries of coincidence which we discredit impatiently when we run across them in fiction, but which, nevertheless, are constantly recurring in every-day life.

For the moment I was desperately panic-stricken. It seemed blankly impossible that Cummings should not see and recognize me at once. I could have sworn that he was looking straight at me while the steward kept him waiting. My terror must have shown itself in my face, since Barton spoke up quickly.

"Why, say—what's struck you, Bert?—are you sick?" he demanded; and then he supplied an answer to his own query: "I ought to be kicked around the block for loading you up with a big dining-car breakfast when you had just told me that you were off your feed. Cut it short and we'll trot up ahead and smoke a cigar. That'll help you get away with it."

The steward had found Cummings a seat at the forward end of the car, and

how to pass him without detection was a problem that made me dizzy with the nausea of fear. Barton, with the lordly manner of the American salesman away from home, made it possible. Snapping his fingers for a waiter he paid for the breakfasts before we left our seats, and then quickly led the way forward. At the pause in the vestibule, while Barton was answering the steward's query as to how we had been served, I could have reached out and touched Cummings's shoulder. But the deputy warden was running an investigative finger down the menu card and he did not see me.

It may say itself that I was in no condition to enjoy the after-breakfast cigar burned in the smoking-room of Barton's Pullman, where the wagon salesman's tips, or his good-natured insistence, again made me welcome. Every moment I expected to see the door curtain flung aside to admit the burly figure of William Cummings. True, there were a number of Pullmans in the train, and it was possible that I might not be in the smoking-room of his car. But it was enough, and more than enough, to know that we were fellow-travelers on the same train.

There is little use piling on the agony by trying to tell what I suffered during this forenoon of nerve-racking torture and suspense. Let it be sufficient to say that the torments ended for me at Decatur, Illinois, when, at the train stop, I saw Cummings cross the platform to a street-car followed by a station porter carrying his grip. Barton marked the change in me at once.

"By George, Bert, what did you see in that platform jumble to make you look as if you had suddenly taken on a new lease of life?" he inquired jestingly. Then he passed the ever-ready cigarcase. "Smoke up, and after a bit we'll go and try it on the dog—see if a second meal in the diner will come as near to upsetting you as the first one did. Say, don't you know, I'm bully glad we met up in the smoker this morning? I was rawhiding myself to beat the everlasting band at the prospect of having to make this long, tiresome day jump alone, and it's done me a heap of good to talk you to frazzles. And that reminds me: you

haven't told me yet where you are heading for."

I had not; and what was more, I did not mean to. There were distant relatives on my mother's side of the family living somewhere in central Missouri, and I spoke of them.

"Sedalia, you say?" he commented. "Well, if that's the how of it, I may see you again in a day or so, and here's hoping. I have a horrible suspicion that our St. Louis general agent wants me to chase out with him and dig up some of his dead-alive country dealers. We sell a raft of wagons in Missouri."

It was just here that it occurred to me that Barton was carrying it off pretty toppingly for a mere traveling salesman; also that he dressed better, smoked better cigars, and seemed a good bit freer with his money than such a job warranted.

"You were selling Whiteley Wagons by yourself, when I dropped out," I said. "Have I been doing you an injustice by not allowing for a promotion in the three years and a half?"

"You sure have!" he laughed. "In the reorganization a year ago they made me sales manager. Oh, yes, Bert; I've blossomed out some since you knew me. I've actually got a little chunk of stock in the concern. You never would have thought it of old Hod Barton, would you? Look at this."

He reached into a pocket and pulled out a money roll, riffling the ends of the bills between thumb and forefinger to let me see that the denominations were all comfortably large. There was something instantly suggestive in the bit of braggadocio; a feeling that I had seen somebody do that same thing in exactly that same way once before. But before I could follow up the impression he was making me an offer which put everything but his free-hearted generosity out of my mind.

"You haven't said a word, Bert, and if it's none of my business, you can tell me so—but if a couple of these yellow-backs would come in handy to you just now, they're yours and you can toss 'em back to me any old time when you're good and ready."

I shook my head and thanked him out of a full heart. The purchase of the Denver ticket hadn't left me much of a balance out of the black pocketbook's holdings, but I couldn't borrow of Barton; that was out of the question.

Shortly after this we had another meal together in the dining-car, and this time there were no sudden alarms to make me turn sick and panicky. Afterward, I made another attempt to return to my place in the forward end of the train, but since Barton would not hear of it, we spent the remainder of the short afternoon in the Pullman smoker.

During this interval, Barton did most of the talking, growing confidential along toward the last and telling me a lot about the girl he was going to marry—the youngest daughter of good old Judge Haskins, of Jefferson—the man who had sentenced me. If all the world loves a lover, certainly no considerable part of it cares to pay strict attention while he descants at length upon the singular and altogether transcendent charms of the loved one; and when Barton got fairly started I had time to consider another matter which was of far greater importance to me.

Earlier in the day Barton had assured me that he would not fail to go and see my mother and sister when he returned to Glendale. I could scarcely urge him not to do so, though I knew very well that he would not stop with telling the home-folks; that he would doubtless tell every Tom, Dick and Harry in town how he had met me, and where. What I was asking myself as he burbled on about Peggy Haskins was whether I might dare give him the one cautionary word which would reveal the true state of affairs. In the end I decided that it would be most imprudent, not to say disastrous. He would have sympathized

with me instantly and heartily, but the knowledge would have been as fire to tow when he got back where he could talk. I could foresee just how it would bubble out of him as he button-holed each fresh listener: "Say! you must keep it midnight dark, old man, but I met Bert Weyburn on the train: he's jumped his parole and, skipped—lit out—vanished! Not a word to any living soul, mind you; this is a dead secret. We mustn't give him away, you know,"—and a lot more of the same sort.

The arrival of the through train in the great echoing Terminal at St. Louis was timed accurately with the coming of a gloomy twilight fitly climaxing the bleak and stormy day. Having no hand-baggage I was the first to leave the Pullman, and on the platform I waited for Barton who had gone back into the body of the car to get his coat and hat and bags. As he ran down the steps and gave his two suit cases to the nearest red-cap, the links in a vague chain of recognition snapped themselves suddenly into a complete whole, and I knew instantly why the thumbing of the pocket-roll in my friend's generous offer to lend me money had struck the chord of familiarity. The two hand-bags turned over to the platform porter were the same two that I had seen snatched out of a cab in front of the Marlborough entrance while their owner was digging in his pockets for the cab fare, and the coat and hat Barton had donned for the debarking were the fur-lined luxury and the soft felt worn by the man who had dropped the black pocket-book.

"Well, old boy," he said, gripping my hand in leave-taking, "the best of friends must part. I suppose you'll wait here to take your Sedalla train. Maybe we'll get together again in a day or so. If we shouldn't, here's hoping that the world uses you well from this on—to sort of make up for what has gone, you know."

"Wait a minute," I gasped, as he was turning to follow the red-cap. "You said you were at the Marlborough last night. I was there—on an—on an errand. Did you come in late?—in a cab?"

"I did; and I had a funny experience—or have I told you about it?"

"No, you didn't tell me," I contrived to say.

"I didn't know but I had; I've talked so much about everything to-day. It was this way: when I got out of the cab I saw a sort of hobo-ish looking fellow standing at the curb with his hands in his pockets and all doubled over as if he were cold. It never occurred to me for a minute that he was anything but what he looked to be."

The porter, with Barton's suit-cases, was disappearing in the direction of the cab stand, and I suggested that we walk along. I had learned all I needed to know. But Horace Barton never left a story unfinished if he could help it.

"Yes, sir; that fellow fooled me good and proper," he went on, as we hurried to overtake the suit-cases. "He wasn't any hobo at all; he was a pickpocket, and one of the finest. I was hunting for a half-dollar to pay the cabby, and I could have sworn that that 'dip' never got within six feet of me. And yet he 'frisked' me before I could get across the sidewalk and into the hotel. Luckily, all he got was a little pocketbook with some sixty or so dollars in it."

"You reported your loss to the police?" I asked.

"Not for one little minute!" was the laughing rejoinder. "I didn't discover the loss until after I got up to my room and found the St. Louis wire waiting for me; and then there wasn't time. But I shouldn't have done it anyway. Any fellow fly enough to do me that way when I'm wide awake and 'at' myself is welcome to all he gets.… Well, here's our jumping-off place, I guess. My man 'll be waiting for me at the Southern, and I must go. Take care of yourself, and so long!"

I let him go; saw him climb into a cab and disappear. There was nothing to be done about the money, of course: I had spent more than half of it for my Denver ticket. But, since honesty, like all other human attributes, dies hard in

any soil where it has once taken root, I turned away with a great thankfulness in my heart. The owner of the black pocketbook was found, and some day he should have his own again—with interest.

Nothing of any consequence happened after Barton left me. Finding upon inquiry that the westbound connecting train would not leave until eight o'clock, I ventured out in search of a slop-shop where I could purchase a cheap suit to go with the clean shirt and collar given me by the free-handed sales manager. The purchase left me with less than ten dollars in my pocket, but it made a new man of me otherwise. In the old life at home I had never dreamed that a few rags and wisps of cloth, properly sewed together, make all the difference in a moralizing world between the man and the vagrant.

There was a wreck on the Missouri road some time during the night, and our train was caught behind it and delayed. For this reason another rainy afternoon was drawing to its close when I had my first glimpse of Kansas City, high-perched on its hills from my glimpsing view-point on the opposite bank of the Missouri River, but low-lying and crowded to suffocation with railroad yards in that part of it where the train came to a stand.

As a matter of course, I had missed my proper Denver connection, owing to the wreck delay. But, a passenger agent directing me, I found the evening Union Pacific train waiting at another platform. A short half-hour later the tangle of railroad yards in the river "bottoms" was left behind and the overland train was boring westward into a cloudy night through Kansas.

With the welcoming West lying fair and free before me, the memory of the prison years and of the parole purgatory to which they had led was already beginning to fade into a limbo of things past and irrevocable, and therefore to be quickly and decently forgotten. There should be a new life in the new world, and the humiliation and disgrace of the past should be so deeply burled that it could never be resurrected. I was still under twenty-nine, it must be

remembered, and at that age Hope, the one human quality which seems to have in it the precious germ of immortality, will flap its wings over the most wretched ash-heap that was ever blown together by the bleak winds of misfortune.

X

The Plain-Clothes Man

Upon landing in Denver in the middle of a day that seemed too bright and exhilaratingly bracing to be true, I had an adventure which, while it had no immediate bearing upon my escape, is worthy of record because it led to a second hasty flight, and so became in a manner responsible for much that happened afterward.

As I left the train a squarely built man, sharp-eyed under the brim of his modish soft hat, was standing aside on the track platform and evidently scrutinizing each of the debarking passengers in turn. Some acute inner sense instantly warned me, telling me that this silent watcher was a plain-clothes man from police headquarters; and his first word when he stepped out to confront and stop me confirmed the foreboding.

"You're wanted," he announced curtly, twitching his coat lapel aside to show his badge.

This was another of the crises in which I was made to feel the murder madness leaping alive in blood and brain; but the publicity of the place and the

blank hopelessness of escape in a strange city made any thought of resistance the sheerest folly.

"What am I wanted for?" I asked.

"You'll find that out later. Will you go quietly, or do you want the nippers?"

The cooler second thought reassured me. It seemed entirely incredible that the news of the broken parole had already been put on the wires. In the natural order of things I should hardly be missed until after my failure to report to the prison authorities at the month end should raise the hue and cry.

"I'll go quietly, of course," I conceded; and then I added the lie of sham bravado: "I don't know of any reason why I shouldn't. You are the man who is taking all the chances."

With no further talk I was marched through the station building, out the long approach walkway to the foot of Seventeenth Street, and so on up-town, the plain-clothes man keeping even step with me and indicating the course at the corner-turnings by a push or a wordless jerk of his head.

As we went I was striving anxiously to invent a plausible story to be told at headquarters. It was an entirely new experience. Hitherto I had always told the plain truth, as the law required, and now I found the inventive machinery singularly rusty. But the wheels were made to turn in some fashion. By the time we were mounting the steps of the antiquated City Hall at the crossing of Cherry Creek, I knew pretty well what I was going to say, and how it must be said.

At first they gave me little chance to say anything. In the inspector's office my captor and two others got busy over a book of newspaper clippings, pictures and descriptions of "wanted" criminals. With wits sharpened now to a razor-edge, I came quickly to the conclusion that I had been mistaken for some

one else. The conclusion was confirmed when they took an ink-pad impression of the ball of my right thumb and fell to comparing it with one of the record prints.

After a time the inspector put me on the rack, beginning by demanding my name.

Meaning to lie only when there should be no alternative, I told him a half-truth. Though every one at home called me "Herbert" and "Bert," and it was as "James Herbert Weyburn" that I had been arraigned and convicted, that was not, strictly speaking, my right name. I had been christened "James Bertrand," after my father. My mother had always called me "Jimmie," but for others the "Bertrand" was soon shortened into "Bert" and from that a few home-town formalists had soon evolved the "Herbert," a change which my own boyish and unreasoning dislike for "Bertrand" was ready enough to confirm. So, when the inspector asked me my name I answered promptly, "James Bertrand."

"Write it," was the curt command, and a pad and a pencil were shoved at me across the desk.

Since the name was two-thirds of my own, I was able to write it without any of the hesitation which might otherwise have betrayed me if I had chosen a combination that was unfamiliar.

"Where are you from?" was the next question.

Here, as I saw it, was one of the holes in which a lie might be profitably planted—profitably and safely. So I said, glibly enough: "Cincinnati."

"Street and number?"

I had given Cincinnati merely because I chanced to be somewhat familiar with that city, and now I gave the location of a boarding-house near the river

front where I had once stayed over-night.

"Where were you born?"

"In the country, about forty miles from Cincinnati."

"Traveling for your health, I suppose? Where's your baggage?"

I saw that I should have to call a halt somewhere, and this seemed as good a point as any.

"See here," I broke out; "you've got the wrong man, and you know it, and I know it! You have no shadow of right to arrest me without a warrant. Neither have you any right to try to tangle me in my statements so that I shall fall down and give you an excuse for locking me up!"

"Say, young fellow—you cut all that out and quiet down!" advised the plain-clothes man who had nipped me at the railroad terminal.

"That's the one thing I shan't do!" I retorted boldly. "You have arrested me without authority, and now you are trying to give me the third degree. You've got me here, and you may make the most of it—until I can find a lawyer. Lock me up if you feel like it; and are willing to stand for the consequences."

At this the three of them put their heads together and once more compared the thumb-prints. Suddenly the inspector whirled upon me with his lips drawn back and his hand balled into a fist as if he were going to strike me.

"How about that little job you pulled off with a forged check in Chicago last week?" he rapped out.

He was evidently counting upon the effect of a shock and a surprise, but, naturally, the ruse fell flat.

"I don't know anything about a forged check; and I was never in Chicago in my life," I replied; and since both statements were strictly true I could make them calmly and without hesitation.

For the third time they put their heads together. I think the inspector was for letting me go without further ado. But the man who had arrested me was apparently still suspicious and unsatisfied. As a compromise they did the thing which determined my second flight. They took me into a room at the rear of the building; a barn-like place bare of everything save a screen and a tripoded photographer's camera; and within the next five minutes I had been posed and "mugged."

"Now you may go," said the harsh-voiced inspector; and I left the building knowing that the Colorado capital had been effectually crossed off in the list of possible refuges for me. With my photograph in the police blotter, discovery and recapture would be only a question of time, if I should stay where I could be identified by the local authorities. Once during my prison term I had seen an escaped man brought back from far-away Alaska.

Since there was no immediate danger, however, there was time to plan thoughtfully and prudently for a second disappearance. After a lunch-counter meal, eaten in a cheap restaurant within a block or so of the City Hall, I made a round of the employment offices. In front of one of them there was a bulletin-board demand for railroad grade laborers on the Cripple Creek branch of the Colorado Midland.

At that time I knew next to nothing about the geography of the Rocky Mountain States, and the great mining-camp at the back of Pike's Peak was merely a name to me; though the name was familiar, in a way, because the mine in which Abel Geddis had sunk his depositors' money was said to be in the Cripple Creek district. What chiefly attracted me in the bulletin-board notice was the announcement that free transportation would be given to the work.

With only a few dollars in my pocket, the free ride became an object, and I entered the office.

The arrangement was easily made. I gave the agent his fee of two dollars, and let him put a name—not my own or any part of my own, you may be sure—on his list for the evening shipment. It appeared to cut no figure with this employment shark that I bore none of the marks of a successful pick-and-shovel man. All he wanted or cared for was his two dollars and something on two legs and in the shape of a man to put into his gang against the collected fee. I was told to show up at the Union Station at six o'clock, sharp; and after spending the remainder of the afternoon wandering about the city, I reported as instructed, was passed through the gates with some twenty-five or thirty other "pick-ups," and so turned my back upon the Queen City of the Plains—for a time.

XI

Number 3126

In due deference to the "mugging" at police headquarters, I had registered in the Denver employment office as "William Smith." But on the work, which proved to be the construction of a branch feeder for the Midland in the heart of the gold district, I took my own name—or rather that part of it which had been given to the Denver police inspector—arguing that the only way in which I could be traced would be by means of the photograph. Against the photographic possibility, my beard, which had been scraped off by the station

barber during the waiting interval between trains in St. Louis, was suffered to grow again.

The railroad labor was strenuous, as it was bound to be; and for the first few days the thin, crisp air of the altitudes cut my already indifferent physical efficiency almost to the vanishing point. Nevertheless, there were two pieces of good fortune. My fellow-laborers in the grading gang were principally Italians from the southern provinces and their efficiency was also low. This helped, but a better bit of luck lay in the fact that the contractors on the job were humane and liberal employers; both of them with a shrewd and watchful eye for latent capabilities in the rank and file. Within a week I was made a gang time-keeper, and a fortnight later I became commissary clerk.

Before I forget it, let me say that my first month's pay, or the greater part of it, went to replace the sixty-three dollars and a half in the little black pocketbook which I had stolen—I guess that is the honest word—-from Horace Barton. I debated for some time over the safest method of returning the pocketbook and its restored contents to the wagon salesman. I realized that it wouldn't do to let him know where I was; and it seemed a needless humiliation to confess to him that I was the "hobo" who had posed, in his imagination, as the skilful sidewalk pickpocket.

In casting about for a means of communication I thought of Whitley, the Springville minister. So I wrote him a letter, enclosing the pocketbook, with a truthful explanation of the circumstances in which it had come into my possession, and telling him what to do with it. I laid no commands upon his conscience, but begged him, if he could consistently do so, to suppress my name and whereabouts. And since I could not be quite sure as to what the ministerial conscience might demand, I added, rather disingenuously, I fear, that he needn't reply to my letter, as I had no permanent address.

It was some little time after my promotion to the commissary that Dorgan

came on the job as a track-laying foreman. He was a heavy-set, black-browed fellow with a sinister face and deeply caverned, brooding eyes looking out furtively under their bushy coverts, and his chief characteristic was a crabbed reticence which not even the exigencies of handling a crew of steel-layers seemed able to break. His face was one not to be easily forgotten; from the first sight I had of it, it was vaguely familiar, and a thoughtful ransacking of the cubby-holes of memory very shortly recalled it for me. Dorgan was an escaped convict.

His jail-break dated back to my second year in the penitentiary, to a period just after I had been slated for the prison office work. Dorgan—his name on the prison books was Michael Murphey, but we knew him only as "Number 3126"—had "brought" ten years for safe-blowing, and he was known in the prison yard and shops as a dangerous man. Twice within my recollection of him he had been put in solitary confinement for fighting; and he was one of the few to whom the warden denied the small privileges accorded the "good conducts."

One day a hue and cry was raised and word was quickly passed that Number 3126 was missing. He had planned his escape craftily. A new shop building was at that time in process of erection, and each day a gang of "trusties" went outside to haul stone. Of course, the safe-blower was not included in this outside gang, but one dark and rainy morning he included himself by the simple process of hog-tying and gagging one of the trusties detailed for the job, exchanging numbered jackets with him, and taking the man's place in the ranks of the stone-loaders, where he contrived to pass unnoticed by the guards.

The escape was entirely successful. At the critical moment Dorgan had overpowered the single wagon guard, leaving the man a candidate for admission to the hospital, and had made his break for liberty. We, of the inside, never knew, of course, the various steps taken in the attempt to recapture him. But they all appeared to be fruitless since Number 3126 was never brought

back.

I failed utterly in an endeavor to analyze my own feelings when I recognized Dorgan and realized that an escaped man from my own prison was at work for my employers; an escaped criminal and a desperate one, at that. What was my duty in the premises? Should I bind myself, once for all, to the brotherhood of law-breakers—the submerged minority—by shielding this man and conniving at his escape? Or should I turn informer, telling the contractor-partners of the risk they ran by keeping Dorgan in the force—the risk that some night, after the money for the monthly pay-roll had been brought out from town, they would find the camp safe smashed and its contents gone?

While I was debating this question, inclined first in one direction by some new generosity on the part of one or the other of my employers, and again leaning the other way when I remembered that, in the eye of the law, I, myself, was in precisely the same category with Number 3126, I had another promotion. One evening, just after I had closed the commissary, one of the water-boys came to tell me that I was wanted in the contractors' office, a little shack at the far side of the end-of-track cantonments. Hadley, the senior member of the firm, was alone when I showed myself at the door.

"Come in, Bertrand," he invited, gruffly genial; "come in and wait a minute until I go over this estimate again. You'll find cigars in that box on the bunk."

Having nothing to do while I waited, I sat on a stool in a corner of the shack, smoking the gift cigar and silently regarding the man who had sent for me. He was a good example of the better type of Western contractor and out-door man; big-bodied, burly, whiskered like a miner, a keen driver on the work, but withal as kindly as a father when kindness was called for.

In due time he pushed the figuring pad aside and turned to me. "Drag up your stool, Jim; I want to talk to you," he began. And then: "How much experience have you had in keeping accounts?"

I told him briefly.

"In a bank, eh?" he queried, and I knew precisely what he was thinking. He was wondering what I had done to break myself. In spite of all that had happened or might happen, I believe I was ready to tell him; but to my astonishment the curt questioning which all my previous experience had taught me to expect at this stage of the game did not come.

"This is a free country, Bertrand," he said, looking me squarely in the eye. "I'm not going to ask you why you quit bank bookkeeping to come out here and swing a pick in a construction camp. Here in the tall hills we don't think much of digging up graves—the graves of any man's past. You've done well in every job we've tried you at, and that's all to the good for you."

I said I had tried to fill the bill as well as I knew how, and he took me up promptly.

"We know you have; and that brings on more talk. Kenniston is leaving us to go prospecting. We've talked it over—Shelton and I—and you're to have the paymaster's job. Think you can hold it down?"

"I am sure I can—so far as the routine duties are concerned. But——"

Never, in all the soul-killing experiences of the parole period, had I been confronted with a test so gripping. Would this large-hearted man turn the keys of his money chest over to me if he knew I were an ex-convict, liable at any moment to be re-arrested for having broken my parole? I was silent so long that he began again.

"Looking around for a spade to begin the grave-digging?" he asked, with a sober smile. Then, with a note of unwonted gentleness in his voice: "I shouldn't do that if I were you, Jimmie. The man doesn't live who hasn't, at one time or

another, had to dig a hole and bury something decently out of sight. Whatever you may have done in the past, you're not going to play marbles with the Hadley-and-Shelton pay-money. That's about all there is to it. You may take hold to-morrow morning. Kenniston will stay long enough to show you the ropes."

It was not until after I had left the office shack and was crossing to the bunk house set apart for the office squad that I remembered Dorgan. Now, if never before, my duty in his case was plain. It was tempting Providence to allow the presence in camp of a burglar who was probably only waiting for his chance to "clean up"; doubly perilous now, indeed, since in any case of loss my record would be shown up, and Dorgan, if he had already recognized me as I had him, would not be slow to take advantage of my vulnerability.

My first impulse was to go straight back to Hadley and tell him, without the loss of another moment. But there were difficulties in the way; obstacles which I had not before stopped to consider. If I should accuse Dorgan, he might retaliate by telling what he knew of me. This difficulty was brushed aside at once: I judged there was little to fear from this, in view of what Hadley had just said to me. But there was another obstacle; the one which had kept me silent from the day I had first seen Dorgan driving his track-layers. With a crushing sense of degradation I realized the full force of the motive for silence, as I had not up to this time. With every fiber of me protesting that I must be loyal to my employers at any and all costs, that other loyalty, the tie that binds the branded, proved the stronger. I could not bring myself to the point of sending Dorgan, guilty as he doubtless was, back to the living death of the "long-termer." I make no excuses. One cannot touch pitch and escape defilement in some sort. For three years I had lived among criminals; and the bond … but I have said all this before.

It may be imagined with what inward tremblings I took on the duties of the new job the next day. Kenniston, eager to be gone on his prospecting tour,

gave me only a short forenoon over the pay-rolls; but as to this, the routine was simple enough. It was what he said at parting that gave me the greatest concern.

"You have to go to the bank at the Creek and get the money, you know," he said. "I usually go on the afternoon train. That will make you late for banking hours, but if you wire ahead they'll have the money counted out and ready for you. Then you can catch the evening train to the junction and come up on one of the construction engines. Better take one of the commissary .45's along, just for safety's sake—though in all the trips I've made I've never needed a gun."

The week following Kenniston's drop-out was a busy one, with time-books to check and enter, commissary deductions to be made, and the payrolls to be gotten out. My office was a small room or space partitioned off from the commissary, the partition being of matched boards, breast-high, and above that a rough slat grille like those in country railroad stations. As I worked at the bracketed shelf which served as a high desk, I could see the interior of the commissary, and those who came and went. It may have been only a fancy, but it seemed to me that Dorgan came in oftener than usual; and more than once I caught him peering at me through the slatted grille, with the convict's trick of looking aside without turning his head. It was for this reason, more than for any other, that I recalled Kenniston's advice and armed myself when I went to Cripple Creek on the day before pay-day to get the money from the bank.

The short journey to town was uneventful. A construction locomotive took me down to the main line junction, where I caught the regular train from Denver. But on the way from the railroad station to the bank in Cripple Creek I had a shock, followed instantly by the conviction that I was in for trouble. On the opposite side of the street, and keeping even pace with me, I saw Dorgan.

Barrett (for obvious reasons I cannot use real names) was the man I had been told to ask for at the bank, and it was he who admitted me at the side door, the hour being well past the close of business. He was a clean-cut, alert

young fellow; a Westerner, I judged, only by recent adoption.

"You are Bertrand, from the Hadley and Shelton camps?" he asked; and then, as I produced my check and letter of authority; "You don't need the letter. Kenniston told me what you'd look like. Your money is ready."

In one of the private rooms of the bank the currency was counted out, the count verified, the money receipted for, and I was ready to start back. Barrett walked to the railroad station with me, helping with the valise money bag, which was heavy with a good bit of coin for making change. We got better acquainted on the walk, and I warmed immediately to the frank, open-mannered young bank teller, little dreaming what this acquaintance, begun in pure business routine, was destined to lead to in the near future.

Barrett saw me safely aboard of my return train, and stood on the platform at the open window of the car talking to me until the train started. On my part this leave-taking talk was more or less perfunctory; I was scanning the platform throng anxiously in search of a certain heavy-shouldered man with a sinister face; and when, just as the train began to move, I saw Dorgan swing himself up to the step of the car ahead, I knew what was before me—or thought I did—and surreptitiously drew the .45 from the inside coat-pocket where I had carried it, twirling the cylinder to make sure that it was loaded and in serviceable condition.

There was an excellent chance for a hold-up at the junction. It was coming on to dusk as the through train made the stop, and there was no town, not even a station; nothing but a water tank and the littered jumble of a construction yard. My engine was making up a train of material cars to be taken to our end-of-track camp, and I had to wait for it to come within hailing distance.

Dorgan got off the through train at the same time that I did. I stood with the money valise between my feet and folded my arms with a hand inside of my coat and grasping the butt of the big revolver, shaking a bit because all this was

so foreign to anything I had ever experienced, but determined to do what seemed needful at the pinch. Oddly enough, as I thought, the track foreman made no move to approach me. Instead, he kept his distance, busying himself with the filling and lighting of a stubby black pipe. After a little time, and before it was quite dark, my engine backed down to where I was standing and I climbed aboard with my money bag, still with an eye on Dorgan. The last I saw of him he was sitting on the end of a cross-tie, pulling away at his pipe and apparently oblivious to me and to everything else. But I made sure that when the material train should pull out he would be aboard of it; and the event proved that he was.

Obsessed with the idea that Dorgan had chosen the time to make his "clean-up," I took no chances after the end-of-track camp was reached. The money valise went with me to the mess tent, and I ate supper with my feet on it, and with the big revolver lying across my knees. After supper I lugged my responsibility over to the commissary pay-office, and by the flickering light of a miner's candle stowed the money in the ramshackle old safe which was the only security the camp afforded.

Past this I lighted the lamps and busied myself with the account books. There was little doing in the commissary—it was too near pay-day for the men to be buying much—and the clerk who had taken over my former job shut up shop quite early. At nine o'clock I was alone in the store-room building; and at a little before ten I put out the lights and lay down on the office cot with a sawed-off Winchester—a part of the pay-office armament—lying on the mattress beside me.

A foolish thing to do, you say?—when at a word I might have had all the help I needed in guarding the pay-money? No; it wasn't altogether foolhardiness; it was partly weakness. For, twist and turn it as I might, there was always the unforgivable thing at the end: the fact that by calling in help and betraying Dorgan to others, I, once his prison-mate, and even now, like him—

though in a lesser degree—a law-breaker, would become a "snitch," an informer, a traitor to my kind. A wretchedly distorted point of view? Doubtless it was. But the three years of unmerited punishment and criminal associations must account for it as they may.

I don't know how long the silent watch was maintained. One by one the night noises of the camp died down and the stillness of the solitudes enveloped the commissary. The responsibility I was carrying should have kept me awake, but it didn't. If the coming of sleep had been gradual I might have fought it off, but the healthy life of the camp had given me leave to eat like a workingman and to fall asleep like one when the day was ended. So after the stillness had fairly laid hold of me I was gone before I knew it.

When I opened my eyes it was with a startled conviction that I was no longer alone in the little boxed-in office. In the murky indoor darkness of a moonless night I could barely distinguish the surroundings, the shelf-desk, the black bulk of the old safe, the three-legged stool, and at the end of the room the gray patch which placed the single window. Then, with a cold sweat starting from every pore, I saw the humped figure of a man beside the safe. As nearly as I could make out, he was sitting with his back to the wall and his knees drawn up, and by listening intently I could hear his measured breathing.

It required a greater amount of brute courage than I had thought it would to spring to a sitting posture on the cot and cover the squatting figure with the rifle slewed into position across my knees. The man made no move to obey when I ordered him to hold up his hands. Then I spoke again.

"I've got the drop on you, Dorgan—or Murphey; whichever your name is," I said. "If you move I shall kill you. You see, I know who you are and what you are here for."

A voice, harsh but neither threatening nor pleading, came out of the shadows beside the safe.

"You ain't tellin' me nothin' new, pally. I spotted you a good while back, and I knowed you'd lamped me. You was lookin' f'r me to bust in here to-night?"

"I was. After you followed me to Cripple Creek and back I knew about what to expect."

"And you was layin' f'r me alone?—when you could 'a' had Collins and Nixon and half a dozen more if yous 'd squealed f'r 'em?"

"I didn't need any better help than this," I answered, patting the stock of the Winchester. "The jig's up, Dorgan. You can't crack this safe while I'm here and alive. I suppose you got in by the window: you can go out the same way."

"You're aimin' to turn me loose?" said the voice, and now I fancied there was a curious trembly hoarseness in it.

"You heard what I said."

"Listen a minute, pally: if you'll hold that gun right stiddy where it is and let out a yell 'r two, you can earn five hundred doughboys. Ye didn't know that, did you?"

"I know you broke jail and skipped for it, but I didn't know how much the warden was willing to pay to get you back."

"It's five hundred bones, all right. Study a minute: don't you want the five hundred?"

"No; not bad enough to send you back to 'stir' for it."

There was a dead silence for the space of a long minute, and while it endured the man sat motionless, with his back against the wall and his hands locked over his knees. Then: "They'd all pat you on the back if yous was to let

out that yell. I brought ten years with me when the warden give me my number, and I'm thinkin' they was comin' to me—all o' them."

"But you don't want to go back?"

"Not me; if it was to come to that, I'd a damned sight rather you'd squeeze a little harder on that trigger you've got under your finger; see?"

"Then why did you take this long chance?" I demanded. "You say you knew I had spotted you; you might have known that I'd be ready for you."

"I kind o' hoped you would," he said, drawling the words. "Yes; I sure did hope ye would—not but what I'm thinkin' I could 'a' done it alone."

"Done what alone? What are you driv——"

The interruption was imperative; a fierce "Hist!" from the corner beside the safe, and at the same instant a blurring of the gray patch of the window, a sash rising almost noiselessly, and two men, following each other like substance and shadow, legging themselves into the office over the window-sill. At first I thought Dorgan had set a trap for me; but before that unworthy suspicion could draw its second breath, the track foreman had hurled himself upon the two intruders, calling to me to come on and help him.

The battle, such as it was, was short, sharp and decisive, as the darkness and the contracted fighting space constrained it to be. Though I dared not shoot, I contrived to use the rifle as a club on the man who was trying to choke Dorgan from behind, and after a hard-breathing minute or two we had them both down, one of them half stunned by the blow on his head from the gun-barrel, and the other with an arm twisted and temporarily useless. Under Dorgan's directions I cut a couple of lengths from a rope coil in the commissary with which we tied the pair hand and foot, dragging them afterward to the freer floor space beyond the pay-office partition.

"They'll be stayin' put till mornin', I'm thinkin'," was Dorgan's comment as we retreated to the scene of the battle. Then, as he edged toward the open window: "Ye won't be needin' me any more to-night … I'll duck whilst the duckin's good."

"Not just yet," I interposed, and pulled him to a seat on the cot beside me. "I want to know a few things first. You knew about the raid these fellows were planning?"

"Sure, I did."

"Tell me about it."

"I piped 'em off about a week ago—when Kenniston 'd gone. They talked too much, and too loud, d'ye see? The lay was f'r to chase in to the Creek wit' you—an' they did—an' get you on the road, if they could; if that didn't work, they was to crack the safe"—this with the contempt of the real craftsman for a pair of amateurs. "D'ye see, the boss 'd been dippy enough to write the combination on a piece o' paper when Kenniston ducked out—f'r fear he'd be forgettin' it, maybe, and these dubs o' the world nipped the paper."

"See here, Dorgan; was that why you followed me to town this afternoon?" I shot at him.

"Ye've guessed it."

"And it was for the same reason that you sneaked in here while I was asleep?"

"Ye've guessed it ag'in."

"You didn't want the bosses to be robbed?"

The escaped convict had his face propped between his hands with his elbows resting on his knees.

"I'm thinkin' maybe it's six o' one and a half-dozen o' tother," he said soberly. "I wasn't carin' so damned much about the bosses, square as they've been to me. But I puts it up like this: here's you, and you'd spotted me, and you hadn't snitched; you'd been in 'stir' yourself, and knowed what it was: d'ye see?"

I smiled in the darkness. It was the brotherhood of the underworld.

"And you lined up square at the finish, too, as I knowed yous would," he went on. "You sees me pipin' yous off in town, and you was thinkin' maybe I'd drop in here to-night and crack this old box f'r the swag there'd be in it. You laid f'r me alone, because yit you wouldn't be willin' to give me up. Ain't that the size of it, pally?"

"You've guessed it," I said, handing his own words back to him. "And now one more question, Dorgan: have you quit the crooked business for keeps?"

He was up and moving toward the open window when he replied.

"Who the hell would know that? I was a railroad man, pally, before I took to the road. These days I'm eatin' my t'ree squares and sleepin' good. But some fine mornin' a little man that I could break in halves wit' my two hands 'll come dancin' along wit' a paper in his pocket and a gun in his fist; and then it'll be all over but the shoutin'—or the fun'ral. There's on'y the one sure thing about it, pally: I'll not be goin' back to 'stir'—not alive; d'ye see? So long … don't let them ducks get loose on yous and come at yous fr'm behind, whilst maybe you'd be dozin' off."

And with this parting injunction he was gone.

XII

A Cast for Fortune

The incident of the frustrated safe robbery was an incident closed, so far as any difference in Dorgan's attitude toward me was concerned, at the moment when he disappeared through the open window of the pay-office. For the next two or three weeks I saw him only as he chanced to drop into the commissary of an evening; and upon such occasions he ignored me absolutely.

Only once more while the work of branch-line building continued did we have speech together. It was in the evening of a day when the new line, then nearly completed, had been honored with visitors; a car-load of them up from Denver in some railway official's private hotel-on-wheels. It so happened that my duties had taken me up to the actual end-of-track—by this time some miles beyond our headquarters camp at Flume Gulch—and I was there when the special, with its observation platform crowded with sightseers, came surging and staggering up over the uneven track of the new line.

I paid little attention to the one-car train as it passed me, save to note that there were women among the railroad official's guests. The sightseers were quite outside of my purview—or within it only as temporary hindrances to a job we were all pushing at top speed. A short distance beyond me the train came to a stand in the midst of Dorgan's crew and I saw some of the people getting off the car. Just then a construction engine came along on the siding, and, my errand to the front being accomplished, I flagged it and went back to headquarters.

As I have said, Dorgan dropped into the commissary that evening. His

ostensible errand was to buy some tobacco, but after he had filled his pipe he lingered until the sleepy commissary clerk began to turn the loiterers out preparatory to closing the place for the night. It was then that Dorgan gave me a sign which I rightly interpreted; when I released the catch of the pay-office door he slipped in and sat down on the cot where he would be out of sight of those in front. Here he smoked in sober silence until Crawford, the commissary man, had gone out and locked the door on the empty storeroom.

"I was wantin' to tip yez off," was the way he began, after we had the needful privacy. "You'd be after seein' that kid-glove gang up at the front this mornin'?"

I nodded.

"Know anybody in that bunch?"

"I didn't notice them particularly," I replied. "I understood they were Denver people—friends of somebody in the railroad management."

"There was women," he said significantly.

"I know; I saw some of them."

"Yes; and be the same token, there was one of them lamped yous off. I listened at her askin' one o' the men who you was; d'ye see?"

Instantly I began to ransack my brain for the possibilities, and almost at once the talk on the train with Horace Barton, the wagon sales manager, flashed into the field of recollection.

"Could you describe the woman for me?" I asked.

Dorgan made hard work of this, though it was evident that he was trying his best. His description would have fitted any one of a round million of American

women, I suppose; yet out of it I thought I could draw some faint touches of familiarity. The stumbling description, coupled with Barton's assertion that Agatha Geddis was living in Colorado, fitted together only too well.

"Did you hear what she said to the man?" I inquired, and my mouth was dry.

"On'y a bit of it. She says, says she: 'Who is that man wit' a French beard—the young man in his shirt-sleeves?' The felly she t'rowed this into was one o' the kid-gloves, and he didn't know. So he went to Shelton, who was showin' the crowd around on the job. When he comes back, he tells her your name is Jim Bertrand, and that you makes a noise like the camp paymaster."

"Well?" I prompted. "Go on."

"She laughs when he says that. 'Jim Bertrand, is it?' says she. 'Will you do me a favor, Mister Jullybird'—'r some such name. 'Go and ask that young man how did he leave all the folks in Glendale. I want to see him jump,' says she. He didn't do it because at that same minute yous was walkin' down the track to flag Benson's ingine."

The bolt had fallen. The woman could have been no other than Agatha Geddis. Once more I stood in critical danger of losing all that I had gained. There was only one faint hope, and that was that she had not heard of the broken parole. I had to go to the water jug in the Commissary and get a drink before I could thank Dorgan for telling me.

"'Tis nothin'," he said shortly. Then, after a protracted pause: "What can she do to yous, pally?"

"She can send me up for two years; and then some—for the penalties."

Again a silence intervened.

'"Twas in the back part o' my head to take a chance and ditch that damn' special when she was comin' back down the gulch," said Dorgan, at length, as coolly as if he were merely telling me that his pipe had gone out. "But if I'd done it, it would have been just my crooked luck to 'a' killed everybody on it but that woman. What'll ye be doin'?"

"Nothing at present. We shall finish here in a week or so more, and then I'll see."

That ended it. After Dorgan had got another match for his pipe, I let him out at the side door of the commissary, and he went his way across to the sleeping shacks on the other side of the tracks.

Two weeks later it was this story of the inquisitive young woman, weighing in the balance with some other things, that determined my immediate future course. The work on the branch line was completed, and my employers had taken a dam-building contract in Idaho. I was offered the job of bookkeeper and paymaster, combined, on the new work, with a substantial raise in salary, and the temptation to accept was very strong. But I argued, foolishly, perhaps, that so long as I remained in the same service as that in which she had discovered me, Agatha Geddis would always be able to trace me; that my best chance was to lose myself again as speedily as possible.

The "losing" opportunity had already offered itself. By this time I had made a few acquaintances in town and was beginning to be bitten by the mining bug. Though I was a late comer in the district, and Cripple Creek had fully caught its stride as one of the greatest gold-producing camps in the world some time before my advent, "strikes" were still occurring frequently enough to keep the gold seekers' excitement from dying out. With the greater part of my Hadley-and-Shelton earnings in my pocket, and with muscles camp-hardened sufficiently to enable me to hold my own as a workingman, I decided to take a chance and become a prospector.

We went at it judiciously and with well-considered plans, three of us: the bank teller, Barrett, a young carpenter named Gifford, and myself. Altogether we could pool less than a thousand dollars of capital, but we determined to make the modest stake suffice. By this time the entire district had been plotted and replotted into mining claims; hence we did our preliminary prospecting in the records of the land office. A careful search revealed a number of infinitesimally small areas as yet uncovered by the many criss-crossing claims; and among these we chose a triangular-shaped bit of mountain side on the farther slope of Bull Mountain, with a mine called the "Lawrenceburg," a fairly large producer, for our nearest neighbor.

There was a good bit of discussion precedent to the making of this decision. Barrett thought that we stood but a slight chance of finding mineral in the over-prospected area. The Lawrenceburg was a full quarter of a mile distant from our triangle, and its "pay-streak" was said to dip southward, while our gulch slope lay on the other side of a spur and due northeast. It was a further examination of the land-office records that turned the scale. Among the numerous unworked claims lying higher up the gulch, beyond and adjoining our proposed location, we found three whose ownership we traced, through a number of transfers apparently designed to hide something, to the Lawrenceburg.

Barrett, a fine, keen-witted young fellow whose real name, if I might give it, would be familiar to everybody in the West, was the first to draw the probable inference.

"Jimmie, you've got the longest head in the bunch," was his comment; this because I had chanced to be the one to make the discovery of the well-concealed ownership. "At some period in the history of the Lawrenceburg, which is one of the oldest mines on Bull Mountain, its owners have had reason to believe that their pay streak was going to run the other way—to the northeast. They undertook to cover the chance by making these locations

quietly, and through 'dummy' locators, on the other side of the spur."

"But how did they come to overlook this patch we're figuring on?" asked Gifford, the carpenter.

"That was somebody's blunder," Barrett offered. 'These section plats we have been studying may have been made after the locations were staked out; in all probability that was the case. That sort of thing happens easily in a new country like this. It was an oversight; you can bet to win on that. If those Lawrenceburg people had any good business reason for locating these claims beyond us, they had precisely the same reason for covering this intervening bit of ground that we are going to grab."

Gifford took fire at once; and if I didn't it was only because we were not yet in possession, and I thought there might be many chances for a slip between the cup and the lip. This talk took place at night in Barrett's room in town, and before we separated our plans were fully made. Gifford and I were to start at once—that night, mind you—for Bull Mountain to locate a claim which should cover as completely as possible the entire area of the irregular triangle. The location made, the carpenter and I were to work the claim as a two-man proposition. Barrett was to retain his place in the bank, so that the savings from his salary might add more capital. We even went so far as to christen our as yet unborn mine. Since we were picking up—or were going to pick up—one of the unconsidered fragments after the big fellows had taken their fill of the loaves and fishes, we proposed to call our venture 'The Little Clean-Up."

I shall always remember Barrett's good-natured grin when the meeting was adjourned.

"You two will have the hot end of it," he remarked. "You're going to do the hard work, and all you've left me is a chance to do the starving act. Right here is where I see myself giving up this palatial apartment and going into a boarding-house. For heaven's sake, eat light, you two. We may have to sink a hundred

feet in solid rock before we find anything."

We went in light marching order, Gifford and I; and the early dawn of the following morning found us driving our location stakes and pacing off the boundaries of the new claim. I like to remember that we were neither too new to the business, nor too much excited, to be careful and methodical. The triangular patch of unclaimed ground lay along the slope, with the apex of the triangle pointing toward the hill-hidden Lawrenceburg. Ignoring any vein directions which might develop later on, we laid off our location to fit the ground, taking in all the space we could legally hold; which would be, of course, only the triangle, though our staking necessarily overlapped this area on all sides. If we should be lucky enough to make a strike, ground space for our operations was going to be at a premium, and at the very best there wasn't an inch of room to spare.

I don't know just why we should have been afraid that anybody would have been foolish enough to try to "jump" an unworked claim; but we were, and we decided at once that we would not leave the ground unwatched now that our stakes were driven and our notice duly posted. Accordingly, Gifford went back to town to make the needful land-office entry and to bring out the supplies, tools, and a wagon-load of lumber for a shack, leaving me to stand guard with an old horse-pistol of Gifford's for a weapon. It was after dark when I heard the wagon trailing up the gulch, and I had had nothing to eat since morning. But I was free and hopeful—and happy; with the nightmare past becoming more and more a thing to be pushed aside and comfortably ignored.

Looking back at it now, I can see that our venture was haphazard to the tenderfoot degree. Having built a sleeping shack out of the lumber, we picked a place for the prospect shaft solely with reference to its convenience on the hillside. But for this we had plenty of precedents. What the miners of any other district would have called sheer miracles of luck were the usual thing in the Cripple Creek region. From the earliest of the discoveries the region had been

upsetting all the well-established mining traditions, and the tenderfoot was quite as likely to find mineral as was the most experienced prospector; more likely, in fact, since the man with everything to learn would not be hampered by the traditions.

The top layer of fine gravel which answers for soil in the district carries gold "float"—"color," a Californian would say,—in numberless localities over an area of many square miles; a fact which was well known long before any one knew of the underlying treasures which have since been taken out of the deep workings. But there are no vein outcroppings on the surface, and the prospector's first task is to uncover the bed-rock by sinking one or more test pits through the gravel. In some one of these shallow shafts he may—or may not—make his discovery. If successful, he will find, on some well-cleaned surface of the bed-rock, a fine broken line; a minute vein in many instances so narrow as to be discoverable only by the use of a magnifying-glass; and that discolored line will be his invitation to dig deeper.

By the morning of the second day Gifford had built our rude windlass, and the work of shaft sinking was begun. The gravel layer varies in thickness in different parts of the district, ranging from a few inches in some places to many feet in others. In our case we were less than waist-deep in the hole, and had not yet set up the windlass, when we reached the upper surface of the bed-rock.

Generally speaking, the Cripple Creek district is a dry region as to its surface, but we were lucky enough to have a trickling rivulet in our gulch. It was dark before we had carried water in sufficient quantity to wash off the uncovered bed-rock bottom in our hole, so we turned in without knowing what we had found, or whether or not we had found anything.

I was cooking the bacon and pan-bread the next morning when Gifford, who had gone early into the hole with a bucket of water and a scrubbing-brush, came running up to the shack with his eyes bulging.

"We—we've got it!" he gasped. "Where's that magnifying-glass?"

I left the bacon to burn if it wanted to and ran with him to the shallow shaft. He had scrubbed the solid rock of the pit bottom until it was as bare as the back of a hand, and across the cleaned stone, running from southwest to northeast, there was a thin line of discoloration showing plainly enough as a fissure vein. Gifford dug a little of the crack-filling out with the blade of his pocket-knife and we examined it under the magnifier. We were both ready to swear that we could see flecks and dust grains of free gold in the bluish-brown gangue-matter; but that was purely imagination.

I think neither of us knew or cared that the bacon was burned to a blackened crisp when we got back to it. The breakfast was bolted like a tramp's hand-out, and before the sun was fairly over the shoulder of the eastern mountain we were back in the hole with hammer and drills. The frantic haste was entirely excusable. While it was true that a greater number of the Cripple Creek discoveries had widened satisfactorily from the surface down, becoming more and more profitable at increasing depths, it was also true that some of them had begun as "knife-blades" and had so continued. What Gifford and I did not know about drilling and shooting rock would have filled a library of volumes; none the less, by noon we had succeeded in worrying a couple of holes in the solid shaft bottom, had loaded them, and were ready for the blast.

If any real miner should chance to read this true and unvarnished tale of our beginnings he will smile when I confess that we cut the fuses four feet long and retreated a good quarter of a mile up the gulch after they were lighted. In our breathless eagerness it seemed as if we waited a full half-hour before the shallow hole vomited a mouthful of broken rock and dust, and a dull double rumble told us that both shots had gone off. Gifford was a fairly good sprinter, but I beat him on the home run. The hole was half full of shattered rock and loosened gravel and we went at it with our bare hands. After a few minutes of this senseless dog-scratching, Gifford sat down on the edge of the pit and burst

out laughing.

"I guess there ain't any manner o' need for us to go plumb locoed," he said. "We've got all the time there is, and a shovel will last a heap longer than our fingers."

I may say, in passing, that this attitude was characteristic of our carpenter partner. He was a country boy from Southern Indiana; a natural-born mechanic, with only a common school education. But he had initiative and a good gift of horse sense and balance, and in the troublous times that followed he was always our level-headed stand-by.

Acting upon his most sensible suggestion, we took our time, spelling each other in shoveling out the debris. The two shots driven in opposite corners had deepened the shaft over two feet. When the new bottom of the hole was uncovered we nearly had a return of the frenzies. The discolored line of the vein had widened to four inches or more, and the last of the broken rock shoveled out was freely mixed with fragments of the bluish-brown gangue-matter.

A hasty estimate assured us that we had a sufficient quantity of the lode matter for a trial assay, and we spent the better part of the afternoon picking out pieces of the ore on the small dump and in chipping more of them from the exposed face of the seam. It was arranged that one of us should take the samples to town after dark, for the sake of secrecy, and we put in what daylight there was left after our sample was prepared drilling another set of holes—though we did not fire them.

Leaving Gifford to stand guard over what now might be something well worth guarding, I made my way down the mountain after supper with the two small sacks of selected samples. True to his promise, I found Barrett already established in a rather cheap boarding-house. He was surprised to see me so soon, and more than surprised when I showed him the specimens of bluish rock.

"Say—by George!" he exclaimed; "that sure does look like the real stuff, Jimmie; though of course you can't tell. Have you roasted any of it?"

I was so green a miner at that time that I did not know what "roasting" meant. Barrett had a tiny coal-stove in his room with a bit of fire in it. Even the June nights are sometimes chilly at the Cripple Creek altitude. Selecting a bit of the stone he put it upon the fire-shovel among the coals and while it was heating listened to my recounting of the short and exciting story of the "find."

When the piece of bluish stone had been roasted and cooled we did not need the magnifying-glass. It was covered with a dew of fine pin-point yellow globules. Barrett went up in the air as if his chair had exploded under him. "My God, Jimmie!" he choked, "it's—it's a *bonanza*!"

The next step was to have authoritative assays made, and together we took the two small sacks of ore to the sampling works, which, at that time, were running day and night. We waited in the office while the tests were being made. The result, which came to us well past midnight, was enough to upset the equanimity of a wooden Indian. Some of the selected samples carried values as high as twenty-five dollars in gold—not to the ton; oh, no; nothing like that: *to the pound*!

Barrett had the situation firmly by the neck when we left the sampling works.

"I have a sort of provisional arrangement with Mr. Conaughy, our president, and I can quit the bank without notice and explain afterward," he said. "I'm going right back with you to-night. Three of us will be none too many to handle this thing when the news gets out."

We went to his room first and loaded up with blankets, working clothes, a shot-gun and a generous supply of fixed ammunition. On the long tramp up the mountain, Barrett, who was older in the district than either Gifford or myself,

told me what we might expect.

"You needn't think we are going to be allowed to dig that hole without the toughest kind of a fight, Jimmie," he predicted. "The minute the news gets loose, we shall be swamped with 'interferences,' relocations, law-suits, process servers and constables, to say nothing of the strong-hands and claim-jumpers. The Lawrenceburg people will doubtless claim that mistakes were made in their surveys, as perhaps there were. They've got a first-class fighting man for a superintendent; as I happen to know: a man who won't stick at anything to carry his end."

"But it's our strike," I urged.

"It's ours if we can hold it," was the sober reply. "Our best play is to keep the thing absolutely dark until we can dig out enough money to give us a fighting fund. That's where we're lame. Our bit of capital won't go anywhere when they drag us into the courts."

Our shortest way to the new claim led us in sight of the Lawrenceburg workings. They were running night shifts, and though it was now well along in the small hours, the plant was in full swing. Like most of the mines within trolley distance of the towns, it had no miners' village, the men going back and forth at the shift-changing hours. But the superintendent lived at the plant, and there were a few bunk houses and one other detached cottage.

There was a light in one room of this cottage as we passed, and Barrett called my attention to it.

"There's a man in that shack that I hope we may be able to get, if we ever grow big enough to hire him," he said. Then he added, quite irrelevantly: "He has a daughter, and I'm telling you right now, Jimmie, she's a peach."

I let the reference to the daughter go by default.

"Who is this gentleman that we ought to be able to hire?" I asked.

"He is the best, or at least one of the best, metallurgical chemists in the district, and it goes without saying that an honest assayer counts for everything in this mining game. Without one, the smelters will skin you alive."

I laughed. "I didn't ask what he was; I asked who he was—or is."

"He is a school-teacher, or college professor, and I'm told he has taught in High Schools and freshwater colleges all over the Middle West," said Barrett, as we topped the hill to our side of the mountain shoulder. And then I got my bucketing of cold water. "His name is Phineas Everton, and his daughter's name is Mary—though everybody calls her Polly."

XIII

For the Sinews of War

Gifford, sitting in the darkness with his back to the windlass and the big old-fashioned holster revolver across his knees, held us up promptly and peremptorily when we came over the spur. Seeing Barrett with me, he knew pretty well what the results of the assay were before we told him. At the edge of the shallow pit we held a council of war—the first of many. Gifford fully agreed with Barrett that the most profound secrecy was the first requisite. Though he was new to the business of gold-mining—as new as either the bank teller or myself—he could prefigure pretty accurately what was before us.

"Here's where we'll have to ride and tie on the snoozing act," was his drawling comment. "We mustn't leave her alone for a single minute, after this; and it's got to be one of us, at that. We couldn't afford to hire a watchman if we had a million dollars."

Under the ride-and-tie proposal I volunteered to stand watch for the remainder of the night; and after the other two had turned in I took Gifford's place, with the windlass for a back rest and Barrett's shot-gun for a weapon.

I was not sorry to have a little time to think; to try in some fashion to readjust the point of view so suddenly snatched from its anchorings in the commonplace and shot high into the empyrean. It was the night of the ninth of June. Three months earlier, to a day, I had been an outcast; a miserable tramp roaming the streets of a great city; broken in mind, body and heart; bitter, discouraged, and so nearly ready to fall in with Kellow's criminal suggestion as actually to let him give me the money which, if I had kept it or spent it as he directed, would have committed me irretrievably to a life of crime.

Looking back upon it from the vantage point gained by a few hours' toil on a bare Colorado mountain-side, that ninth of March seemed to have withdrawn into a fathomless past. I was no longer a hunted vagabond; I was breathing the free clean air of a new environment, and in the narrow pit beside me a fortune was waiting to be dug out; a fortune for the ex-convict no less than for the two who had never by hint or innuendo sought to inquire into their partner's past. It was too good to be true; and yet it was true, contingent, as I saw it, only upon our fortitude, discretion and manful courage.

Nevertheless, there was still one small disturbing note in the music of the spheres. Barrett's mention of Phineas Everton as one of our nearest neighbors disquieted me vaguely. It was quite in vain that I reasoned that in all human probability Everton would fail to identify the bearded man of twenty-eight with the schoolboy he had known ten or twelve years earlier. He had taught only

one year in the Glendale High School, and I was not in any of his classes. Polly had known me much better. She had been in one of the grammar grades, and was just at an age to make a big-brother confidant of her teacher's brother—my sister being at that time a teacher in the grammar school.

Upon this I fell to wondering curiously how Polly, a plain-faced, eager-eyed little girl in short dresses, could have grown into anything meriting Barrett's enthusiastic description of her as a "peach." Also, I wondered how her bookish, studious father had ever contrived to break with the scholastic traditions sufficiently to become an assayer for a Western mine. But I might have saved myself this latter speculation. Cripple Creek, like other great mining-camps, served as a melting-pot for many strange and diverse elements.

At the earliest graying of dawn I roused my partners and took my turn with the blankets, too tired and drowsy to stay awake while Gifford cooked breakfast. I was sound asleep long before they fired the two holes Gifford and I had drilled the previous afternoon, and they let me alone until the noonday meal was ready on the rough plank table. Over the coffee and canned things Barrett brought our bonanza story up to date.

"It's no joke, Jimmie," he said soberly. "We've got the world by the ears, if we can only manage to hold on and go on digging. The lead has widened to over six inches, and we have two more sacks of the stuff picked out and ready to take to town."

"Any visitors?" I asked.

"Not a soul, as yet. But we'll have them soon enough; there's no doubt about that. If our guess is right—that the Lawrenceburg people meant to cover this hillside in their later locations—we'll hear from Bart Blackwell before we are many hours older."

"Blackwell is the superintendent you spoke of when we were coming up last

night?"

"The same. I don't know why he hasn't been here before this time. They must surely hear the blasting."

We had our visitor that afternoon, while Barrett and I were working in the hole and Gifford was sleeping. Luckily for us, Barrett never for a single moment lost sight of the need for secrecy. We were drilling when Blackwell's shadow fell across the mouth of the pit, but we had taken the precaution to cover the gold-bearing vein with spalls and chippings of the porphyry, and to see to it that none of the gold-bearing material showed in the small dump at the pit mouth.

Blackwell was a short man but heavy-set, with a curly black beard and eyes that were curiously heavy-lidded. As he leaned over the windlass and looked down upon us he reminded me of one of the fairy-tale ogres.

"Hello, Bob," he said, speaking to Barrett, whom he knew. "Quit the banking business, have you?"

"Taking a bit of a lay-off," Barrett returned easily. "We all have to get out and dig in the ground, sooner or later."

Blackwell laughed good-naturedly.

"You'll get enough of it up here before you've gone very far," he predicted. "Just the same, you might have come by the office and asked permission before you began to work off your digging fit on Lawrenceburg property."

"We're not on Lawrenceburg," said Barrett cheerfully.

"Oh, yes, you are," was the equally cheerful rejoinder. "Our ground runs pretty well up to the head of the gulch. I'm not trying to run you off, you know. If you feel like digging a well, it's all right: it amuses you, and it doesn't hurt us

any."

Barrett pulled himself up and sat on the edge of the hole.

"Let's get this thing straight, Blackwell," he argued. "You've got three claims in this gulch, but we are not on any one of them. Look at your maps when you go back to the office."

"I know the maps well enough. We cover everything up to the head of the gulch, just as I say, joining with the original Lawrenceburg locations on the other side of the spur." Then, suddenly: "Who's your friend?"

Barrett introduced me briefly as Jim Bertrand, late of the Colorado Midland construction force. Blackwell nodded and looked toward the shack.

"Any more of you?" he asked.

"One more; a fellow named Gifford. He's asleep just now."

Blackwell straightened up.

"It's all right, as I say, Bob. If you three tenderfoots want to come up here and play at digging a hole, it's no skin off of us. When you get tired we'll buy the lumber in your shack and what dynamite you happen to have left, just to save your hauling it away."

"Thanks," said Barrett; "we'll remember that. We haven't much money now, but we'll probably have more—or less—when we quit."

"Less it is," chuckled the square-shouldered boss of the Lawrenceburg. "Go to it and work off your little mining fever. But if you should happen to find anything—which you won't, up here—just remember that I've given you legal notice, with your partner here as a witness, that you're on Lawrenceburg ground."

Barrett's grin was a good match for Blackwell's chuckle.

"We're going to sink fifty feet; that's about as far as our present capital will carry us. As to the ownership of the ground, we needn't quarrel about that at this stage of the game. You've given us notice; and you've also given us permission to amuse ourselves if we want to. We'll call it a stand-off."

After the superintendent had gone I ventured to point out to my drill-mate that the matter of ownership had been left rather indefinite, after all.

"Diplomacy, Jimmie," was the quick reply. "The one thing we can't stand for is to be tied up in litigation before we have contrived to dig a few of the sinews of war out of this hole. Blackwell's little pop-call warns us to use about a thousand times as much care and caution as we have been using. I saw him scraping the dump around with his foot as he talked. He is one of the shrewdest miners in Colorado, and if he had got his sleepy eye on a piece of the vein matter as big as a marble, it would have been all over but the shouting. You can see where all this is pointing?"

"It means that we've got to make this hole look like a barren hole, and keep it looking that way—if we have to handle every piece of rock that comes out of it in our fingers," I said.

"Just that," Barrett asserted, and then we went on with the drilling.

We arranged our routine that evening over a supper of Gifford's preparing. We planned to take out each day as much ore as the watch on duty could dig, to sort it carefully, sacking the best of it and hiding the remainder under the shack. Then, during the night, one of us would carry what he could of the sacked ore down the mountain to the sampling works to be assayed and sold on the spot.

The sheer labor involved in this method of procedure was something appalling, but we could devise no alternative. To have a wagon haul the ore to town would, we were all agreed, be instantly fatal to secrecy; and at whatever cost we must have more money before we could dare face a legal fight with the Lawrenceburg people. Looking back upon it now, our plan seems almost childish; but the enthusiasm born of the miraculous discovery was accountable for the cheerful readiness with which we adopted it.

Gifford took the first turn at the ore-carrying while Barrett and I shared the night watch, two hours at a time for each of us. The carpenter came back just before daybreak, haggard and hollow-eyed, but profanely triumphant. There had been no questions asked at the sampling works, and his back-load of ore had been purchased on the strength of the assay—doubtless with a good, round profit to the buyers. He had limited his carry to seventy-five pounds, and he brought back the sampling company's check for $1355 as the result of the day's work!

Speaking for myself, I can say truly that I lived in the heart of a dream for the next few days—the dream of a galley-slave. We worked like dogs. Added to the drilling and shooting and digging, there was the all-night job of ore-carrying—at which we took turn and turn about—for one of us. Though I am not, and never have been, save in the parole starvation time, what one would call a weakling, my first trip to town with eighty-five pounds of ore on my back nearly killed me. A thousand times, it seemed to me, I had to stop and rest; and when I got down it was always an open question whether or not I could ever get up again with the back load in position.

As it came about, in the regular routine, mine was the third turn at the carrying, and by this time the superintendent of the sampling works was beginning to have his curiosity aroused.

"So there are three of you, are there?" he commented, when he had

examined and recognized the sacked samples. "Any more?"

I shook my head. I was too nearly exhausted to talk.

"At first I thought you fellows were raiding somebody," he went on. "There is a mine not a thousand miles from where you're sitting that puts out exactly this same kind of ore, only it's not anywhere near as rich as these picked samples of yours."

"What made you change your mind?" I queried, willing to see how far he would go. "How do you know we are not raiding somebody's ore shed?"

"Because I know Bob Barrett," was the crisp reply. Then: "Why are you boys making this night play? Why don't you come out in the open like other folks—honest folks, I mean?"

"There are reasons," I asserted.

"Afraid somebody will catch on and swamp you with a rush of claim stakers?"

"Call it that, if you like."

"You're plumb foolish, and I told Bob Barrett so last night. You're carrying this stuff miles; I know by the way you come in here with your tongues hanging out. It's like trying to dip the ocean dry with a pint cup. One good wagon-load of your ore—if you've got that much—would count for more than you three could lug in a month of Sundays."

I knew this as well as he did, but I was not there to argue.

"I guess we'll have to handle it our own way," I answered evasively; and while he was sending my sack out to the testing room I fell sound asleep.

At the end of a week, after we had made two trips apiece, we had nearly $7,000 in bank. Figured as a return for our labor, killing as that was, it was magnificent. But as a war chest it was merely a drop in the bucket. Given plenty of time, we might have won out eventually by the sacked-sample route; but we knew we were not going to be given time. Blackwell had been up twice; and the second time, Gifford, who was acting as hammerman, had to sit in the bottom of the shaft, pretending to load the half-drilled hole. Otherwise, the heavy-lidded eyes, peering down over the barrel of the windlass would assuredly have seen the steadily widening ore body.

On the sixth day Everton came across the spur. I think I should have known him anywhere, but he did not recognize me, though I stood and talked with him at the shaft mouth. His visit, as I took it, was not a spying one. On the contrary it appeared to be merely neighborly. After beating about the bush for a little time, he came down to particulars. We must surely know, he said, that we were on Lawrenceburg ground, and it was too bad we were throwing away our hard work. To this he added a vague warning. Blackwell had been taking our amateur effort as a good joke on Barrett, whom he had known only as a bank clerk. But the edge of the joke was wearing off, and the superintendent, who, as it seemed, had been watching us more closely than we had supposed, was beginning to wonder why we kept at it so faithfully; and why our camp was always guarded at night.

The following day was Sunday, and Everton came again, this time accompanied by his daughter. Gifford was windlass winder at the moment, and he let himself down into the shaft, swearing, when he saw them coming over the shoulder of the spur.

I left our carpenter-man busily covering up the lode while I scrambled out to meet and divert the visitors. My first sight of Mary Everton, grown, made me gasp. There had been no promise of her womanly winsomeness and pulse-quickening beauty in the plain-faced little girl with large brown eyes—the little

girl who used to thrust her hand into mine on the way home from school and tell me about the unforgivable meanness of the boy who "cribbed" for his examinations.

Everton introduced me as "Mr. Bertrand," and for a flitting instant I saw something at the back of the brown eyes that made cold chills run up and down my spine. And her first words increased rather than diminished the burden of sudden misgiving.

"I knew a Bertrand once," she said, shaking hands frankly after the manner of the West. "It was when I was a little girl in school. Only Bertrand was his Christian name."

Without knowing that he was doing it, her father came to my rescue. "We haven't any near neighbors, Mr. Bertrand, and Polly wanted to see your mine," he said. And then: "Do you realize that it is Sunday?"

I led the glorified Polly Everton of my school days to the mouth of the shallow shaft. "Our 'mine,' as your father is polite enough to call it, isn't very extensive, as yet," I pointed out. "You can see it at a glance."

She took my word for it and gave the windlass-straddled pit only a glance. Barrett had had his nap out and was showing himself at the door of the shack. My companion nodded brightly at him and he joined us at once. "We are quite old friends, Mr. Barrett and I," she hastened to say, when I would have introduced him; and this left me free to attach myself to her father.

Phineas Everton had changed very little with the passing years. I remembered him as a sort of cut-and-dried school-man, bookworm and scientist, and, as I afterward learned, he was still all three of these. Partly because I was telling myself that it was safer for me to keep my distance from the girl who remembered the boy Bertrand, and partly because I wished to draw the assayer away from our dump, I took Everton over to the shack and

we sat together on the door-step. For some little time I couldn't make out what he was driving at in his talk, but finally it came out, by inference, at least. Somebody—Blackwell, perhaps—had started the story that we were planning a raid on the Lawrenceburg.

"How could that be?" I asked, remembering that, only the day before, Everton had asserted that we were already trespassers on Lawrenceburg property.

"It is an old trick," he commented, rather sorrowfully, I fancied. "In all the older locations there have been bits of ground missed in the criss-crossing of the claims. Some one of you three has been sharp enough to find one of those bits just here."

"Well; supposing we have—what then?" I asked.

He was silent for a half-minute or so. Barrett had led Mary Everton to the shoulder of the spur where the view of the distant town was unobstructed, and Gifford was still in the shaft.

"I don't know you, Mr. Bertrand," my seatmate began slowly, "and I shouldn't venture to set up any standard of right and wrong in your behalf. But that young man out yonder with my daughter: I've known him a long time, and I knew his people. It is a thousand pities to drag him into your undertaking."

"There has been no especial 'dragging' that I am aware of; and I don't know why you should be sorry for Barrett," I returned rather tartly.

"I am sorry because Robert Barrett has hitherto lived an upright and honest life. He had excellent prospects in the bank, and it seems a great pity that he has seen fit to throw them away."

By this time I was entirely at sea. "You will have to make it plainer—much

plainer," I told him.

"I have been hoping you wouldn't force me to call it by its ugly name," was the sober rejoinder. "It is blackmail, Mr. Bertrand; criminal blackmail, as I think you must know."

"That is a pretty serious charge for you to make, isn't it?"

"Not more serious than the occasion warrants. You three have discovered this little scrap of unclaimed ground in the middle of the Lawrenceburg property. You are digging; and presently, when you are down far enough so that your operations cannot be observed from the shaft mouth, you will announce that you have struck the Lawrenceburg ore body. In that event, as you have doubtless foreseen, our company will have no recourse but to buy you off at your own figure."

"Well?" I challenged.

"Your announcement, when you make it, will be a lie," was the cold-voiced reply. "You are 'salting' the crevices as you go down—and with Lawrenceburg ore."

I sighed my relief. His guess was so far from the truth that I was more than willing to help it along. If the Lawrenceburg people could only be persuaded that our imaginary coup was to be postponed until the bottom of our shaft should be out of sight from the surface, we were measurably safe.

"We may ask you to prove your charge when the proper time comes, Mr. Everton," I suggested.

He took a small fragment of bluish-gray ore from his pocket and showed it to me, saying, quietly, "I can prove it now; this is Lawrenceburg ore: I handle and test it every day, and I am perfectly familiar with it. I picked this piece up a

few minutes ago on your dump."

It is always the impact of the unexpected that sends a man scurrying into the armory of his past in search of the readiest weapon for the emergency. Recall, once again, if you will, the three years of association with criminals, and the fact that I was at that moment under the ban of the law as an escaped convict. I could think of nothing save the gaining of time, precious time, at whatever cost.

I shall always be thankful that the temptation did not reach the length of making me offer to buy Everton's silence. That, indeed, would have been suicidal. Yet the prompting suggestion came to me, in company with others still more ruthless. I was telling myself that the situation was sufficiently alarming to warrant almost any expedient. Though he was not yet aware of it, Everton had discovered our real secret; he knew we had ore, which—as yet—he thought we were stealing from the Lawrenceburg bins. If he should take one additional step….

The thought-loom shuttled pretty rapidly for a few short-lived seconds. If Everton should show the bit of ore to Blackwell the superintendent might believe the charge that we were stealing the Lawrenceburg values for the "salting" purpose; in which case he would doubtless swear out warrants for us. Or he might see farther than Everton had seen and jump to the conclusion that we had actually made a strike of our own in the shallow pit. Either way there was sharp trouble ahead.

"You have us down pretty fine, haven't you?" I said, at the end of the reflective pause. "May I ask what use you are going to make of your discovery?"

"I purpose giving you three young men a chance to talk it over seriously among yourselves before I take any further steps. I suppose I should have gone direct to Barrett. I know him, and I know there is plenty of good in him to appeal to. But candidly, Mr. Bertrand, I didn't have the heart to—well, to let

him know that I knew."

A bitter thought swept across me like a hot wind from the desert. Was there never to be any let-up? Were people always going to take it for granted that *I* was the criminal? I have known physical hunger and hunger intellectual, but they were as nothing compared with the moral famine that gripped me just then. I would have pawned my soul for a bare modicum of the commonplace, every-day respectability which is able to look the world squarely in the face without fear or favor—without asking any odds of it.

Everton was evidently waiting for his reply, and I gave it to him.

"Criminality is largely relative—like everything else in the world, don't you think?" I said, letting him feel the raw edge of the bitterness that was rasping at me. "In coming to me, as you have, you, yourself, are compounding a felony."

He shrugged his thin shoulders and looked away at the two on the bluff's edge.

"Properly speaking, Mr. Bertrand, I am only an interested onlooker; and I am interested chiefly on Barrett's account. What I may feel it my duty to do if you three remain obdurate will be purely without reference to your rather sophistical definition of criminality. In any event, Blackwell is the man you will have to reckon with. As I say, I am concerned only so far as the outcome may involve Robert Barrett."

"I'll tell the others what you have said," I agreed; and with this the matter rested.

XIV

Paper Walls

We held our second war council shortly after Phineas Everton and his daughter had disappeared over the shoulder of the spur on their way back to the Lawrenceburg. I gave my two partners the gist of the conversation with the assayer, briefly and without comment. Gifford oozed profanity; but Barrett laughed and said:

"Every little new thing we run up against merely urges us to let out one more notch in the speed of the hurry hoist. Everton's suspicion is an entirely natural one, and for my part, I only hope he and Blackwell will hang on to it. If they should, there is an even chance that they will watch their ore sheds a little closer and leave it to us to make the first move in the imagined blackmailing scheme—all of which will give us more time."

"That's all right; but we can't bet on the 'hang on,'" was Gifford's demurrer. "They may think they've got the straight of it now, but there's no law against their changing their minds mighty suddenly. Suppose Everton shows up his bit of a sample, and they both take a second whirl at the thing and pull down a guess that it isn't stolen Lawrenceburg ore, after all? We've got to improve upon this pick-a-back ore shipment of ours, some way, and do it mighty quick."

This was the biting fact; we all accepted it as our most pressing need and fell to discussing ways and means. There was already a full wagon-load of the sacked ore hidden under the sleeping-shack, and at the rate the lode was widening we could confidently figure on getting out as much more every second day, or oftener. There was a good wagon road to town from the Lawrenceburg

plant, but of course we dared not use it so long as we were making any attempt to maintain secrecy. The alternative was a long haul down our own gulch, around the end of the spur, and across the slope of the mountain-side below. Even this, the only other practicable route, would be in plain sight from the Lawrenceburg workings, once the team should pass out upon the bare lower hillside.

Moreover, we were obliged to consider the risk involved in taking at least one other man—the driver of the team—into our confidence. Since the hauling would have to be done in the night, an honest man would suspect crookedness, and the other kind would blackmail us to a finish. Gifford spoke of this, saying that it was a choice between the devil and the deep blue sea.

None the less, we were all agreed that the wagon-hiring hazard would have to be taken, and at the close of the talk Barrett went to town to make the arrangement. It was after dark when he returned. His mission had been miraculously successful: he had not only found a trustworthy teamster who was willing, for a good, round sum, to risk his horses on the mountain at night; he had also interviewed the superintendent of the sampling works and concluded a deal by the terms of which the company—as a personal favor to Barrett—agreed to treat a limited quantity of our highest-grade ore in wagon-load lots, making cash settlements therefor.

It lacked only an hour of midnight when the team, making a wide detour to avoid being heard from the Lawrenceburg, reached our location on the slope of the spur. We all helped with the loading; and when all was ready, Gifford, whose turn it was to go to town, borrowed Barrett's shot-gun and climbed to a seat beside the driver.

With every precaution taken—a dragging pine-tree coupled on behind the load to serve instead of the squealing brakes, and many injunctions to the driver to take it easy and to do his swearing internally—the outfit made more noise

than a threshing-machine bumping down the gulch. We kept pace with it, Barrett and I, following along the crest of the spur with an apprehensive eye on the Lawrenceburg. But there was no unusual stir at the big plant on the other side of the ridge; merely the never-ceasing clank and grind of the hoist and the pouring thunder of the ore as the skip dumped its load into the bins.

Having nothing to detain him in town, Gifford made a quick trip and was with us again a little after four o'clock in the morning. At the crack of dawn Barrett and I were in the shaft under a new division of time. Now that we had the team hauling for us, we chopped up the shifts so that there would be two of us in the hole continuously, day and night.

Again I have the memory of a week of grinding toil, broken—for me, at least—only by the nights when it came my turn to ride to town on the load of ore. On both occasions I recall that I went fast asleep on the high seat before the wagon had gone twenty rods down the gulch; slept sitting bolt upright, with the shot-gun across my knees, and waking only when the driver was gee-ing into the yard of the sampling works in town; lapses that I may confess here, though I was ashamed to confess them to my two partners.

During this second week we heard nothing from Blackwell or from any of the Lawrenceburg contingent. But several strangers had drifted along, stopping to peer down our shaft and to ask multitudinous questions. Knowing well enough that we could not keep up the killing toil indefinitely, and that the discovery crisis was only postponed from day to day, we yet took heart of grace. The purchase money for the ore was pouring in a steady stream into Barrett's bank to our credit; and with the accounting for the third wagon-load we had upward of $80,000 in the fighting fund.

Gifford went in as wagon guard on the Monday night load, and getting an early start from the mountain, he had a little time to spend on the streets in town. On his return he brought news; the news we had all been expecting and

waiting for.

"The big trouble's on the way," he reported. "Bennett Avenue's all lit up with the news that there's been a new strike on Bull Mountain. I heard about it mighty near everywhere I went. Up to date nobody seems to know just where it is, or who has made it; but they've got hold of the main guy, all right. One fellow told me he had it straight from the sampling works. Some cuss on the inside, I reckon, who doesn't know enough to keep his blame' mouth shut, has gone and leaked."

"I'd like mighty well to see another eighty thousand in the bank before we have to shut our eyes and begin handing it out to the lawyers," said Barrett. "Besides, when we get ready to build a shaft-house and put in machinery, we'll have to have more ground room. After the news gets out, we'll just about have to blanket what land we buy with twenty-dollar gold-pieces."

"With the Lawrenceburg hemming us in the way it does, we won't be able to buy elbow room at any kind of a price, will we?" asked Gifford, who had not gone into the topographies as minutely as Barrett and I had.

"There are the three corners of the original triangle which we weren't able to cover in our claim," Barrett explained. "And down yonder on that gulch flat that we are using for a wagon road there is a claim called the 'Mary Mattock' which was taken up and worked and dropped a year or so ago by a Nebraska syndicate. When I was in town last week I gave Benedict, of Benedict & Myers, the job of running down the owners, with the idea that we might possibly wish to buy the ground a little later on.

"Good work!" Gifford applauded. "I wouldn't have thought of anything as foxy as that."

"I told Benedict we'd buy the Mary Mattock if we could get it at a reasonable figure, or lease it if we couldn't buy it," Barrett went on. "It is

probably worthless to its present owners as it stands; its three shafts are full of water, and I'm told the Nebraskans spent fifty thousand dollars trying to pump them. But the minute the 'Little Clean-Up' gets into the newspapers, the Mary Mattock, being next door to us, will figure in the market as a bonanza, whether it is or isn't."

Gifford cut himself a chew of tobacco from his pocket-plug.

"I wish to gracious we had that other eighty thousand you're honing for, right now," he protested. "This tin-basin trot's sure getting on my nerves, as the fella said. We'd ought to have the shaft-house and machinery set up and going, this minute, and a good, husky bunch of men at work in that hole, digging out dollars where we're scratching for pennies."

"I don't want to be the shy man of this outfit," Barrett put it quickly. "We can have the machinery if you fellows think we dare use the money to buy it."

Gifford and I both said No, deferring to Barrett's better judgment. And since this talk was getting us nowhere and was wasting time which was worth ten dollars a minute, we broke it off and went to work.

It was in the latter part of this third week, on a night when my turn at the wagon guarding had come in regular course, that I was made to understand that no leaf in the book of a man's life can be so firmly pasted down that a mere chance thumbing of the pages by an alien hand may not flip it back again.

By imperceptible inchings we had been starting the wagon earlier and earlier on each successive trip; and on the evening in question it was no later than ten o'clock when I turned the consignment of ore over to the foreman at the reduction works. Ordinarily, I should have taken the road back to the hills at once, intent only upon getting to camp and between the blankets as speedily as possible. But on this night a spirit of restlessness got hold of me, and, leaving Barrett's shotgun in the sampling works office, I strolled up-town.

Inasmuch as a three-months' residence in a mining-camp is the full equivalent of as many years spent in a region where introductions precede acquaintance, I was practically certain to meet somebody I knew. The somebody in this instance proved to be one Patrick Carmody, formerly a hard-rock boss on the Midland branch construction, and now the working superintendent of a company which was driving a huge drainage tunnel under a group of the big mines of the district.

The meeting-place was the lobby of the hotel, and at the Irishman's invitation I sat with him to smoke a comradely cigar. Carmody was not pointedly inquisitive as to my doings; was content to be told that I had been "prospecting around." Beyond that he was good-naturedly willing to talk of the stupendous undertaking over which he was presiding, expatiating enthusiastically upon air-drill performance, porphyry shooting, the merits of various kinds of high explosives, deep-mine ventilation, and the like.

While he talked, I smoked on, luxuriating like a cat before a fire in the comfortable lounging-chair, the cheerful surroundings, the stir and bustle of the human ebb and flow, and the first half-hour of real idleness I had enjoyed in many days.

It was after Carmody had been dragged away by some fellow hard-rock enthusiast that I had my paralyzing shock. Sitting in a chair less than a dozen feet distant, smoking quietly and reading a newspaper, was a man whose face would have been familiar if I had seen it in the golden streets of the New Jerusalem or in the deepest fire-chamber of the other place; a face with boring black eyes, and with a cruel mouth partly hidden by freshly crimped black mustaches: the face, namely, of my sometime prison-mate, Kellow.

My shocked recognition of this man who tied me to my past annihilated time and distance as if they had never been. In a flash I was back again in a great stone building in the home State, working over the prison books and glancing

up now and then to the cracked mirror on the opposite wall of the prison office which showed me the haggard features and cropped hair of the convict Weyburn.

The memory shutter flicked, and I saw myself walking out through the prison gates with the State's cheap suit of clothes on my back and the State's five dollars in my pocket, a paroled man. Another click, and I had dragged through the six months of degradation and misery, and saw myself sitting opposite Kellow in the back room of a slum saloon in a great city, shivering with the cold, wretched and hungry. Once again I saw his sneer and heard him say, "It's all the same to you now, whether you cracked the bank or didn't. You may think you can live the prison smell down, but you can't; it'll stick to you like your skin. Wherever you go, you'll be a marked man."

It is a well-worn saying that life is full of paper walls. A look, a turn of the head, the recognition which would follow, and once more I should be facing a fate worse than death. Kellow knew that I had broken my parole. He would trade upon the knowledge, and if he could not use me he would betray me. I knew the man.

Five minutes earlier I had been facing the world a free man; free to go and come as I pleased, free to sit and smoke with a friend in the most public place in the camp. But now I slid from my chair with my hat pulled over my eyes and crept to the door, watching Kellow every step of the way, ready to bolt and run, or to turn and fight to kill, at the slightest rustling of the upheld newspaper. Once safely outside in the cool, clean night air of the streets I despised myself with a loathing too bitter to be set in words. But the fact remained.

It was like the strugglings of a man striving to throw off the benumbing effects of an opium debauch—the effort to be at one again with the present. The effort was no more than half successful when I stepped into a late-closing hardware store and bought a weapon—a repeating rifle with its appropriate

ammunition. Barrett had said something about the lack of weapons at the claim—we had only the shot-gun and Gifford's out-of-date revolver—and I made the purchase automatically in obedience to an underlying suggestion which was scarcely more than half conscious.

But once more in the street, and with the means in my hands, a sudden and fierce impulse prompted me to go back to the hotel lobby and kill the man who held my fate between his finger and thumb. Take it as a virtue or a confession of weakness, as you will, but it was only the thought of what I owed Barrett and Gifford that kept me from doing it.

So it was a potential murderer, at least in willing intention, who took the long trail back under the summer stars to the hills, with the rifle and Barrett's shot-gun—the latter picked up in passing the sampling works—nestling in the hollow of his arm. God or the devil could have given me no greater boon that night than the hap to meet Kellow on the lonesome climb. I am sure I should have shot him without the faintest stirring of irresolution. By the time I reached our gulch I was fuming over my foolishness in buying the rifle—a clumsy weapon that would everywhere advertise my purpose. What I needed, I told myself, was a pocket weapon, to be carried day and night; and the next time I should go to town the lack should be supplied.

For by now all scruples were dead and I was assuring myself grittingly that the entire Cripple Creek district was too narrow to hold the man who knew, and the man who was afraid.

XV

The Broken Wagon

The day following the Kellow incident being Sunday, the three of us snatched an hour or so in the early forenoon for a breathing space. Sitting around the plank table in the bunk shack we took account of stock, as a shopkeeper would say. It was apparent to all of us that the blazoning abroad of our secret could not now be long delayed. A new gold strike yielding ore worth anywhere from one to twenty-five dollars a pound was startling enough to make a stir even in the one and only Cripple Creek, and it seemed nothing short of a miracle that we had not already been traced and our location identified.

It was Barrett's gift to take the long look ahead. At his suggestion, Gifford, who was something of a rough-and-ready draftsman, sketched a plan for the necessary shaft-house and out-buildings, fitting the structures to our limited space. When the fight to retain possession should begin we meant to strike fast and hard; Barrett had already gone the length of bargaining, through a friend in town, for building material and machinery, which were to be rushed out to us in a hurry at the firing of the first gun in what we all knew would be a battle for existence.

During this Sunday morning talk I was little more than an abstracted listener. I could think of nothing but the raw hazard of the previous night and of the frightful moral abyss into which it had precipitated me. In addition there were ominous forebodings for the future. So long as Kellow remained in Cripple Creek, danger would lurk for me in every shadow. Since the calamity which was threatening me would also involve my partners, at least to the extent of handicapping them by the loss of a third of our fighting force, it seemed no less than a duty to warn them. But I doubt if I should have had the courage if Barrett had not opened the way.

"You're not saying much, Jimmie. Did the trip to town last night knock you

out?" he asked.

It was my opportunity, and I mustered sufficient resolution to seize it.

"No; it didn't knock me out, but it showed me where I've been making a mistake. I never ought to have gone into this thing with you two fellows; but now that I am in, I ought to get out."

"What's that!" Gifford exploded; but Barrett merely caught my eye and said, very gently, "On your own account, or on ours, Jimmie?"

"On yours. There is no need of going into the particulars; it's a long story and a pretty dismal one; but when I tell you that last night I was on the point of killing a man in cold blood—that it's altogether probable that I shall yet have to kill him—you can see what I'm letting you in for if I stay with you."

Gifford leaned back against the shack wall and laughed. "Oh, if *that's* all," he said. But again it was Barrett who took the soberer view.

"You are one of us, Jimmie," he declared. "If you've got a blood quarrel with somebody, it's our quarrel, too: we're partners. Isn't that right, Gifford?"

"Right it is," nodded the carpenter.

"We are not partners to that extent," I objected. "If I should tell you all the circumstances, you might both agree with me that I may be obliged to kill this man; but on the other hand, you—or a jury—would call it first-degree murder; as it will be."

Barrett looked horrified, as he had a perfect right to.

"You couldn't do a thing like that!" he protested.

"Yesterday I should have been just as certain as you are that it was beyond

the possibilities; but now, since last night, it's different. And that is why I say you ought to fire me. You can't afford to carry any handicaps; you need assets, not liabilities."

Gifford got up and went to sit on the doorstep, where he occupied himself in whittling thin shavings of tobacco from a bit of black plug and cramming them into his pipe. Barrett accepted this tacit implication that he was to speak for both.

"If you pull out, Jimmie, it will be because you want to; not because anything you have said cuts any figure with us. And whether you go or stay, there will be two of us here who will back you to the limit. That's about all there is to say, I guess; only, if I were you, I shouldn't be too sudden. Take a day to think it over. To-morrow morning, if you still think it's the wise thing to do—the only thing to do—we'll write you a check, Gifford and I, for your share in the bank account; and after we get going we'll make such a settlement with you for your third as will be fair and just all around."

This put an entirely new face upon the matter. I hadn't dreamed of such a thing as standing upon my rights in the partnership.

"Like the mischief, you will!" I retorted. "Do you think I'm that kind of a quitter?—that I'd take a single dollar out of the Little Clean-up's war chest? Why, man alive! my only object in getting out would be to relieve you two of a possible burden!"

Barrett's smile was altogether brotherly. "It's the only way you can escape us," he averred; and with that the dissolution proposal was suffered to go by default.

There were half a dozen stragglers to come lounging over the spur or up the gulch that Sunday afternoon, sharp-set, eager-eyed prospectors, every man of them, and each one, we guessed, searching meticulously for the mysterious

bonanza about which everybody in town was gossiping. It was only the fact that the hills were fairly dotted with embryotic mines like our own—this and the other fact that our dump showed no signs of ore—that saved us.

Two of these prying visitors hung around for an hour or more, and one of the pair wanted to go down in the shaft, which was now deep enough to be quite safe from prying eyes at the surface. I was acting as windlass-man at the time, and I bluffed him, telling him that with two men working in the hole there wasn't room for a third—which was true enough. But beyond this fact there were by this time the best of reasons for keeping strangers out of our shaft. To name the biggest of them, our marvelous Golconda vein had widened steadily with the increasing depth until now we were sinking in solid ore.

It was Gifford's turn to guard the ore load that night, and after the team got away I persuaded Barrett to go to bed. He was showing the effects of the terrible toil worse than either the carpenter or myself, and I was afraid he might break when the fighting strain came. I had yet to learn what magnificent reserves there were in this clean-cut, high-strung young fellow who, when we began, looked as if he had never done a day's real labor in his life.

Since we had never yet left the shaft unguarded for a single hour of the day or night, I took my place at the pit mouth as soon as Barrett's candle went out. It was a fine night, warm for the altitude and brightly starlit, though there was no moon. In the stillness the subdued clamor of the Lawrenceburg's hoists floated up over the spur shoulder; and by listening intently I fancied I could hear the distant rumble of our ore wagon making its way down the mountain.

In the isolation and loneliness of the night watch it was inevitable that my thoughts should hark back to the near-meeting with Kellow, and to the moral lapse which it had provoked. Doubtless every man rediscovers himself many times in the course of a lifetime. In prison I had been sustained by a vindictive determination to win out and square accounts with Abel Geddis and Abner

Withers. After my release another motive had displaced the vengeful prompting: the losing fight for reinstatement in the good opinion of the world seemed to be the only thing worth living for.

But now I was finding that there was a well-spring of action deeper than either of these, and the name of it was a degrading fear of consequences—of punishment. With a most hearty loathing for the lower depths of baseness uncovered by craven fear, one may be none the less a helpless victim of a certain ruthless and malign ferocity to which it is likely to give birth. Sitting with my back propped against the windlass and the newly purchased rifle across my knees, I found that cowardice, like other base passions, may suddenly develop an infection. With nerves twittering and muscles tensely set, I was ready to become a homicidal maniac at the snapping of a twig or the rolling of a pebble down the hillside.

In such crises the twig is predestined to snap, or the pebble to roll. Some slight movement on my part set a little cataract of broken stone tumbling into the shaft. Before I could recover from the prickling shock of alarm, I heard footsteps and a shadowy figure appeared in the path leading over the spur from the Lawrenceburg. Automatically the rifle flew to my shoulder, and a crooking forefinger was actually pressing the trigger when reason returned and I saw that the approaching intruder was a woman.

I was deeply grateful that it was too dark for Mary Everton to see with what teeth-chatterings and reactionary tremblings I was letting down the hammer of the rifle when she came up. For that matter, I think she did not see me at all until I laid the gun aside and stood up to speak to her. She had stopped as if irresolute; was evidently disconcerted at finding the claim shack dark and apparently deserted.

"Oh!" she gasped, with a little backward start, as I rose from the empty dynamite box upon which I had been sitting. Then she recognized me and

explained. "I—I thought you would be working—you have been working nights, haven't you?—and I came over to—to speak to Mr. Barrett."

Under other conditions I might have been conventionally critical. My traditions were still somewhat hidebound. In Glendale a young woman would scarcely go alone at night in search of a man, even though the man might be her lover.

"Barrett has gone to bed: I'll call him," I said, limiting the rejoinder to the bare necessities.

"No; please don't do that," she interposed. "I am sure he must be needing his rest. I can come again—at some other time."

I was beginning to get a little better hold upon my nerves by this time and I laughed.

"Bob is needing the rest, all right, but he will murder me when he finds out that you've been here and I didn't call him. If you want to save my life, you'd better reconsider."

"No; don't call him," she insisted. "It isn't at all necessary, and—and perhaps you can tell me what I want to know—what I ought to know before I——" the sentence trailed off into nothing and she began again rather breathlessly: "Mr. Bertrand, can you—can you satisfy me in any way that you and your two friends have a legal right to this claim you are working? It's a perfect—impertinence in me, to ask, I know, but——"

"It is a fair question," I hastened to assure her; "one that any one might ask. With the proper means at hand—maps and records—I could very easily answer it."

"But—but there may have been mistakes made," she suggested.

"Doubtless there were; but we haven't made them. The Lawrenceburg Company owns the ground on two sides of us, and for some considerable distance beyond us toward the head of the gulch; but I can assure you that our title to the Little Clean-Up is perfectly good and legal in every way."

"It is going to be disputed," she broke in hurriedly. "Mr. Blackwell has talked about it—before me, just as if I didn't count. Telegrams have been passing back and forth, and the Lawrenceburg owners in the East have given Mr. Blackwell full authority to take such steps as he may think best. I—that is, Daddy and I—have known Mr. Barrett for a long time, and I couldn't let this thing happen without giving him just a little warning. Some kind of legal proceedings have already been begun, and you are to be driven off—to-morrow."

"Oh, I guess not; not so suddenly as all that," I ventured to say. There were many questions to come crowding in, but I could scarcely expect the assayer's daughter to answer them. Her father had plainly declared his belief that we were stealing Lawrenceburg ore and planning a blackmailing scheme: had he told Blackwell? The query practically answered itself. If Blackwell had been told that we were salting our claim with ore stolen from the Lawrenceburg sheds, the "legal proceedings" would have been a simple arrest-warrant and a search for stolen property. Had Everton told his daughter? This was blankly incredible. If he had told her that we were thieves, she would never have gone so far aside from her childhood hatred of duplicity and wrong-doing as to come and warn us.

"I was afraid you might not believe me," she said, with a little catch in her voice; and then: "I can't blame you; after what you have suf—after all that has happened."

If I hadn't been completely lost in admiration for her keen sense of justice, and more or less bewildered by her beauty and her nearness, I might have

caught the significance of what she was trying to say. But I didn't.

"No; I didn't mean that," I denied warmly. "I do believe every word you have said. No one who knows you could disbelieve you for a moment."

"But you don't know me," she put in quickly.

I saw how near I had come to self-betrayal and tried to fend my little life-raft off the rocks.

"You will say that we have met only once before to-night, and then only casually. Will you permit a comparative stranger to say that that was enough? Your soul looks out through your eyes, Miss Everton, and it is an exceedingly honest soul. I know you must have strong reasons for coming to tell us what Blackwell is doing; and if I didn't quite understand the motive at first—with you your father's daughter, you know, and your father in the service of the——"

"I know," she interrupted. "But you lose sight of the larger things. If you have been telling me the truth about your ownership of this claim, a great wrong is going to be done. I couldn't stand aside and let it be done, could I?"

Something in her manner of saying this recalled most vividly the little girl of the long ago, hot-hearted in her indignation against injustice of every sort.

"No, I am sure you couldn't: I don't believe you know how to compromise with wrong of any kind. But you ought not to take my unsupported word about the matter of ownership. Let me call Barrett."

"It isn't necessary. If you say that you three have an honest right to be here, I believe you implicitly. And what I have done is nothing. My father would have done it if he hadn't—if he didn't——"

"You needn't say it," I helped out. "Your father thinks we are trying to hold

the Lawrenceburg people up, and I don't blame him. When he was up here the other day—the day you were both here—he thought he caught us red-handed. It wasn't so; he was quite mistaken; but for reasons which I can't explain just now I couldn't very well take the only course which would have undeceived him."

"I—I think I understand," she returned, guardedly. "You—you haven't been stealing ore from the Lawrenceburg sheds?"

I laughed and said a thing that I wouldn't have said to any other living human being on earth at that stage of the game.

"If we can manage to hold our own for just a little while longer, Robert Barrett will be a very rich man, Miss Everton. May I venture to hand you a lot of good wishes before the fact? I know this is only a very old friend's privilege, but——"

Her embarrassment was very charming, and, as I saw it, most natural.

"I—indeed, I wasn't thinking any more of Mr. Barrett than I was of—of you and—and Mr. Gifford," she faltered. "I simply couldn't bear to think of this terrible thing dropping upon you out of a clear sky if—if you hadn't been doing anything to deserve it. Can you defend yourselves in any way?"

"We can try mighty hard," I asserted. "That is what I meant when I said that we were not going to be driven off to-morrow. Possession is nine points of the law. We have our little foothold here, and we shall try to keep it. I'll tell Barrett when he wakes, and we'll be ready for them when they come. Now you must let me take you back home. You really oughtn't to be here alone, you know."

She made no objection to the bit of elder-brother-ism, but half-way up to the summit of the spur she had her small fling at the conventions.

"I don't admit that I ought not to have come alone; neither that, nor your right to question it," she said definitively. "You protest because you are conventional: so am I conventional—but only so far as the conventions subserve some good end. There are situations in which the phrase, 'it isn't done,' becomes a mere impertinence. This is life in the making, up here in these desolate hills, and we who are taking part in the process are just plain men and women."

"That is true enough," I rejoined; and other than this there was little said, or little chance for saying it, since the distance over the spur was short and she would not let me show myself under the Lawrenceburg masthead electrics.

I did not know, at the time, of any reason why I should have returned to resume my lonesome watch at the shaft's mouth like a man walking upon air, but so it was. There are women who keep the fair promise of their childhood, and we admire them; there are others who prodigiously and richly exceed that promise, and they own us, body and soul, from the moment of re-discovery.

Throughout the long night hours following Mary Everton's visit I was far enough, I hope, from envying Barrett; far enough, too, from the thought that I might ever venture to ask any good and innocent young woman to step down with me into the abyss of unearned infamy into which I had been flung, largely through the efforts of another woman who was neither good nor innocent. None the less, the delight which was half intoxication remained and the night was full of waking dreams.

The dark shaft beside me sent up its dank breath of stale powder fumes, and the acrid odor was as the fragrance of a fertile field ripe for the sickle. In this reeking pit at my elbow, gold, the subtle, the potent, the arbiter of all destinies, stood ready to fight for me. The liberty which I had stolen, but which had first been stolen from me, would shortly find a defender too strong to be overthrown by all the prejudice and injustice which are so ready to fly at the throat of

helplessness. The reinstatement, which I had been unable to win as a mendicant ex-convict, I could buy with gold in the open market; and when it should be bought and paid for, all the world would clap and cry, Well done!

Barrett had gone to bed exacting a promise that I should call him at two o'clock. But I let the hour go by, and another, and yet another, until the stars were paling in the east when I got up, stiff in every joint, to meet Gifford as he came up the gulch. He was haggard and weary, trembling like an overworked draft horse, and he had to lick his lips before he could frame the words which were to be our alarm signal.

"It's all over," he croaked hoarsely. "The wagon's broke down a couple of miles below, right out on the open mountain-side. We've been working like hell all night trying to drag the load down to some place where we could hide it, but it was no good. Dixon's gone on to town to get another wagon, but the mischief is done. Come daylight, everybody on this side of Bull Mountain will know what's in that wagon, and where it comes from."

The carpenter was practically dead on his feet from the night of fierce toil, and in addition to his weariness was half-famished. He had come in while it was yet dark to get something to eat, and was planning to go back at once. I aroused Barrett promptly, and together we tramped out to the crest of the spur overlooking the Lawrenceburg workings and the mountain-side below. In the breaking dawn, with the help of Barrett's field-glass, we could make out the shape of the disabled wagon on the bare slope hundreds of feet below. Early as it was, there was already a number of moving figures encircling it; a group which presently strung itself out in Indian file on a diagonal course up to our gulch. The early-morning investigators were taking the plainly marked wagon trail in reverse, and Barrett turned to me with a brittle laugh.

"That settles it, Jimmie. The secret is out, and in another half hour we'll be fighting like the devil to keep those fellows from relocating every foot of ground

we've got. Let's go back and get ready for them."

XVI

In the Open

Though there was between twenty and thirty thousand dollars' worth of high-grade ore lying unguarded in the broken-down wagon two miles below, we promptly forgot it. Losing no minute of the precious time, we hastened to restake our claim, marking the boundaries plainly and putting up "No Trespass" notices to let the coming invaders know that we were alive and on the job. We knew very well that our boundary lines would be disregarded; that in striving to cover every foot of the unclaimed fragments of the original triangle, the excited gold-seekers would overlap us in all directions. But we meant to have the law on our side.

Our next move was a hurried covering of the shaft mouth with planks provided for just such an emergency; this and a barricading of the shack against a possible rush to loot it. By working fast we were ready by the time the vanguard of the rush appeared as a line of toiling climbers at the foot of the gulch. Barrett glanced at his watch.

"The early trolley will be just about leaving Bennett Avenue with the day-shift for the Ohio," he announced. "One of us must catch that car back to town to start a string of freight teams up here with men and material. Minutes now are worth days next week. I'm the freshest one of the bunch, and I'll go, if you two

fellows think you can hold your own against this mob that is coming. You won't have to do any fighting, unless it's to keep them out of our shaft. Let them drive their stakes wherever they like, only, if they get on our ground, make your legal protest—the two of you together, so you can swear straight when it comes into the courts."

We both said we would do or die, and Barrett struggled into his coat and fled for the trolley terminal a mile away. He was scarcely out of sight over the crest of the spur when the advance guard of the mob came boiling up out of the gulch. A squad of three outran the others, and its spokesman made scant show of ceremony.

"We want to see what you got in that shaft," he panted. "Yank them boards off and show us."

"I guess not," said Gifford, fingering the lock of Barrett's shot-gun. Then, suddenly taking the aggressive: "You fellers looking for a mine? Well, by cripes, you get off of our ground and stay off, or you'll find one startin' up inside of you in a holy minute! We mean business!"

The three men cursed us like pickpockets, but they backed away until they stood on the other side of our boundary, where they were presently joined by half a dozen others. We had one point in our favor. In such a rush it is every man for himself, with a broad invitation to the devil to take the hindmost. Somebody called the fellow who wanted to break into our shaft for the needful evidence a much-emphasized jackass, and pointed to the wagon-tracks leading straight to our shack.

"What more do you want than them tracks?" bellowed this caller of hard names. And then: "Anybody in this crowd got a map?"

Nobody had, as it seemed; whereupon the bellower turned upon us.

"You fellers 've got one, it stands to reason. If you've got any sportin' blood in you at all, you'll be sort o' half-way human and give us a squint at it."

Again Gifford took the words out of my mouth. "Not to-day," he refused coolly. "If you want to know right bad, I'll tell you straight that there isn't anything like a whole claim left in this gulch. Now go ahead and do your stakin' if you want to, but keep off of us. You can see all our lines; they're as plain as the nose on your ugly face. I've got only one thing to say, and that is, the man that stakes inside of 'em is goin' to stop a handful of blue whistlers."

Following this there was a jangling confab which was almost a riot. Two or three, and among them the man who wanted us to show our map, openly counseled violence. We were but two, and there were by this time a dozen against us, with more coming up the gulch. They could have rushed us easily—at some little cost of life, maybe—but again the every-man-for-himself idea broke the charm. Already a number of stragglers were dropping out to skirt our boundaries, and in another minute they were fighting among themselves, each man striving to be the first to get his stakes down parallel with ours.

In such a struggle there was necessarily much reckless crisscrossing and overlapping. Claims were stepped off on all sides of us and in every conceivable direction. The law requires only the driving of corner stakes and the posting of a notice prior to the preliminary entry; and as soon as a man got his stakes driven and his notice displayed, he became a vanishing point on the horizon, joining a mad race for town and the land office.

The assault upon the harmless mountain-side did not last as long as we both feared it might, and there was no occasion for gun-play. Gifford and I patrolled the boundaries of our claim and made due protest when it became evident that anybody was overlapping us. Before the sun was an hour high the last of the locators had tailed off in the town foot-race; and though there were more coming, the most of these laggards turned back at once at sight of the forest of

new stakes.

It was not until after our guard duties had ceased to press upon us that we remembered the wagon-load of precious stuff left at the mercy of a robber world on the bare hillside two miles away. Gifford ran to the shoulder of the over-looking spur with Barrett's field-glass, and I could tell by his actions that the strain was off.

"Dixon is back with another wagon, and he and a helper are transferring the ore sacks," he reported when he came in. "I told him when he left that he might get help wherever he could; that it was no use trying to keep it dark any longer."

There being nothing to prevent it now, we cooked breakfast on the camp stove, sitting afterward to eat it on the shack door-step, with the weapons handy. I think Gifford had quite forgotten that he had raided the shack chuck-box at daybreak. Anyway, his appetite appeared undiminished. He seemed to think that the worst of our troubles were over, and I did not undeceive him. The later stragglers were still tramping over the ground and reading the lately posted notices. A few of them came up to ask questions, and one, a grizzled old fellow who might have posed as "One-eyed Ike" in Western melodramas, stopped to talk a while.

"You boys shore have struck it big," he commented. "How come?"

We explained briefly the finding of the unoccupied ground and the taking of the average Cripple Creek prospector's chance, and he nodded sagely.

"Jest lit down 'twixt two days and dug a hole and struck hit right there at grass-roots, did ye? That's tenderfoots' luck, ever' time. Vein runnin' bigger?"

Gifford admitted that it was, and the one-eyed man begged a bit of tobacco for the filling of his blackened corn-cob pipe.

"Here's hopin'," he said, with true Western magnanimity; then, with a jerk of his head toward the thin column of stack smoke rising on the still morning air from the Lawrenceburg: "I know this here ground, up one side and down the other. Them fellers down yander 'll be grabbin' fer ye, pronto, soon as they know you've struck pay."

"Why should they?" I asked, scenting a possible source of information.

"They own the ground on t' other side of ye, and ever'body allowed they owned this."

"But their vein runs the other way—southeast and northwest," Gifford interposed.

The old man winked his single eye.

"Ever been in their workin's?"

Gifford shook his head.

"N'r nobody else that could 'r would talk," said our ancient. "You can't tell nothin' about which-a-way a vein runs in this here hell's half-acre. Bart Blackwell's the whole show on the Lawrenceburg, and he's a hawg. He's the one that ran them Nebraska farmers off'm the Mary Mattock down yander: give 'em notice that he was goin' to sink on them upper claims o' his'n at the gulch head, and that his sump water'd have to be turned loose to go where it had a mind to—which'd be straight down the gulch, o' course. The farmers they allowed that'd swamp 'em worse'n they was already swamped—ez it would—so they up and quit. Blackwell, he's a cuss, with a snoot like a hawg. He don't want no neighbors."

I had been observing the old man's face as he talked. It was villainous only in its featurings.

"Which are you; a prospector or a miner?" I asked.

"A little b'ilin' o' both, I reckon," was his rejoinder. "I driv' the first tunnel in the Buckeye, and they made me boss on the two-hundred-foot level. I kin shoot rock with any of 'em's long as I kin make out to let the bug-juice alone."

"Are you out of work?"

"Sure thing."

I caught Gifford's eye and the carpenter nodded. We were going to need men and more men, and here was a chance to begin on a man who knew the Lawrenceburg, or at least some of the history of it.

"You're hired," I told him; and it was thus that we secured the most faithful and efficient henchman that ever drew pay; a man who knew nothing but loyalty, and who was, besides, a practical miner and a skilful master of men.

Hicks—we carried him thus on the pay-roll, though he himself spelled it "Hix," for short, as he said—left us to go back to town for his dunnage, and Gifford, knowing that I had been on watch all night, urged me to turn in. But that was a game that two could play at.

"I'm no shorter on sleep than you are," I told him. "You were up all night with the wagon."

We wrangled over it a bit and I finally yielded. But first I told Gifford about the Lawrenceburg threat for the day, omitting nothing but the source of my information.

"So they're going to jump us, are they?" he said. "All right; the quicker the sooner. Does Barrett know?"

"Not yet. I thought we'd all get together on it this morning. Tell him when he comes back; and if anything develops before he gets here, sing out for me." And with that I made a dive for the blankets.

Between the two of them, Gifford and Barrett let me sleep until the middle of the afternoon. I could scarcely believe the evidence of my senses when I turned out and saw the miracles that had been wrought in a few short hours. While I slept, the transformation of the Little Clean-Up from a three-man prospect hole to a full-fledged mine had taken giant strides. Machinery and material were arriving in a procession of teams laboring up the gulch; a score of carpenters were raising the frame of the shaft-house; masons were setting the foundations for the engine and hoist. I had slumbered peacefully through all the din and hammering and the coming and going of the teams; would doubtless have slept longer if the workmen had not put skids and rollers under the shack to move it out of their way.

Gifford, now thirty-odd hours beyond his latest sleep, was too busy to talk; but Barrett took time to bridge the progress gap for me.

"There was nothing you could do," he explained, at my protest for being left for so many hours out of the activities. "Gifford will have to knock off pretty soon, but the work will go on just the same. Take a look around, Jimmie, and pat yourself on the back. You are no longer a miner; you are a mine owner."

"Tell me," I said shortly.

"There isn't much to tell. I caught that first car to town this morning and got busy. You're seeing some of the results, and the ready money in bank is what produced them. But we've got to dig some more of it, and dig it quick. Blackwell has begun suit against us for trespassing upon Lawrenceburg property, and as you know, every foot of ground all around us was relocated by the early-morning mob that trailed up from our broken-down wagon."

"I ought to have told you about the Blackwell move this morning before you got away, but there was so much excitement that I lost sight of it," I cut in. "I knew about it last night."

"How was that?"

"Somebody who knew about it before I did came here and told me."

"In the night?"

"In the early part of the night; yes."

"Was it Everton?"

"Not on your life. It was some one who thinks a heap more of you than Phineas Everton does."

"You don't mean——"

"Yes; that's just who I do mean. She came over expecting to find you. She wanted to ask you if we had a sure-enough, fire-proof, legal right to be here. She asked me, when she found you were in bed and asleep. I told her we had, and succeeded in making her believe it. Then she told me what was coming to us—what Blackwell had up his sleeve."

"That explains what Gifford was trying to tell me, but he didn't tell me where it came from," said Barrett.

"He couldn't, because I didn't tell him. It's between you and Polly Everton, and it'll never go any farther. I shall forget it—I've already forgotten it."

In his own way Barrett was as scrupulous as an honest man ought to be. "I wish she hadn't done it, Jimmie. It doesn't ring just right, you know; while her father is still on the Lawrenceburg pay-rolls."

Right there and then is when I came the nearest to having a quarrel with Robert Barrett.

"You blind beetle!" I exploded. "Don't you see that she did it for you? But beyond that, she was perfectly right. She saw that an unjust thing was about to be done, and she tried to chock the wheels. The man doesn't live who can stand up and tell me that her motives are not always exactly what they ought to be. I know they are!"

Barrett was smiling good-naturedly before I got through. "I like your loyalty," said he; adding: "and I shan't quarrel with you over Miss Everton's motives; she is as good as she is pretty; and that is putting it as strong as even you could put it."

It was time to call a halt on this bandying of words about Mary Everton and her motives. I had already said enough to warrant a cross-fire of questions as to how I came to know so much about her.

"We're off the track," I threw in, by way of making a needed diversion. "You began to tell me about the Blackwell demonstration. I see we're still here."

"You bet we're here; and we're going to stay. It may take all the money we can dig out of that hole in the next six months to pay court costs, but just the same, we'll stay. Blackwell tried the bullying game first; came over here this forenoon with a bunch of his men and tried to scare Gifford out. Gifford stood the outfit off with the shotgun; was still standing it off when I came up with the first gang of workmen. I had bought a few Winchesters against just such an emergency, and I passed them out to the boys and told them to stand by. That settled it and Blackwell backed down, threatening us with the law—which he had already invoked."

"Can he get an injunction and hang us up?"

"It's a cinch that he'll try. But we have the best lawyers in Cripple Creek, and they're right on the job. There will be litigation a mile deep and two miles high, but we'll get delay—which is all we are playing for, right now. If the lawyers can stand things off until we have had one month's digging, we'll have money enough to fight a dozen Lawrenceburgs."

"We are going to be terribly crowded in this little space," I lamented, with a glance at the building chaos which was already overflowing our narrow limits.

Barrett slapped me on the back. "There was one time when your Uncle Bob had the right hunch," he bragged exultantly. "Our attorneys, Benedict & Myers, have succeeded in buying the Mary Mattock for us, which gives us room for the dump. It cost us twenty thousand dollars yesterday, when the deal was closed, and to-day it would cost a hundred thousand—or as much more as you like. To-morrow morning there will be a syndicate of farmers back in Nebraska reading their newspapers and kicking themselves all over the barnyard."

"Even the Mattock ground won't give us any too much room," I suggested.

"No; but we can acquire the outer corners of our triangle, sooner or later. We can buy of these new stakers after they find that they haven't room enough to swing a cat on their little garden patches. The big fight is going to be with the Lawrenceburg. Benedict has been digging into that, and he says we are up against a bunch that will fight to the last ditch. The mine is backed by Eastern capital, and the claim the owners will make is that their upper ground here in the gulch joins the original location, and that we are trespassers."

"Give me something to do," I begged. "I can't stand around here, looking on."

"Your job is waiting for you," Barrett rejoined tersely. "You have never told me much about yourself, Jimmie, but I know you are a business man, with a

good bit of experience. Isn't that so?"

"It was, once," I admitted.

"All right. You're going to handle the money end of this job in town. When you're ready, pull your freight for the camp, open an office, organize your force, and get busy with the machinery people, the banks, and the smelters. We'll be shipping in car-load lots within a week."

Two hours later I boarded a car on the nearest trolley line. On the long, sweeping rush down the hills I put in the time trying, as any bewildered son of Adam might, to find myself and to rise in some measure to the stupendous demands of the new task which lay before me.

But at the car-stopping in Bennett Avenue it was the escaped convict, rather than the newly created business manager of the Little Clean-Up, who slipped into the nearest hardware shop and purchased a revolver.

XVII

Aladdin's Lamp

It is no part of my purpose to burden this narrative with the story of the development of our mine. Let it be sufficient to say that it speedily proved to be one of the most phenomenal "producers" among the later discoveries in the Cripple Creek district. The stories of such spectacular successes have been

made commonplace by the newspapers, and that of the "Little Clean-Up" would—if I should give the real name of our bonanza—be remembered and recognized by many who saw it grow by leaps and bounds from a mere prospect hole to a second "Gold Coin."

To summarize briefly. Within a month we had settled down to business and were incorporated, with Barrett as president, and Gifford, who chose his own job, resident manager and superintendent. The secretary-treasurership, combined under one office head, fell to me. With a modern mining plant in operation, the sinking and driving paused only at the hours of shift-changing; and after we began shipping in quantity our bank balances grew like so many juggler's roses—this though we had to spend money like water in the various lawsuits which sprang up from day to day.

Many of these suits were based upon cross-claims—contentions that we were overlapping other properties—and most of these we were able to compromise by buying off the litigants. By this means we acquired the entire area of the original triangle. When the news of our strike reached Nebraska, the owners of the Mary Mattock sought to break their sale to us on the ground that we had stacked the cards against them. But our lawyers were too shrewd to be caught in such a flimsy net as this. At Benedict's suggestion we drove a drainage tunnel on the purchased property and unwatered the three shafts which the Nebraskans had sunk; an expedient which enabled us to prove to the satisfaction of the courts that the Mary Mattock, at the time of its abandonment by its original owners, was nothing more than a series of prospect holes, and that the property was valueless save for a dumping ground.

Through all these bickerings and compromisings the Lawrenceburg fight held on, giving us the most trouble and costing the most money. Blackwell proved himself to be a scrapper of sorts, leaving no expedient untried in his attempts to tie us up and put us out of business. Shortly after we began developing in earnest, he put a shaft-sinking force on the nearest of the Lawrenceburg upper

claims on the hillside above us, hoping, as we supposed, to flood us out by tapping one of the numerous underground water bodies with which the region abounds and turning it loose on us. At least, we could imagine no other reason for the move, since the growing dump at this upper working was entirely barren of ore, and remained so.

On our own part we were able to get back at Blackwell only in small ways. When he tried to shut us out of our wagon road right-of-way in the gulch, we beat him in the courts and made him pay damages for obstructing us. Later, when his upper dump began to encroach upon our ground, we sued him again and got more damages, with a peremptory order from the court to vacate.

Still later we took Phineas Everton away from him. The assayer had had some disagreement with Blackwell, the nature of which was not explained, but which I, for one, could easily understand, and Everton, apologetic now for his early suspicion of us, had told Barrett that he was open to a proposal. The proposal was promptly made and we installed Everton as our assayer and expert in the town offices, fitting up a laboratory for him which lacked nothing that money could buy in the way of furnishings and equipment.

Consequent upon this change, Barrett and I both saw more of the Evertons. They took a small house in town and Polly welcomed us both, making no distinction, so far as I could determine, between the president and the secretary-treasurer. Barrett's attitude toward Polly puzzled me not a little. He was a frequent visitor in the cottage on the hill, but he rarely went without asking me to go along. If he were really Mary Everton's lover, he was certainly going about his love-making most moderately, I concluded.

I like to remember that I was loyal to him at this time in spite of the puzzlement. It is perhaps needless to say that these cottage visits had done their worst for me and I was hopelessly in love with the sweet-faced, honest-hearted young woman who had grown out of the brown-eyed little girl of the Glendale

school-days. Nevertheless, I was still able to recognize the barrier which my conviction, imprisonment and escape, together with the ever-present peril of recapture, interposed; also I was able to recognize Barrett's prior claim, and the fact that he could leave wife and children the priceless heritage of a good name and a clean record—as I could not.

Touching this matter of peril, the period of our beginnings as a corporation was not without its alarms. Twice I had seen Kellow at a distance, and once I had stood beside him at the hotel counter where he had been examining the registered list of names at a moment when I, all unconscious of his presence until I was elbowing him, had stopped in passing to ask a question of the clerk. That near-encounter showed me that I was neither better nor worse than the man who had stood, loaded weapon in hand, on the sidewalk in the heart of a June night, coldly deliberating upon the advisability of committing a murder. I was conscious of a decent hope that Kellow wouldn't look up and recognize me—as he did not—but coincident with the hope the homicidal devil was whispering me to be ready with the pistol, without which I never went abroad any more, even to cross the street from my rooms to the office. And I was ready.

This mania, which seemed fated to seize me at any moment when my liberty was threatened, added another stone to the barrier of good resolutions which I had builded in behalf of my loyalty to Barrett and a more or less chivalrous consideration for Mary Everton and her future peace of mind. If the ex-convict might not venture, the potential man-slayer was at a still greater disadvantage.

I recall, as vividly as if it were yesterday, how the first small breach was made in this barrier of good resolutions. Barrett and I were in Denver together, joining forces in our regular monthly fight with the smelter pirates. We had been to the theater and were smoking bedtime cigars in the mezzanine lounge of the Brown Palace. I have forgotten the name of the play we had seen, and even the plot of it; all that I recollect is that it turned upon the well-worn theme of loyalty

in love.

Barrett seldom talked of himself or his past, even to me; and I was closer to him, I think, than anyone else in the West. But the play seemed to have touched some hidden spring. Almost before I knew it he was telling me of his college days, and of his assured future at that time as the only son of a well-to-do New England manufacturer.

"Those were the days when I didn't have a care in the world," he said. "My father was the typical American business man, intent upon piling up a fortune for my mother and sister and me. I couldn't see that he was wearing himself out in the effort to get ahead, and at the same time to give us all the luxuries as we went along; none of us could see it. His notion was to put me through the university, give me a year or so abroad, and then to take me into the business with him.… Don't let me bore you."

"You are not boring me," I said.

"Then there was the girl: that had been arranged for both of us, too, though we were carefully kept from suspecting it. I can't tell you what she was to me, Jimmie, but in a worldful of women she was the only one. She was in college, too, but we had our vacations together—at a little place on the Maine coast where her people and mine had cottages less than a stone's throw apart."

Barrett's cigar had gone out, but he seemed not to know it. His eyes were half-closed, and for the moment his strong clean-cut young face looked almost haggard. I let him take his own time. In such confidences it is only the sympathetic ear that is welcome; speech in any sort can scarcely be less than impertinent.

"I shall never forget our last summer together," he went on, after a bit. "It seemed as if everything conspired to make it memorable. We were both fond of canoeing and sailing and swimming; she could do all three better than most

men. Then there were the moonlit nights on the beach when we sat together on the white sands and planned for the future, the future of clear skies, of ambitions working out their fulfilment in the passing years, the blessed after-while in which there were to be an ideal home and little children, and always and evermore the love that makes all things beautiful, all things possible.

"We planned it all out in those August days and moonlit nights. I had one more year in the university, and after that we were to be married and go to Europe together. No young fellow in this world ever had brighter prospects than I had on the day when I went back to college to begin my senior year, Jimmie." He paused for a moment and then went on with a deeper note in his voice. "The lights all went out, blink, between two days, as you might say. The treasurer of the company of which my father was the president became an embezzler, and the crash ruined us financially and practically killed my father—though the doctors called it heart failure. And I had been at home less than a month, trying to save something out of the wreck for my mother and sister, when I lost the girl."

"She couldn't stand the change in circumstances?" I offered.

"She was drowned in a yachting accident, and they never found her body."

"Oh, good heavens!" I exclaimed, suddenly and acutely distressed and remorseful for the cynical suggestion I had thrust in.

He shook his head slowly. "It came near smashing me, Jimmie. It seemed so unnecessary; so hideously out of tune with everything. I thought at the time that I should never get over it and be myself again, and I still think so, though the passing years have dulled the sharp edges of the hurt. There never was another girl like her, and there never will be another—for me."

"But you will marry, some day, Bob," I ventured.

"Possibly—quite probably. Sentiment, of the sort our fathers and mothers knew, has gone out of fashion, and the money chase has made new men and women of the present generation. But some of the old longings persist for a few of us. I want a home, Jimmie, and at least a few of the things that the word stands for. Some day I hope to be able to find a woman who will take what there is left of me and give me what she can in return. I shan't ask much because I can't give much."

"I guess you have already found her," I said, with a dull pain at my heart.

"Not Polly," he denied quickly. "I couldn't get my own consent to cheat a woman like Polly Everton. She has a right to demand the best that a man can give, and all of it. Besides, it doesn't lie altogether with me or my possible leanings, in Polly's case—as no man knows better than yourself."

"Oh, you are wrong there, entirely wrong!" I hastened to say. "Polly and I are the best of good friends—nothing more."

His smile was a deal more than half sad.

"If there is 'nothing more,' Jimmie, it is very pointedly your own fault," he returned. "I've been wondering what you are waiting for. You have been poking your head into the sand like a silly old ostrich, but you haven't fooled me—or Polly, either, I think—for a single minute. What's the obstacle?"

I was silent. Not even to so close a friend as Robert Barrett could I give the real reason why my lips were sealed and must remain so. He went on, after a time, good-naturedly ignoring my hesitancy.

"It was all right at first, of course; while we couldn't tell whether we had a mine or only a costly muddle of litigation. But it's different now. We are going to beat the Lawrenceburg people in the end, and apart from that, if we should split up right here and now, we've got an undivided surplus of—how much was it

yesterday?—you've got the records."

"A little under a million."

"Call it nine hundred thousand to divide among the three of us. Your share of that would at least enable you and Polly to begin light house-keeping in a five-room flat, don't you think?"

What could I say? How could I tell him that he was opening a door for me that I could never enter; that by all the canons of decency and honor I should never seek to enter? In the mingled emotions of the moment there was a blind anger at the thought that he had unconsciously made my hard case infinitely harder by showing me that my loyalty to him was entirely needless.

"There are good reasons why I can't think of such a thing," I began; but when I would have gone on the words froze in my throat. Since the hour was nearly midnight, the mezzanine lounge was practically deserted. But as I choked up and stopped, a couple, a man and a woman who had come around from the other side of the gallery parlors, passed us on their way to the elevator alcove.

I hardly saw the man of the pair. A second after they had passed I could not have told whether he was black or white. That was because the woman, fair, richly gowned, statuesquely handsome and apparently in perfect health, was Agatha Geddis.

XVIII

"The Woman . . . Whose Hands are as Bands"

If I looked as stricken as I felt—and I doubtless did—Barrett had ample reason for assuming that I had been suddenly taken sick.

"Why, Jimmie, old man!" he exclaimed in instant concern; and then he took the half-burned cigar from between my fingers and threw it away, at the same time sending the floor boy scurrying after a drink for me.

I couldn't touch the whiskey when it came; and I was still trying to persuade Barrett that I wasn't sick when he walked me to the elevator. Wanting only to be free, I still had to let him go all the way with me to the door of my room. But the moment he was gone I hurried out again and descended to the lobby.

The night clerk knew me; or if he didn't, he knew the Little Clean-Up; and he was quite willing to talk. Miss Geddis was only temporarily a guest of the house, he told me. She was with a party of friends from the East, but her Denver home was with Mrs. Altberg, a widow and a prominent society woman. Yes, Miss Geddis was quite well known in social circles; she was reputed to be wealthy, and the clerk understood that she had originally come to Colorado for her health.

Under the stimulus of a particularly good gift cigar the man behind the register grew more confidential. Miss Geddis had always impressed him as being a woman with a history. It was not generally known, he said, but there was a whisper that she had come perilously near getting herself dragged into the lime-light as co-respondent in a certain high-life divorce case. The clerk did not vouch for this, but he did know that she had been seen often and openly in public with the man in the case, since the granting of the divorce.

I didn't sleep very well that night, as may be imagined; and the following day I should certainly have taken the first train for Cripple Creek if business had permitted. But business would not permit. There was an accumulated difference of some fifteen thousand dollars in ore values between us and the smelter people, and I was obliged to stay on with Barrett and help wrangle for our side in the discrepancy dispute.

At dinner time that evening I managed to elude Barrett, and upon going to the lobby desk for my mail, found a violet-scented envelope addressed to "Mr. James Bertrand" in a handwriting that I remembered only too well.

To anyone looking over my shoulder the enclosed note might have read as a casual and friendly greeting from an old acquaintance. But for me it spelled out death and destruction.

"Dear 'Bert," it ran. "I am not going to scold you for not speaking to me last night in the mezzanine parlor; nor for changing your name; nor for growing a beard. But if you should call this evening between eight and nine at Mrs. Altberg's house on the Boulevard, you will find me at home and more than willing to listen to your apologies and explanations.

"AGATHA."

My appetite for dinner had gone glimmering when I sat at the most secluded table the cafe afforded and went through the motions of eating. Not for a single instant did I mistake the purport of Agatha Geddis's note. It was not a friendly invitation; it was a veiled command. If it should be disobeyed, I made sure that not all the money in the Little Clean-Up's treasury could save me from going back to the home State as a recaptured felon.

Eight o'clock found me descending from a cab at the door of a rather dissipated looking mansion in the northern suburb. A servant admitted me, but I had to wait alone for a quarter of an hour or more in the stuffy and rather tawdry luxury of a great drawing-room. After a time I realized that Agatha was making me wait purposely in a refinement of cruelty, knowing well what torments I must be enduring.

When the suspense ended and she came into the room I saw at a glance that she was the same woman as of old; beautiful, alluring, but infinitely more sophisticated. Her charm now, as in girlhood, was chiefly the charm of physical perfection; but it was not entirely without its appeal when she made me sit beside her on the heavily carved mock-antique sofa.

"I didn't know certainly whether you would come or not," was the way she began on me, and if the tone was conventional I knew well enough what lay beneath it. "Old times are old times, but——"

She was merely playing with me as a cat plays with a mouse, but I could neither fight nor run until she gave me an opening.

"Of course you knew I would come; why shouldn't I?" I asked, striving for some outward appearance of self-possession.

"I'm sure I don't think of any reason, if you don't," she countered. "Did you know I was in Denver?"

"Not in Denver, no. But I heard, some time ago, that you had come to Colorado for your health."

"It seems absolutely ridiculous, doesn't it?—to look at me now. But really, I was very ill three years ago; and even now I can't go back home and stay for any length of time. You haven't been back, have you, since your—since you

_____"

"No; I haven't been back."

She was rolling her filmy little lace handkerchief into a shapeless ball, and if I hadn't known her so well I might have fancied she was embarrassed.

"I can't endure to think of that dreadful time four years ago—it is four years, isn't it?" she sighed; then with a swift glance of the man-melting eyes: "You hate me savagely, don't you, Bert?—you've been hating me all these years."

"No," I said, and it was the truth, up to that time. I knew that the feeling I had been entertaining for her had nothing in it so robust as hatred. There was no especial need for palliating her offense—far less, indeed, than I knew at that moment; yet I did it, saying, "You did what you thought you had to do; possibly it was what your father made you do—I don't know."

She was silent for a moment before she began again by asking me what made me change my name.

"My name isn't Herbert," I explained; "it never was. I think you must know that I was christened 'James Bertrand,' after my father."

"I didn't know it," she denied, adding: "but you have dropped the Weyburn?"

"Naturally."

Again there was a little interval of silence, and as before, she was the first to break it.

"So you are one of the owners of the famous Little Clean-Up? Are you very rich, Bertie?—you see, I can't give up the old name, all at once."

"No; I am not rich—as riches are counted nowadays."

"But you are going to be in just a little while," she put in, following the confident assertion with a query that came as suddenly as a stiletto stab: "Who is the girl, Bertie?"

"What girl?"

"The girl you are going to marry. I saw her with you at the Broadway one night three weeks ago; I sat right behind you. She doesn't 'pretty' very much, to my way of thinking."

Once again I felt the murder nerve twittering. This woman with a mocking voice and a heart of stone knew everything; I was as certain of it as if I could have seen into the plotting brain behind the long-lashed eyes. I knew now why she hadn't glanced aside at me as she passed on the way to the elevators in the Brown Palace the previous evening. She had discovered me long before. At whatever cost, I must know how long before.

"You saw me last night, and three weeks ago at the theater," I said. "How long have you known that I was in Colorado?"

"Ever since you came, I think," she returned quietly. "I was a member of a private-car party up at Cripple Creek about that time—with some of the Midland officials and their friends, you know. Our car was taken out over a new branch line they were building at that time, and I saw you standing beside the track. Perhaps I shouldn't have recognized you if I hadn't been thinking so pointedly of you. The home newspapers had told of your es—of your leaving the State; and I was naturally—er—well, I was thinking about you, as I say."

I saw that I was completely in her power. She knew, better than anyone else on earth, save and excepting only her father, that I was an innocent man. But she also knew that I had broken my parole.

"What do you want of me, Agatha?" I asked; and I had to wet my lips before I could say it.

"Supposing we say that I am asking only a little, common, ordinary friendliness, Bertie—just for the sake of the old days, and to show that you don't bear malice. I'm like other women; I get horribly bored and lonesome sometimes for somebody to talk to—somebody who knows, and for whom I don't have to wear a mask. The other girl doesn't live here, does she?"

"No."

"That's better. When you come to Denver, you must let me see you now and then; just for old sake's sake. You come up quite often, don't you? But I know you do; I see your name in the arrivals quite frequently."

I formed a swift resolve not to come as often in the future as I had in the past, but I did not tell her so.

"You'll come to see me when you're in town," she went on. "I'll try to learn to call you 'Jimmie,' and when we meet people, I'll promise to introduce you as the Mr. Bertrand, of Cripple Creek and the Little Clean-Up. Does that make you feel better?"

It made me feel as if I should like to lock my fingers around her fair pillar-like throat. I have said that I did not hate her. But one may kill without hatred in self-defense. Short of cold-blooded murder, however, there was nothing I could do—nothing anyone could do. Beyond this, she went on chatting easily and lightly of the old times in Glendale and the people we had both known, rallying me now and then upon my unresponsiveness. At my leave-taking, which was a full hour later, she went with me to the hall, helped me into my overcoat, and gave me another of the breath-taking shocks.

"There was a time, once, when you really thought you were in love with me, wasn't there, Bertie?" she asked sweetly.

Again I told her the simple truth. "There was a time; yes. It was when I was still young enough to carry your books back and forth on the way to and from the old school."

"But you got bravely over it, after awhile?"

"Yes; I got over it after I grew up."

She laughed softly.

"Don't you know that is a frightfully dangerous thing to say to a woman—to any woman, Bertie?"

"It is the honest thing to say to you."

"I suppose it is. Yet there are some things a woman likes better than honesty. Perhaps you haven't been making love to the Cripple Creek girl long enough to find that out. But it is so, and it always will be so."

It was at the outer door opening that she gave me the final stab.

"I am taking your business excuse at its face value to-night and letting you go. But the next time you come you mustn't have any business; at least, nothing more important than entertaining me—and that is important. Just jot that down in your little vest-pocket memorandum, and don't allow yourself to forget it for a single moment; not even while you are making love to Little Brown-Eyes. Good-night."

The old-fashioned preachers used to describe a terrifying hell in which fire and brimstone and all manner of physical torments awaited the impenitent. I was brought up to believe implicitly in such a hell, but the puerility of it as

compared with the refined tortures which I endured that winter can never be set forth in any words of mine.

With a desire keener than the hunger of the famishing for respectability and the privilege of living open-eyed and honestly before all men, I was forced, from the night of that first visit to Agatha Geddis, to lead a wretched, fear-frozen, double existence. On my return to Cripple Creek after the interview which I have just detailed, I swore roundly that I would stop going to the Everton's; that, come what might, Polly should never be dragged into the horrible morass of degradation which I saw clearly, even at that bare beginning, was waiting to engulf me.

But at best, a man is only a man, human in his desires, human in his powers of resistance; and a man in love can rarely be a complete master of circumstances. Though I had been holding back, both for Barrett's sake and because of my own wretched handicap, it soon became apparent that I had gone too far to be able to retreat with honor; that Polly Everton's name had already been coupled with mine in the gossip of the great gold camp; and that—if what Barrett had said were true—Polly herself had to be considered.

So the double life began and continued. In Cripple Creek I was Mary Everton's lover; in Denver I was Agatha Geddis's bondman and slave. Oftener and oftener, as the winter progressed, the business of the mine took me to the capital; and Agatha never let me escape. One time it would be a theater party, at which I would be obliged to meet her friends; people who, as I soon learned, were of the ultra fast set. At another it would be a driving party to some out-of-town resort with the same, or a worse, crowd; midnight banquetings, with champagne in the finger-bowls, cocktails to go before and after, and quite likely some daring young woman to show us a new dance, with the cleared dinner-table for a stage. Many times I tried to dodge; to slip into Denver on the necessary business errand and out again before the newspapers could publish my arrival. It was no use. That woman's ingenuity, prescience, intuition—

whatever it may be called, was simply devilish. Before I could turn around, my summons would find me, and I had to obey or take the consequences.

Now and again I rebelled, even as the poorest worm will turn if it be sufficiently trodden upon; but that, too, was useless. My tormentor held me in a grip of steel. Worse than all, the dog's life she was leading me caused me to lose all sense of proportion. As a choice between two evils, a return to prison would have been far more endurable than this indefinite sentence of degradation Agatha Geddis was making me serve. But I could not see this: all I could see was that this woman had the power to make a total wreck of all that I had builded. The larger fact that I was myself the principal contributor to the wreck, helping it on by the time-serving course I was pursuing, did not lay hold of me.

One night, or rather early one morning, when I had taken her home from a road-house revel so shameful that the keeper of the place had practically turned us out, I asked her where all this was to end.

"Perhaps it will end when I have taught you how to make love to me again," she returned flippantly.

"And if I refuse to learn?"

Her smile was no longer alluring; it was mockingly triumphant.

"You can't keep it up indefinitely—with the Cripple Creek girl, I mean, Bertie"—she still called me "Bertie" or "Herbert" when we were alone together. "Sooner or later, she is going to find out what you are doing to her; and after that, the fireworks."

I shook my head. "It is hard to decide, sometimes, Agatha, whether you are a woman or merely a she-devil in woman's shape."

"Oh, I'm a woman—all woman."

"But the motive," I gritted. "If I had done you the greatest injury a woman could suffer—if you had a lifelong grudge to satisfy—you could hardly be more vindictively merciless."

Her smile at this was not pleasant to look upon.

"Somebody has said that the keenest pleasure in life is the pleasure of absolute possession. I own you, Bertie Weyburn, body and soul, and you know it. If you were a big enough man, you'd kill me: if you were big enough in another way, you'd defy me and take what is coming to you."

"And since I am not yet ready to become either a murderer or a martyr?"

"You will probably do the other remaining thing—marry me some day and give me a chance to teach you how to spend the money which, thus far, you don't seem to know what to do with."

"You have money enough of your own—or your father's," I retorted.

"I'd rather spend yours," she said coolly.

It was the old *impasse* at which we had arrived a dozen times before, only the wretched involvement seemed to be adding coil upon coil with the passing of time. I have often wondered if she really meant the marriage threat. At this distance in time it appears extremely doubtful. She may have had moments in which the steadily augmenting output of the Little Clean-Up tempted her, but this is only a surmise. And a little later I was to learn that during this very winter when she was dragging me bound and helpless at the end of her trail-rope, she was—but I need not anticipate.

"You have me bluffed to a standstill, but sometimes I wonder if it isn't only a bluff," I said, in reply to her remark that she'd rather spend my money than her father's. "What if I should tell you here and now that this is the end of It?—that

you can't make a plaything of me any longer? What would you do?"

"There are a number of things I might do—to one who is so temptingly vulnerable as you are, Bertie. For one, I might send a wire to the sheriff of the home county, or to the warden of the penitentiary. Really, when I come to think of it, I'm not sure that I oughtn't to do it, anyway, on the score of public morals. Nobody would blame me; and some few would applaud."

"Morals!" I exploded. "You don't know the meaning of the word!"

"Maybe not," she rejoined lightly. "Not many women do. But sending the wire would be a rather crude way of bringing you to terms; especially since I know of at least one better way. I'm going to hazard a guess. You haven't told the Cripple Creek girl anything about your past?"

I was silent.

"I thought not," she went on smoothly. "With some women, perhaps with most women, it wouldn't make any great difference, one way or the other. So far as anybody out here knows to the contrary, you are a free man—and a rich one; and so long as you haven't committed bigamy or something of that sort, the average girl wouldn't care the snap of her finger. Up to a few days ago I thought the brown-eyed little thing you brought up here one night last fall to the theater was the average girl. But now I know better."

It had always seemed a sheer sacrilege to even mention Mary Everton in Agatha Geddis's presence. But this time I broke over.

"You know who she is?" I queried.

"I do now. And I know her *métier* even better than you do, Bertie, dear. She might go to her grave loving you to distraction, but she would never have an ex-convict for the father of her children—not if she knew it. It's in the

Everton blood. Anybody who knew Phineas Everton as you and I did in the old school-days, ought to know exactly what to expect of his daughter."

I sat up quickly, and the lights in the high-swung drawing-room chandelier began to turn red for me.

"You devil! Do you mean to say that you would tell Polly Everton?" I burst out savagely.

"I'm not going to tell her because you are not going to drive me to it,"—this with a half-stifled yawn behind a faultless white hand that was just beginning to show the blue veining of bad hours and dissipation. Then: "Go back to your hotel and go to bed, Bertie. You'll wake up in a better frame of mind a few hours later, perhaps. Kiss me, and say good-night."

As I have confessed, I carried a gun in those days; had carried one ever since that memorable afternoon when I had dropped from the trolley-car in Cripple Creek to preface the opening of our business office by going first to a hardware shop for the purchase of a weapon. After leaving the Altberg house I dismissed the night-owl cab on the north bank of the river and crossed the Platte on the viaduct afoot.

Half-way over I stopped to look down into the winter-dry bed of the stream. There was one way out of the wretched labyrinth of shame and double-dealing into which my weakness and cowardice had led me. The weapon sagged heavily in my pocket as if it were a sentient thing trying in some dumb fashion to make its presence felt.

It was but a gripping of the pistol and a quick pull at the trigger, and I should be out of the labyrinth for good and all. I don't know why I didn't do it; why I hadn't done it long before—or rather, I do know. It was because, when the deciding moment came, I was always confronted by a vivid and soul-harrowing flash-light picture of Polly Everton's face as it would look when they should tell

her.

XIX

A Reckoning and a Hold-Up

I imagine it is only in fiction that a man is able to live a double life successfully to the grand climax. I failed because the mounting fortunes of the Little Clean-Up, my share of which was as yet merely giving me money to squander on the extravagant whims and caprices of Agatha Geddis, were making all three of us, Gifford, Barrett and myself, marked men.

One incident of the marking timed itself in one of my trips to Denver. I had breakfasted at the Brown and was leaving my room-key with the clerk when I ran up against the plain-clothes man who had arrested me on the day of my arrival as a runaway. I should have passed him without recognition, as a matter of course, but he stopped and accosted me.

"Carson's my name," he said, offering me his hand and showing his concealed badge in one and the same motion. Then: "You'll excuse me for butting in, Mr. Bertrand, but there is something you ought to know. You've got a double kicking around here somewhere; a fellow who has swiped your name and looks just a little like you. He's a crook, all right, and we've got his thumb-print and his 'mug' in the headquarters records. I ran across his dope the other day in the blotter, and thought the next time I saw you I'd give you a tip. You never can tell what these slick 'aliases' 'll do. He might be following you up to

get a graft out of you. That's done, every day, you know."

Naturally, there was nothing to do but to thank the purblind city detective, to press a bank-note into his hand, and to beg him to be on the lookout for this dangerous "double" of mine. But the incident served to show what the bonanza-fed publicity campaign was doing for us.

Gifford, grubbing in the various levels of the mine, had the most immunity; the newspaper reporters let him measurably alone. But neither Barrett nor I could dodge the spotlight. Every move we made was blazoned in type, and I lived in daily fear of the moment when some enterprising newspaper man would begin to make copy of the theater parties and road-house rides and midnight champagne suppers.

I knew that the blow had fallen one morning when Phineas Everton came unannounced into my private office and asked me to send the stenographer away. The *débâcle* had arrived, and I was no more ready to meet it than any other spendthrift of good repute caught red-handed would have been.

"I think you can guess pretty well what I have come to say, Bertrand," Everton said, after the door had closed behind the outgoing shorthand man. "I have been putting it off in the hope that your own sense of the fitness of things would come to the rescue. I may be old-fashioned and out of touch with the times and the manners of the new generation, but I can't forget that I am a father, or that common decency still has its demands."

Out of the depths of my humiliation there emerged, full-grown, a huge respect for this quiet-eyed ex-schoolmaster who, for the few of us who knew him, lived the life of a studious recluse among his technical mechanisms in the laboratory. He was a salaried man, and I was one of his three employers. That he was able to ignore completely the business relation was a mark of the man.

He waited for his reply but I had none to make. After a time he went on,

without heat, but equally without regard for anything but the despicable fact.

"For quite a long time, if I am informed correctly, you have been associating in Denver with a set of people who, whatever else may be said about them, are not people with whom my daughter would care to associate. More than this, you have allowed your name to become coupled with that of a woman whose reputation, past and present, is not altogether of the best. Tell me if I am accusing you wrongfully."

"You are not," I admitted.

"I have been waiting and postponing this talk in the hope that you would realize that you are not doing Polly fair justice. Like most American fathers, I am not supposed to know how matters stand between you, and I deal only with the facts as they appear to an onlooker. The home has been open to you, and you have made such use of your welcome as to lead others to believe that you are Polly's lover."

"I am," I asserted.

"Ah," he said; "that clears the ground admirably. I like you, Bertrand, and I shall be glad to hear your defense, if you have any."

What could I say? Driven thus into a corner, I could only protest, rather incoherently, that I loved Polly, and that, in other circumstances, I should long since have asked her to be my wife.

"The 'circumstances' are connected with Miss Geddis?" he asked pointedly.

"Only incidentally. Considered for herself, Miss Geddis is a woman for whom any self-respecting man could have little regard."

For the first time in the interview the ex-schoolmaster's mild eyes grew hard.

"Then I am to infer that she has a hold of some sort upon you?"

"She has," I rejoined shortly.

"That simplifies matters still more," he averred, with as near an approach to severity as one of his characteristics could compass. "I don't wish to make or meddle to the extent of telling Polly what I have heard and what you have admitted. But in justice to her and to me, you should be man enough to stay away from the house and let Polly alone. Am I unreasonable?"

"Not in the least. You might go much farther and still be blameless. I have no valid excuse to offer, but if I should say that there are extenuating circumstances _____"

He raised a thin hand in protest.

"Let us leave it at the point at which there will be the least ill-feeling," he cut in; and from that he switched without preface to a discussion of the varying ore values in a newly opened adit of the mine.

When he was gone I went into Barrett's room. As I have intimated, one of the troubles of mine-owning—if the mine be a producer—is to hold the smelter people in line. Like other Cripple Creek property owners, we had been up against the high costs of reduction almost from the first, and we were constantly sending test consignments of our ore to various smelters throughout the country, and even to Europe, in order to obtain checking data.

"About that car-load of Number Three ore we are sending to Falkenheim in California," I said to Barrett. "I'm going to break away and go with it if you have no objections."

Barrett looked up quickly.

"I think that is a wise move, Jimmie; a very wise move," he said gravely; and this meant that he, too, had been reading the Denver newspapers. Then he added: "We can get along all right without you, for awhile, and you may stay as long as you like. When will you go?"

"To-day; on the afternoon train."

"Straight west?—or by way of Denver?"

"Straight west, over the Midland, I guess."

This is what I said, and it is what I meant to do when I went back to my own office to set things in order for the long absence—for I fully meant it to be long. My office duties were not complicated, and the few things to be attended to were soon out of the way. One of the letters to be written was one that I did not dictate to the stenographer. It was to the Reverend John Whitley, enclosing a draft to be forwarded to my sister in Glendale. Ever since he had served me in the matter of returning Horace Barton's pocketbook, I had used him as an intermediary for communicating, money-wise, with my people. He had kept my secret, and was still keeping it.

The business affairs despatched, I crossed to the hotel to pack a couple of suit-cases. All these preliminary preparations included no word or line to Polly. I promised myself that I should write her when it was all over. The thing to be done now and first was to drop out as unostentatiously as possible. So ran the well-considered intention. But when I went down to an early luncheon there was a telegram awaiting me. It was from Agatha Geddis, and its wording was a curt mandate. "Expect you on afternoon train. Don't fail."

During the half-hour which remained before train-time I fought the wretched battle all over again, back and forth and up and down until my brain reeled. At the end there was a shifty compromise. I was still fully determined to drop out and go to California; at one stroke to break with Polly Everton, and to put

myself beyond the reach of the woman with claws; but I weakly decided to go by way of Denver, taking the night train west from the capital city over the Union Pacific. It was a cowardly expedient, prompted wholly by the old, sharp-toothed fear of consequences if I should fall to obey the wire summons, and I knew it. I offer nothing in extenuation.

Agatha met me at the Denver Union Station, and at her suggestion we went together to dinner at the Brown Palace. I did not know until later why she had sent for me, or why she chose a particular table in the dining-room, or why she went to pieces—figuratively speaking—when, at the serving of the dessert, a note was handed her.

After that, I should have said that she had been drinking too much champagne, if I had not known better.

"I want you to go with me up to my suite, Bertie; I've moved to the hotel," she said hurriedly as we were leaving the dining-room.

If I went reluctantly it was not owing to any new-born squeamishness. Heaven knows, I had been compromised with her too many times to care greatly for anything that could be added now. In the sitting-room of her private suite she punched the light switch and came to sit on the arm of my chair. If she had put an arm around my neck, as she did now and then when the wine was in and what few scruples she had were pushed aside, I think I should have strangled her.

"You are going to be awfully sweet to me to-night, Bertie," she began, with honey on her tongue. "You are going to be my good angel. I need a lot of money, and I want you to be nice and get it for me."

"No," I refused briefly. "You've bled me enough."

"Just this one more time, Boy," she coaxed. "I've simply *got* to have it, you

know."

"Why don't you get it from your father?"

"He has quit," she said, with a toss of the shapely head. "Besides, you are so much easier."

"How much do you want, this time?"

She named a sum which was a fair measure of my entire checking account in the Cripple Creek bank; no small amount, this, though by agreement Gifford, Barrett and I had set aside a liberal portion of the mine earnings as undivided profits. When I hesitated, fairly staggered by the enormity of her demand, she added: "Don't tell me you haven't got it; I know you have. You don't spend anything except the little you dole out for me."

"If I have that much, I am not carrying it around with me."

"I didn't suppose you carried it in your pocket. But you are well known here in Denver, and you can get your checks cashed at any hour of the day or night, if you go to the right places. You've done it before."

I was desperate enough to be half crazed. Not content with making me lose the love of the one woman in the world, she was preparing to rob me like a merciless highwayman.

"Nothing for nothing, the world over," I said, between set teeth. "I mean to have the worth of my money, this time."

With a quick twist on the arm of the chair she leaned over and put her cheek against mine. "There are others," she laughed softly, "but there has never been a day or an hour when you couldn't make them wait, Bertie, dear." And then: "No; I haven't been drinking."

"You will give me what I want, if I will pay the price?" I demanded.

"You heard what I said," she whispered.

I made her sit up and tried to face her.

"This is what I want. Four years ago you and your father sent me to prison for a crime that I didn't commit. Go over to that table and write and sign me my clearance—tell the bald truth and sign your name to it—and you shall have your money."

In a flash she slipped from her place on the arm of the chair and stood before me transformed into a flaming incarnation of vindictive rage. In spite of the pace she had been keeping she was still very beautiful, and her anger served to heighten that physical charm which was the keynote of her power over men.

"*Oh*!" she panted; "so *that* was what you were willing to pay for! You want a bill of health so you can go back to that little hussy in Cripple Creek! Listen to me, Bert Weyburn: you've broken the last thread. I could kill you if you couldn't serve my turn better alive than dead! *I want that money*. If you don't bring it here to me by ten o'clock, the Denver police are going to find out that you, the wealthy third partner in the Little Clean-Up, are the man they photographed nearly a year ago, the man whose thumb-print they took, the man who is wanted as an escaped convict who has broken his parole—No, don't speak; let me finish. For the money you are going to bring me, I'll keep still—to the police. But for the slap you've just given me.… Did you ever read that line of Congreve's about a woman scorned? You've had your last little love-scene with Polly Everton!"

I'll tell it all. This time the murder demon proved too strong for me. It was a sheer madman who sprang at her out of the depths of the arm-chair and bent her back over the little oak writing-table with his hands at her throat. She was not womanly enough to scream; instead, she fought silently and with the strength

and cunning of mortal fear. Even as my fingers clutched at her for the strangling hold she twisted herself free and put the breadth of the table between us; then I found myself looking into the muzzle of a small silver-mounted revolver.

"You fool!" she gasped. "Do you think I would take any chances with you? If you should kill me, the axe would fall and find your neck, just the same! I put it in a letter to the chief of police. Get me that money before ten o'clock if you want me to stop the letter!"

I was beaten, this time not by fear of her or what she could do, but by the crushing loss I had suffered in those few mad moments. I had done the thing that no man may do and still claim that he has a single drop of gentle blood in his veins; I had laid my hands in violence upon a woman, and with murder in my heart.

Convinced now that there was no deeper depth of degradation to which I could sink, I set about the task she had given me, laboring through it like a man in a dream. To gather up such a huge sum of money after banking hours was well nigh impossible; but I compassed the end by chartering a cab and going to anybody and everybody who could by any possibility cash my checks, leaving a disgraceful trail of the bank paper in dives and gambling dens and night resorts without number—driven to this because all respectable sources were closed at that time in the evening.

Returning to the hotel only a few minutes before the critical hour, I went directly to her rooms, carrying the money in a small hand-bag that I had bought for the purpose. I found her waiting for me, gowned and hatted as if for a journey. She was standing before a mirror, dabbing her neck with a powder-puff—histronic to the last; she was showing me how she had to resort to this to cover up the marks of my assault. I have failed in my picture of her if I have not portrayed her as a woman of moods and lightning changes. There was no trace of the late volcanic outburst in her manner when she greeted me and handed me

a sealed and stamped envelope addressed to the Denver chief of police.

"You got the money?" she said quietly. "I knew you would." And then with a sudden passion: "Oh, Bertie! if you weren't such a cold-blooded fish of a man! —but never mind; it's too late now."

I placed the small hand-bag on the table, pocketed the fateful letter, and backed toward the door. "If there is nothing else," I said.

"Oh, but there is!" she put in quickly. "I want you to get a cab and take me to the station. I'm leaving for California. Don't you want to go with me?"

"God forbid!" I exclaimed, and it came out of a full heart. Then I went down to order the cab.

She was curiously silent on the short drive down Seventeenth Street to the Union Station, sitting with the little hand-bag on her knees and breathing as they say the Australian pearl fishers breathe before taking the deep-sea dive. In the station she stood at a window in the women's room and waited while I purchased her ticket for San Francisco and paid for the sleeper section which had evidently been reserved some time in advance.

It is perhaps needless to say that I did not buy my own California ticket at the same time, though the train she was taking was the one I had planned to take. My journey could be postponed; and in the light of what had happened, and what was now happening, I was beginning to understand that my runaway trip to the Pacific Coast was no longer necessary, on one account, at least. But in any event, wild horses couldn't have dragged me aboard of the same train with Agatha Geddis.

She seemed strangely perturbed when I went to her with the tickets, and she made no move to leave the window.

"Your train is ready," I told her, as she thrust the ticket envelope into the bosom of her gown.

"Wait!" she commanded; then she turned back to the window which looked out upon the cab rank.

There were cabs coming and going constantly, and I didn't know until afterward what she saw that made her eyes light up and the blood surge into her cheeks.

"Now I'm ready," she announced quickly. "Put me on the sleeper."

I took her through the gates and at the gate-man's halting of us I saw that we were followed.

Our shadow was an alert, dapper young man who wore glasses, and I remembered having seen him, both at the ticket window and in the women's room. Outside of the gates he confirmed my suspicion by trailing us to the steps of the sleeping-car.

Even then I didn't suspect what was going on. While the sleeping-car conductor was examining the tickets and taking the section number I saw the young man with the spectacles making a hurried reconnaissance of the car by walking back and forth beside it and peering curiously in through the lighted windows. Then I missed him for a minute or two until he came running from the gates with a railroad ticket in his hand.

"I'm going to Cheyenne, and I want a berth in this car," he told the Pullman conductor, "They said they couldn't sell me one at the office—that you had the diagram."

The conductor looked over his list. "Nothing doing," he returned. "All sold out."

"That's all right," snapped the young man; "I'll take my chance sitting up." With that, he climbed aboard and disappeared in the car.

All this time we had been waiting for the conductor to return my companion's tickets. When he did so, I helped her up the steps. The air-brakes were sighing the starting signal, and she turned in the lighted vestibule and blew me a kiss.

"Good-by, Bertie, dear," I heard her say. "Be a good boy, and give my love to Little Brown-Eyes." Then, as if to prove the immortal saying that there is no such thing as ultimate total depravity in the human atom, she leaned over to whisper the parting word: "Make good with her if you can, and want to, Bertie: I didn't mean it when I said I'd spoil your chances. Good-night and good-by." And with that the train moved off and she was gone.

I slept late in my room at the hotel the next morning, waking with a vague sense of inexpressible relief, which was quickly followed by the emotions which may come to a man regaining consciousness after he has been sandbagged and robbed. At table in the breakfast-room the boy brought me a morning paper. On the first page, in screaming headlines, I saw the complete explanation of the mysteries of the previous evening. Agatha Geddis had eloped with a married man notably prominent in social and business circles. The newspaper had two reliable sources of information. The deserted wife had been interviewed, and the guilty pair had been followed on the train by a reporter.

I laid the paper aside and stared out of the breakfast-room window like a man awakening from a horrid dream. Once again the submerging wave of realization and relief rushed over me. Truly, I had been held up and robbed; had in fact innocently financed this city-shaking elopement. But, so far as Agatha Geddis's banishment from Denver and Colorado could accomplish it, I was once more a free man.

XX

Broken Faith

"Sweet are the uses of adversity," sang the great bard who is supposed to have known human nature in all its mutations; and humanity has echoed the aphorism until it has come to believe in some sort that bufferings are benedictions, and hard knocks merely the compacting blows that harden virtues, as the blacksmith's hammer beats a finer temper into the steel upon the anvil.

With all due respect for the shades of the mighty, and for the tacit approval of the many, I beg leave to offer the *argumentum ad hominem* in rebuttal. Fight the conclusion as I may, I cannot resist the convincement that ill winds have never blown me any good; that, on the contrary, the steady pressure of hardship and misfortune, during a period when my life was still in a great measure in the formative state, exerted an influence which was altogether evil, weakening the impulses which should have been growing stronger, and giving free rein to those which, under more favoring conditions, might never have been quickened.

When I forsook the breakfast-table and the hotel, after having read the newspaper story telling how effectively Agatha Geddis had removed herself from my path, it was to make a joyous dash for the first train leaving the capital for Cripple Creek. With shame I record it, I had already forgotten my own culpable weakness in permitting a dastardly fear of consequences to make me

Agatha's puppet and a sharer in her more than questionable dissipations; had forgotten that by every step I had taken with Agatha Geddis I had increased the distance separating me from Mary Everton.

Perhaps it is only a characteristic of human nature to minimize evils past, and evils to come, at the miraculous removal of a great and pressing evil present; even so, one may suffer loss. I was hastening back to take up the dropped thread of my relations with Phineas Everton and his daughter, and I should have gone softly, as one who, knowing himself the chief of sinners yet ventures to tread upon holy ground. But by the time the train was slowing into the great gold camp at the back of Pike's Peak, these, and all other chastening thoughts, were crowded aside to make room for the one jubilant fact: I was free and I was going back to Polly.

Barrett was the first man I met upon reaching our offices. If he were surprised at seeing me in Cripple Creek when I should have been well on my way to the Pacific Coast, he was quite as evidently disappointed.

"I thought you had started for California," he said in his evenest tones.

"I thought so, too; but it was only a false start." Then I had it out with him. "You and I both know, Barrett, why you thought I ought to go, and the reason wasn't even remotely connected with the shipping of the car-load of test-ore. If you have seen the morning papers, you probably know why it is no longer necessary for me to leave Colorado."

He turned to stare absently out of the office window. When he faced about again there was a frown of friendly concern wrinkling between his straight-browed level eyes.

"How the devil did you ever come to get mixed up with the Geddis woman, Jimmie?" he demanded.

I evaded the direct question. "It is a long story, and some day I may be able to tell you all of it. But I can't do it now. You must take my word for it, Bob, that I haven't done a single thing that I didn't believe, at the time, I was compelled to do. That sounds idiotic, I know; but it is the simple truth."

Again he turned to the window and was silent for a full minute. I knew that I had in no uncertain measure forfeited his good opinion—that, I had earned the forfeiture: also, I knew perfectly well what he was doing; he was leaving me entirely out of the question and was weighing the hazards for Polly. When he turned it was to put a hand upon my shoulder.

"I'm taking you 'sight unseen,' old man," he said, with the brotherly affection which came so easily to the front in all his dealings with me. "If you tell me it's done and over with, and won't be resurrected, that's the end of it, so far as I am concerned. What comes next?"

"A little heart-to-heart talk with Polly's father," I said, and began to move toward the door. But he stopped me before I could get away.

"Just one other word, Jimmie: wouldn't it be better to let things rock along for awhile until the dust has time to settle and the smoke to blow away? You've come back red-handed from this thing—whatever it is—and——"

"No," I returned obstinately. "It is now or never for me, Bob. I'm sinking deeper into the mire every day, and Polly has the only rope that will pull me out. You'll say that I am much more likely to drag her in; maybe that is true, but just now I'm like a drowning man. Possibly it would be better for all concerned if I should drown, but you can't expect me to take that view of it." And with that I crossed the corridor to the laboratory.

I can say for Phineas Everton that he was at all times and in all things a fair man, generous to a fault, and always ready to give the other fellow the benefit of the doubt. I sought him that afternoon with an explanation which was very far

from explaining, but he listened patiently and with an evident desire to draw favorable inferences where he could from my somewhat vague story of my entanglement with Agatha Geddis.

It was perfectly apparent to me that I was not making the story very clear to him; I couldn't, because any complete explanation would have reached back too far into my past. The half-confidence was inexcusable, and I was aware of this. I owed this man, whose daughter I wished to marry, the fullest and frankest statement of all the facts. But I didn't give it to him.

"You are trying to tell me that the affair with this woman had its origin in a former foolish infatuation?" he said at length.

"It might be called that; but it dates back to my—to a time long before I came to Cripple Creek."

"You gave me to understand yesterday that she had a hold of some sort upon you. Were you under promise to marry her?"

"No, indeed; never in this world!"

He was sitting back in his chair and regarding me gravely.

"I am an old-fashioned man, Bertrand, as I told you yesterday. I have always entertained an idea—which may seem archaic to the present generation—that a young man intending to marry ought to be able to give as much as he asks. You haven't made a very good beginning."

I admitted it; admitted everything save the imputation that my relations with Agatha Geddis had been in any sense wilfully immoral.

He gave a wry smile at this, as if the distinction were finely drawn and the credit small.

"Because it fell to my lot to be a schoolmaster in her native town, I had an opportunity of observing Miss Geddis while she was yet only a young girl, Bertrand," he remarked. "She gave promise, even then, of becoming a disturbing element in the affairs of men. As a school-girl she had a following of silly boys who were ready to take her at her own valuation of herself. There are times when you remind me very strongly of one of them, though the resemblance is only a suggestion: the boy I speak of was a bright young fellow named Weyburn, who afterward became a clerk in Mr. Geddis's bank."

There are moments when the promptings of the panic-stricken ostrich lay hold upon the best of us. Since I could not thrust my head into the sand, I wheeled quickly to stare at a framed photograph of Bull Mountain and the buildings of the Little Clean-Up hanging on the laboratory wall.

"He was one of the fools, too, was he?" I said, without taking my eyes from the photograph.

"He turned out badly, I am sorry to say, and I have often wondered if the young woman was not in some way responsible. There was a defalcation in Geddis's bank, and Weyburn was found guilty and sent to the penitentiary."

Here was another of the paper life-walls. One little touch would have punctured it and vague recollection would instantly become complete recognition. I held my breath for fear I might unconsciously give the rending touch. But Everton's return to the question at issue turned the danger of recognition aside.

"To get back to the present time, and your plea for a rehearing," he went on. "I wish to be entirely fair to you, Bertrand; as fair as I can be without being unfair to Polly. Barrett told me yesterday afternoon that you had gone, or were going, to the Pacific Coast. I am taking it for granted that you had no intention of accompanying this woman?"

"I certainly had not. Nothing was further from my intentions. On the other hand, her flight last night with another woman's husband is the one thing that makes it possible for me to be here to-day."

"You can assure me that your connection with her is an incident closed; and for all time?"

"It is, unquestionably. I hope I shall never see her or hear of her again."

For a moment he sat nibbling the end of the pencil with which he had been figuring, trying, as I well understood, to be fairly equitable as between even-handed justice and his prejudices. There was a sharp little struggle, but at the end of it he said: "As I remarked yesterday, I labor under all the disadvantages of the average American father. I can occupy the position only of a deeply interested onlooker. But I'll meet you half-way and lift the embargo. You may resume your visits to the house if you wish to."

"I want more than that," I broke in hastily. "I am going to ask Polly to be my wife. If she says Yes, I don't want to wait a minute longer than I'm obliged to."

He demurred at that, intimating that I ought to be willing to wait until a reasonable lapse of time could prove the sincerity of my protestations. He was entirely justified in asking for delay, but I begged like a dog and he finally gave a reluctant consent—contingent, of course, upon his daughter's wishes in the matter. Half an hour later I was sitting with Polly Everton before a cheerful grate fire in the living-room of the cottage on the hill, trying, as best I might, to tell her how much I loved her.

One of the things a man doesn't find out until after he has been married quite some little time is that the best of women may not always wear her heart on her sleeve, nor always open the door of the inner confidences even to the man whose life has become a part and parcel of her own. Mary Everton's eyes were deep wells of truth and sincerity as I talked, but I read in them nothing save the

love which matched my own when she gave me her answer. If I had known all that lay behind, I think I should have fallen down and worshiped her.

I did not know then how much or how little she had heard of the Agatha Geddis affair. None the less, I broke faith, if not with her, at least with myself. I did not tell her that she was about to become the wife of an escaped convict; that her life must henceforth be lived under a threatening shadow; that her children, if she should have any, might be made to share the disgrace of their father.

Once more I make no excuses. A little later, if I had waited, the just and honorable impulse might have reasserted itself; I might have realized that the removal of one unscrupulous woman out of my path merely took the lightning out of the edge of the nearest cloud. But in the supreme exaltation of the moment I considered none of these things. In this climaxing of happiness the disaster which had hung over my head for weeks and months seemed as far removed and remote as it had been imminent only a few hours before.

We were together through what remained of the afternoon; until it was nearly time for Phineas Everton to come home. When we parted I had gained my point and our plans were all made. We were to be married very quietly the following day. I had no wish to make the wedding the social function which my position as one of the three partners in the Little Clean-Up might have justified; and Polly agreed with me in this.

It was not until after I had left the house that I remembered that the forced financing of Agatha Geddis's elopement had practically drained my bank account. There had been no mention of money in our talk before the fire; we were both far and away beyond the reach of any such sordid topic. But Phineas Everton would have a right to ask questions, and I must be prepared to answer them. After dinner at the hotel I captured Barrett, drove him into a quiet corner of the lobby, and made my wail.

"Heavens and earth!" he gasped when I had told him the shameful truth. "Are you telling me that you let that woman hold you up for all the ready money you had in the world?"

"It listens that way," I confessed; adding, out of the heart of sincerity: "It was cheap at the price; I was glad enough to be quit of her at any price."

"This is pretty serious, Jimmie," he asserted, after he had re-lighted his cigar. "It isn't the mere fact that you have recklessly chucked a small fortune at the Geddis person—that is a mere matter of dollars and cents, and the Little Clean-Up will square you up on that. But there is another side to it. The dreadful thing is the fact that she had enough of a grip on you to make you do it. I'll like it better if you will say that you were blind drunk when you did it."

"I wasn't—more's the pity, Bob; on the contrary, I was never soberer in my life."

"Of course, you haven't told Polly."

"No—not yet."

"Nor Everton?"

I shook my head. "I didn't want to commit suicide."

Barrett chuckled softly.

"I happen to know this fellow the Geddis woman is running away with," he said. "He has gone through his wife's fortune, in addition to squandering a good little chunk that his father left him. And you've grub-staked 'em both to this! Well, never mind; it's a back number, now, and you have given me your word for it. Don't worry about the money you are going to need for the honeymoon. There is plenty in the bank—in my account, if there isn't any in yours."

I thanked him with tears in my eyes. Was there ever another such generous soul in this world, or in any other? He stopped me in mid career, wishing to know more about the wedding.

"Let the money part of it go hang and tell me more about this hurry business you've planned for to-morrow. It's scandalous and unheard of, but I don't blame you a little bit. Dope my part out for me while you're here—so I'll know where I am to come on and go off."

For a little while longer—as long a while as I could spare from Polly—we talked of the impromptu wedding and arranged for it. Barrett was a brother to me in all that the word implies. He took on all of the "best man's" responsibilities—and more. When I was leaving to walk up the hill he walked to the corner of the side street with me, and at the last moment business intruded.

"I forgot to tell you," he cut in abruptly. "After you left yesterday afternoon a court notice was served upon us. Blackwell's lawyers have taken the Lawrenceburg suit to the Federal court—on the ground of alien ownership—and we've got to show cause all over again why we shouldn't be enjoined for trespass. Benedict seems to be more or less stirred up about it."

"If that is the case, I oughtn't to be going away," I said.

"Yes, you ought; Gifford and I can handle it."

Notwithstanding Barrett's assurance I was vaguely disturbed as I climbed the hill to the Everton cottage. Blackwell had proved to be a veritable bull-dog in the long-drawn-out fight, and the tenacity with which he was holding on was ominous. Why the Lawrenceburg people should make such a determined struggle to wipe us out was beyond my comprehension. It had been proved in the State courts, past a question of doubt, that our title to the Little Clean-Up was unassailable, and still Blackwell hung on. What was the animus?

If I could have had the answer to that question it is conceivable that my one evening as Polly Everton's affianced lover—an evening spent in the seventh heaven of ecstasy before the cheerful coal blaze in the cottage sitting-room—would have been sadly marred.

XXI

The End of a Honeymoon

Our high-noon wedding was in all respects as quiet and unostentatious as we had planned it. The little brown box of a church, bare of decorations because there was neither time nor the group of vicariously interested young people to trim it, was only a few doors from the Everton cottage, and we walked to it; Phineas Everton and I on each side of the plank walk, and Polly between us with an arm for each.

Barrett had told a few of his friends, so there were enough people in the pews to make it look a little less than clandestine. Barrett acted as usher in one aisle and Gifford, very much out of his element but doggedly faithful, did his part in the other. There was even a bit of music; the Wagner as we went in, and a few bars of the Mendelssohn to speed us as we went out. The good-byes were said at the church-door, and the only abnormal thing about the leave-taking was Barrett's gift to the bride, pressed into her hand as we were getting into the carriage to go to the railroad station—a silver filigree hand-bag stuffed heavy with five- and ten-dollar gold pieces, "to be blown in on the wedding journey," as he phrased it.

We had agreed not to tell anybody where we were going; for that matter, I didn't even tell Polly until after we had started. Turning southward from Colorado Springs and stopping overnight in Trinidad, we took a morning train on the Santa Fe and vanished into the westward void. A day and a night beyond this we were debarking at Williams, Arizona, and in due time reached our real hiding-place; a comfortable ranch house within easy riding distance of that most majestic of immensities, the Grand Canyon of the Colorado. It was Polly's idea; the choice of a quiet retreat as against the social attractions of the great hotel on the canyon's brink. We had each other, and that was sufficient.

Of that heavenly month, spent in a world far removed from all the turmoil and distractions of modern civilization, there is nothing to be here written down. For those who have drained a similar cup of blissful happiness for themselves there is no need; and those who have not would not understand. What I recall most vividly now is a single unnerving incident; unnerving, I say, though at the time it was quickly drowned in the flowing tide of joy.

It chanced upon a day toward the month's end when we had broken the heavenly sequence of quiet days by riding a pair of our host's well-broken cow ponies over to El Tovar for dinner. Since it was not the tourist season there were not many guests in the great inn; but one, a man who sat by himself in a far corner of the dining-room, gave me a turn that made me sick and faint at my first sight of him. The man was big and swarthy of face, and he wore a pair of drooping mustaches. For one heart-stopping instant I made sure it was William Cummings, the deputy prison warden who had so miraculously missed seeing me in the dining-car of my train of escape. But since nothing happened and he paid no manner of attention to us, I decided gratefully that it was only a resemblance. There was no such name as Cummings on the hotel register, which I examined after we left the dining-room, and I saw no more of the man with the drooping mustaches.

Momentary as the shock had been, I found that Polly had remarked it. She

spoke of it on the ride back to our retreat at Carter's.

"Are you feeling entirely well, Jimmie, dear?" she asked; and before I could reply: "You had a bad turn of some sort while we were at table. I saw it in your face and eyes."

I hastened to assure her that there was nothing the matter with me; that there couldn't be anything the matter with a man who had died and gone to heaven nearly a month previous to the dinner at El Tovar.

"But the man has got to go back to earth again pretty soon, and take the woman with him," she retorted, laughing. "Just think, Jimmie; it has been nearly a month, as you say, and we haven't had a letter or a telegram in all that time! Not that I'm regretting anything; I'm happy, dearest—as happy as an angel with wings; but I want to see my daddy."

The heavenly path was leading back into the old world again, the fighting world, and I knew it, and presently we were taking all the steps of the delightful vanishing in reverse; boarding the through train at Williams, catching glimpses of the stupendous majesty of mountain and plain as the powerful locomotives towed us up the grades of the Raton, doing a brisk walk on the platform at Albuquerque while the train paused, and all the rest of it.

From Trinidad I wired Barrett, telling him that we were on our way home; that we should go in by way of Colorado Springs instead of Florence, with a stop-over between trains for dinner at the Antlers. I half-expected he would run down to the Springs to meet us, and so he did, bringing Father Phineas with him. Polly's love for her father was always very sweet and touching, and Barrett and I left them to themselves at the meeting.

"I'm mighty glad to see you back, Jimmie, old man," Barrett declared, when we had found a quiet corner in the rotunda. "You are looking like a new man, and I guess you are one. And you are on your feet again financially, too. We

declared a dividend yesterday, and you've got a bank account that will warm the cockles of your silly old heart."

"How is Gifford? and how are things at the mine?" I asked.

"Gifford is all right; only he's got too much money—doesn't know what to do with it now that he has built all the new houses the camp will stand for. And the Little Clean-Up is all right, too; though we are digging into a small mystery just now."

"A mystery?" I queried.

"Yes. You remember how the branch vein in the two-hundred-foot level was bearing off to the east?"

"I do."

"Well, three weeks ago the sloping carried us over into the Mary Mattock ground, and I tell you what, Jimmie, I was more than glad we had bought that claim outright while we could. The ore is richer than anything we have found since we made the big strike at grass-roots, and we'd be up against it good and hard if we hadn't paid those Nebraska farmers what they asked and taken a clear title to the ground."

"But the mystery," I reminded him.

"It is a little trick of acoustics, I guess; it has happened in other mines, so Hicks tells me. Some peculiar geological structure of the porphyry in particular localities makes it carry sound like a telephone wire. In that eastern adit of ours you can hear them working in the Lawrenceburg as plainly as if they were only a few feet away."

"That is odd," I mused; "especially as the Lawrenceburg workings are all in

exactly the opposite direction—down the hill on their side of the spur."

Barrett thrust his hands deep into his pockets.

"I have often wondered, Jimmie, if they really *are* downhill. Nobody, outside of the men on their own pay-roll, knows anything about it definitely; and Blackwell wouldn't let an outside engineer go down his shaft for a king's ransom. I know it, because I have tried to send one. If the downhill story that we've been hearing should happen to be a fake; if he should be under-cutting us, instead; it would explain a heap of things."

"The stubborn lawsuit among others," I offered.

"Yes; the lawsuit. By the way, we've been up to our necks in that while you've been hiding out. Blackwell's lawyers succeeded in persuading the Federal court to grant a temporary injunction, in spite of everything we could do, and we are operating now under an indemnity bond big enough to make your head swim. The hearing to determine whether the injunction shall be dissolved or made permanent is timed for next Monday."

"Heavens!" I ejaculated. "We can't let them tie us up!"

"I don't think they are going to be able to. Benedict is feeling a little better now and he thinks he has them sewed up in a blanket, only he won't tell me how, and you never can tell what's going to happen when the lawyers get at you. There are lots of holes in the legal skimmer: for example, at the preliminary hearing Blackwell had three surveyors who went on the stand and swore flat-footed that the lines on our side of the spur were all wrong; that the Lawrenceburg group of claims covered not only our original triangle, but the Mary Mattock as well. Paid-for perjury, of course, but we couldn't prove it; so there you are."

At my urging Barrett would have gone into this phase of the trouble more

deeply, but just then Polly and her father came across the rotunda and we all went to the dining-room together. I shall never forget, the longest day I live, just where our table for four stood, and how a group of gabbling tourists had the three or four tables nearest to us, and how the lights, due to some trouble with the electric current, winked now and then, like the stage lights in a theater ticking off the cues.

We had got as far as the black coffees, and Barrett was joking Polly and telling her that she shouldn't take sugar, when I saw, through a vista of the tourists, a square-shouldered, dark-faced man rising from his place at a distant table. There was no mistaking him. He was the man I had seen in the dining-room of the hotel at the Grand Canyon.

As he came toward us between the tables the resemblance, which I had so confidently assured myself was only a resemblance, transformed itself slowly into the breath-cutting reality, and I was staring up, wild-eyed and speechless, into the face of the deputy warden, Cummings, when he tapped me on the shoulder and said, loud enough for the others to hear:

"You've led us a pretty long chase, Weyburn, but we don't often miss, and it's ended at last. I guess you'll have to come with me, now."

XXII

A Woman's Love

It is useless for me to try to picture the consternation which fell upon the four of us when the deputy warden touched me on the shoulder and spoke to me. I can't describe it. I only know that Barrett sprang up, gritting out the first oath I had ever heard him utter; that a look of shocked and complete recognition leaped into the mild brown eyes of the old metallurgist; that Polly was standing up with her arms outstretched across the table as if she were trying to reach me and drag me out of the crushing wreck of all our hopes.

When he found that I was not going to offer any resistance, Cummings was very decent—not to say kindly. He let me walk with the others out of the dining-room; made no show of his authority in the rotunda or at the elevators to point me out as a prisoner; and in the up-stairs room to which he took me, pending the departure-time of the earliest eastbound train, he let me see and talk, first with Barrett, and afterward with my wife.

In this most trying exigency Barrett proved to be all that my fancy had ever pictured the truest of friends. His first word assured me that he meant to stand by me to the last ditch, and I knew it was the word of a man who never knew when he was beaten. While Cummings smoked a cigar in the window-seat I told Barrett the whole pitiful story, beginning with the night when I had promised Agatha Geddis that I would pull her father out of the hole he had digged for himself and ending with my appearance in the Cripple Creek construction camp.

Barrett believed the story, and I didn't have to wait for him to tell me so. I could see it in his eyes.

"Jimmie!" he said, wringing my hand as if he would crush it, "you've got the two of us behind you—I'm speaking for Gifford because I know exactly what he will say. We'll spend every dollar that ever comes out of the Little Clean-Up, if needful, to buy you justice! But I wish you had told me all this before; and, more than that, I wish you had told Polly."

"My God, Bob!" I groaned; "don't rub it in!" And then I told him brokenly how I had known Polly as a little girl in Glendale, and how I was certain that her father had more than once been on the verge of recognizing me. Then, in such fashion as I could, I made my will, or tried to, telling him that Polly must have her freedom, and that he must help her get it, and that my share in the mine must go to her.

"It is the only return I can make her for the deception I have put upon her," I said; "and I want you to promise me that——"

In the midst of all this Barrett had turned aside, swearing under his breath, which was his only way, I took it, of letting me know how it was rasping him. But now he whirled upon me and broke in savagely:

"Stop it, you damned maniac! If you have lived with Polly Everton a whole month and don't know her any better than that, you ought to be shot! She is waiting now to have her chance at you, and I'm not going to take any more of her time." Then he went soft again: "You keep a stiff upper lip, and we'll get you out of this if we have to retain every lawyer this side of New York!"

Polly came so soon after Barrett left that I knew she must have been waiting in the corridor. Cummings was considerate enough to shift his smoking-seat to the other window and to turn his back upon us. All the cynics in the world to the contrary notwithstanding, there is a tender spot in the heart of every man that was ever born, if one can only be fortunate enough to touch it.

"*My darling*!" That is what she said when I took her in my arms; and for a long minute nothing else was said. Then she drew away and held me at arm's length, and there was that in her dear eyes to make me feel like the soldier who faces the guns with a shout in his heart and a song on his lips, knowing that death itself cannot rob him of the Great Recompense.

"You needn't say one word—Jimmie—*my husband*! I have known it all,

every bit of it, from the first—from that Sunday morning when Daddy took me over to your mine," she whispered. "I—I loved you, dearest, when I was only a foolish little school-girl, and your sister and I have exchanged letters ever since Daddy and I left Glendale. So I knew; knew when they sent you to prison for another man's crime, and knew, even better than your mother and sister did, why you let them do it. Oh, Jimmie!"—with a queer little twist of the sweet lips that was half tears and half smile—"if you could only know how wretchedly jealous I used to be of Agatha Geddis!"

"You needn't have been!" I burst out. "But you don't know it all. Last winter—in Denver——"

She nodded sorrowfully.

"Yes, dear; I knew that, too. I knew that Agatha Geddis was using you again—against your will; and that this time she had a cruel whip in her hand. We had all heard of the broken parole; it was in the home newspapers, and, besides, your sister wrote me about it."

"And in the face of all this, you——"

She nodded again, brightly this time, though her eyes were swimming.

"Yes, my lover—a thousand times, yes! And I knew this would come, too,—some time; this dreadful thing that has fallen upon us to-day. I am heart-broken only for you, dear. What will they do to you?"

I told her briefly. They would make me serve the remaining two years of the original sentence, doubtless with an added penalty for the broken regulations.

"Dear God—two years!" she gasped, with a quick little sob; and then she became my brave little girl again. "They will pass, Jimmie, dear, and they won't seem so terribly long when we remember what we are waiting for. I'm going

with you, you know—as far as they'll let me; and when things look their blackest you must remember that I'm only just a little way off; just a little way—and waiting—and waiting——"

She broke down at the last and cried in my arms, and when she could find her voice again:

"It mustn't be two years, Jimmie; it would kill you, and me, too. They *must* pardon you—you who have done no wrong! I'll go down on my knees to the Governor, and——"

There was something in this to send the blood tingling to my finger-tips; to rouse the final reserves of manhood.

"Never!" I forbade. "You must never do that, Polly; and you mustn't let Barrett stir hand or foot in that direction. I shall come out an ex-convict, if I have to, but never as a pardoned man with the presumption of guilt fastened upon me for the remainder of my life. Promise me that you won't do anything like that!"

I don't know whether she promised or not. Cummings was stirring uneasily in his window and looking at his watch. I led Polly to the door, kissed her, and put her out into the corridor. The agony, the keenest agony of all, was over, and I turned to the deputy warden. "Whenever you are ready," I said.

Barrett was at the train when we went down, as I was sure he would be, and he seemed strangely excited.

"Give me just a minute with your prisoner, Mr. Cummings," he begged; and after the deputy warden had amiably turned his back: "I've just had a telegram from Gifford. The Lawrenceburg lawyers are offering to compromise. They say that their owners are tired of dragging the quarrel through the courts, and they offer to buy us out, lock, stock and barrel, for five million dollars."

"After they've committed every crime in the calendar to smash us? Not for a single minute!" I exploded.

"Right you are, Jimmie!—I knew you'd be with me!" he agreed defiantly. "We'll fight 'em till the last dog's too dead to bury. There's a hole in the bottom of the sea, somewhere, and we'll find it before we're through with that piratical outfit. Here's your conductor: you'll have to go. Polly will follow you in a day or two. I had a handful of it keeping her from going on this train; but, of course, that wouldn't do. Put a good, stiff bone in your back, and remember that we shan't let up, day or night—any of us—until you're free again. Good-by, old man, and God help you!"

XXIII

Skies of Brass

The depressive journey from Colorado to the Middle West records itself in memory as a dismal dream out of which there were awakenings only for train-changings or a word of talk now and then with Cummings. The deputy warden was a reticent man; somber almost to sadness, as befitted his calling; but he was neither morose nor churlish. Underneath the official crust he was a man like other men; was, I say, because he is dead now.

On the final day of the journey I persuaded him to tell me how I had been traced, and I was still human enough to find a grain of comfort in the assurance that Agatha Geddis had not taken my money at the last only to turn and betray

me.

Barton, the Glendale wagon sales manager, was the one who was innocently responsible. He had talked too much, as I had feared he would. The clue thus furnished had been lost in St. Louis, but was picked up again, some months later, by Cummings himself through the police-record photograph in Denver.

Cummings admitted that he had followed Polly and me on our wedding journey; that he had known where we were stopping, and had seen us in the canyon-brink hotel.

"Why didn't you take me then?" I asked.

He explained gruffly that the requisition papers with which he was provided were good only in Colorado, and that it was simpler to wait than to go through all the red tape of having them reissued for Arizona. Knowing that the wires were completely at his service, the answer did not satisfy me.

"Was that the only reason?" I queried.

He turned his sober eyes on me and shook his head sorrowfully, I thought.

"I was young once, myself, Weyburn—and I had a wife: she died when the baby came. Maybe you deserve what's coming to you, and maybe you don't; but that little woman o' yours will never have another honeymoon."

Disquieting visions of harsh prison punishments were oppressing me when we reached the penitentiary and I was taken before the eagle-eyed old Civil War veteran who had given me my parole. But the warden merely put me through a shrewd questioning, inquiring closely into my experiences as a paroled man, and making me tell him circumstantially the story of my indictment, trial and conviction, and also the later story of the mining experience in Colorado.

"I don't recall that you ever protested your innocence while you were here serving your time, Weyburn," he commented, at the dose of the inquisition.

"I didn't," I replied, wondering why he should go behind the returns to remark the omission. Then I added: "They all do that, and it doesn't change anything. You set it down as a lie—as it usually is."

"Can you look me in the eye and tell me that you are not lying to me now?" he demanded.

I met the test soberly. "I can. I was convicted of a crime that I didn't commit, and I broke my parole solely because that appeared to be the one remaining alternative to becoming a criminal in fact."

The interview over, I expected to be put into stripes, cropped, and sent to the workshops. But instead I was taken to one of the detention cells, and for an interval which slowly lengthened itself into a week was left a prey to all the devils of solitude. It seemed as if I had been buried out of sight and forgotten. Three times a day a kitchen "trusty" brought my meals and put them through the door wicket, but apart from this I saw no one save the corridor guard, who never so much as looked my way in his comings and goings.

That week of palsying, unnerving isolation got me. Consider it for a moment. For a year I had been living at the very heart of life, working, fighting, scheming, mixing and mingling, and succeeding—not only in the money-winning, but also—until the Agatha Geddis incident came along—in the field of good repute. At the last Agatha had set me free, and Polly's love had opened the ultimate door of supreme happiness; a joy so ecstatic that at the end of the honeymoon I was only beginning to realize what it meant to me.

And then, on the very summit of the mountain of joy, had come the touch of the deputy warden's hand on my shoulder in the Antlers dining-room. That

touch had swept the new-born world ruthlessly aside—all save Polly's love and loyalty. Success had been blotted out with the loss of liberty wherewith to profit by it; and for those who had known me in the great gold camp and elsewhere in the West—my new friends—I was branded as an escaped convict. For two shameful years I should be shut away from Polly, from freedom, from participation in the fight my partners were making to save the mine, and most probably from any knowledge of how the fight was going, either for or against us.

Is it any matter for wonder that by the end of the solitary week I was little better than a mad-man? If I might have had speech with the warden, I should have prayed for work; for any employment, however hard or menial, that would serve to stop the sapping of the very foundations of reason. One hope I clung to, as the drowning catch at straws. I could not doubt that Polly was near at hand. If the regular "visiting day" should intervene they would surely admit her. But in this, too, I was unlucky. The date of my reincarceration fell between two of the regular visiting days. So I waited and looked and longed in vain.

I don't know how many more circlings of the clock-hands were measured off before the break came. I lost count of the time by days and was no longer able to think clearly. In perfect physical condition when I was arrested, I began to go to pieces, both mentally and physically, under the strain of suspense. Then insomnia came to add its terrors; I could neither eat nor sleep. I had an ominous foreboding of what the total loss of appetite meant, and kept telling myself over and over that for Polly's sake I must fight to save my sanity.

Under such conditions I was beginning to see things where there was nothing to be seen on the day when I had my first visitor, and the shock of surprise when the cell door was opened to admit Cyrus Whitredge, the lawyer whose bungling defense had done so little to stave off my conviction, was almost like a premonition of further disaster. Before I could rise from my seat on the cot he was shaking hands with me and twisting his dry, leathery face into its nearest

approach to a smile.

"Don't bother to get up, Bert," he began effusively. "Just stay right where you are and take it easy. I've been trying for three solid days to get up here, but court is in session and I couldn't break away. You're not looking very well, and they tell me down below that you're off your feed. That won't do, you know—won't do at all. We are going to get you right out of this, one way or another, mighty quick. You've taken your medicine like a man, and we don't propose to let 'em give you a second dose of it—not by a jugful."

All this was so totally unlike the Whitredge I had known that I fairly gasped. Then I reflected—while he was drawing up the single three-legged stool and sitting down—that in all probability the Little Clean-Up was responsible for the change in him. I was no longer a poor bank clerk without money or friends.

"'We,' you say?" I put in, meaning to make him define himself.

"Why, yes, of course I'm including myself; I'm your attorney, and as soon as the news of your arrest came I made preparations to drop everything else, right away, and get into the fight. You got your sentence and served it, and we'll scrap 'em awhile on the proposition of bringing you back for more of it simply because you happened to forget, one day, and step over the State boundaries. I don't know but what we could show that the law is unconstitutional, if we had to. But it won't come to anything like that, I guess."

I looked him straight in the eyes.

"Whitredge, who has retained you this time?" I asked.

"I don't know what you mean by that, Bert."

"I mean that four years and a half ago there were pretty strong reasons for suspecting that you were Abel Geddis's attorney, rather than mine."

"Oh, pshaw!" he returned with large lenience. "Geddis wanted to be fair with you—he thought a good bit of you in those days, Bert, little as you may believe it—and he did offer to pay my fee, if you couldn't. But that has nothing to do with the present aspect of the case. I was your attorney then, and I'm your attorney now. It's a point of professional honor, and I couldn't think of holding aloof when you're needing me. Besides, your Colorado lawyers have been in communication with me—naturally, since I was attorney for the defense four years and a half ago."

"They sent you to me here?" I inquired.

"They knew I would come, of course; I was on the ground and had all the facts. They couldn't come themselves, either of them. They have had their hands full with the injunction business."

"The injunction business?"

"Yes; haven't you heard?"

I shook my head.

"It was in the newspapers, but I suppose they haven't let you see them here. Your mine is shut down. You were operating as bonded lessees under a temporary injunction, or something of that sort, weren't you? Well, the Federal court has made the injunction permanent and tied you up. As soon as I got this I smelled trouble for you, and as your attorney in fact I got busy with the wires. The situation isn't half as bad as it might be. I understand that the plaintiff company, a corporation called the Lawrenceburg Mining & Reduction Company, has offered you people five million dollars for a transfer of all rights and titles under your holdings, and that, notwithstanding the injunction, this offer still holds good."

Since it is a proverb that an empty stomach is a mighty poor team-mate for a

befogged brain, I was unable to see what Whitredge was driving at, and I told him so.

"Nothing in particular," he countered, "except to remind you that you still have a good chance to play safe. We are going to 'wrastle' you out of here, just as I say, Bert, my boy, at any cost, and it's a piece of great good luck that you won't have to count the pennies in whatever it may cost."

"But I shall have to count them if our mine is shut down."

"Not if you and your partners make this sale to the Lawrenceburg people. Five millions will give each of you a million and two-thirds apiece. It's up to you right now to persuade your two partners to close with the offer while it still holds good. It's liable to be withdrawn any minute, you know. The other two may be able to hang on and put up a further fight, but you can't afford to."

"Why can't I?"

"For one mighty good reason, if there isn't any other. I met your wife this morning, Bert. She's stopping across town at the Buckingham—just to be as near you as she can get. You can't afford to do, or to leave undone, anything that'll keep that little woman dangling on the ragged edge. She thinks too much of you."

He had me on the run, and I think he knew it. What he did not know was that the smash, the solitary cell, and a weakened body were pushing me harder than any of his specious arguments.

"I've got to get out!" I groaned, with the cold sweat starting out all over me. "Whitredge, I've had enough in these few days to break an iron man!"

"Naturally; married only a month, and all that. I'm a dried-up old bachelor, Bert, my boy, but I know exactly how you feel. As you say, you've got to get

out of here, and the quickest way is the right way—when you stop to think of that poor lonesome little woman waiting over yonder in the hotel. I've come fixed for you"—he was on his feet, now, fumbling in his pockets for some papers and a fountain pen—"I've drawn up a letter to your two partners,—let me see; where is it? Oh, yes, here you are—a letter from you advising them to close with that Lawrenceburg offer. If you'll just authorize me to send a wire in your name, and then read this letter that I've blocked out and sign it——"

I glanced hastily over the type-written sheet he handed me. It was a business-like letter addressed to Barrett and Gifford, going fully into the situation from the point of view of a man needing ready money, and urging the acceptance of the Lawrenceburg offer, not wholly for the personal reason upon which Whitredge had been enlarging, but emphatically as a prudent business measure—an alternative to the possible loss of everything.

"You see just how the matter stands," he went on while I was reading the letter. "They've got you stopped, and that is pretty good evidence that the court is holding you as trespassers on Lawrenceburg property. The next thing in order, if you fellows hold out, will be a suit for damages which will gobble up all your former returns from the mine and leave you without anything—you and both of your partners."

"What do you get out of it if this sale goes through, Whitredge?" I asked him suddenly.

He laughed as if I had perpetrated a new joke.

"What do *I* get out of it? Why, bless your innocent soul, Bert, ain't I working for my fee? And I tell you I'm going to charge you a rattling big one, too, when I can shake hands with you as a millionaire and better on the sidewalk in front of this State eleemosynary Institution!"

"You talk as if you had the sidewalk means in your hand," I said, yielding a

little to his enthusiasm in spite of my suspicions of him and my feeble efforts to stand alone.

"I have!" he announced oracularly. "I have here"—slapping a second folded paper which he had drawn from his pocket—"I have here a petition for your free and unconditional pardon, addressed to the Governor and signed by the trial judge, the prosecuting attorney, and by ten of the twelve members of the jury. Oh, I tell you, young man, I've been busy these last three days. You may have been setting me down as a hard-hearted old lawyer, toughened to all these things, Bert, but when I read that newspaper story, of how you were kidnapped, as you may say—torn from the arms of a loving wife and dragged aboard of a train and railroaded back to prison—every drop of blood in me rose up in protest, and I swore then and there that if there was any such thing as executive clemency in this broad land of ours, you should have it!"

If I had been wholly well and out of prison perhaps the cheap bombast in all this would have been apparent at once. But I was neither well nor free. And Polly's heart was breaking; I didn't need Whitredge's word for this—I knew it by all the torments of inward conviction.

I understood well enough what he was asking me to do: to tip the scale against what might be Barrett's and Gifford's better judgment, and to sign a paper which would stamp me for all time as a criminal pleading, not for justice, but for pardon. In spite of this knowledge the pressure Whitredge had brought to bear was well-nigh irresistible. Barrett and the Colorado lawyers evidently had their hands too full to think of me; and, in any event, I could not see what possible chance they might have of reopening my case and proving my innocence. At the end of it I was reaching for the pen in Whitredge's hand, but at the touch of the thing with which I was to sign away my fighting rights for all time a little flicker of strength came.

"You must give me time, Whitredge; a little time to think this over," I

pleaded. "Four years and a half ago I told you I was innocent—I tell you so again. You are asking me to confess that I was guilty; if I sign that petition it will be a confession in fact. I have sworn a thousand times that I'd rot right here inside of these walls before I'd ask for a pardon for a crime that wasn't mine. Leave these papers and let me think about it. Give me a chance to convince myself that there is no other way!"

He looked at his watch, and if he were disappointed he was too well schooled in his trade to show it.

"All right; just as you say," he agreed. "Shall we make it this afternoon—say, some time after three o'clock?"

"Make it to-morrow morning," I begged.

This time he hesitated, again pulling out his watch and consulting its face as if it were an oracle. I had no means of knowing—what I learned later—that he was making a swift calculation upon the arriving and departing hours of certain railroad trains. None the less, he agreed somewhat reluctantly to the further postponement; but when the turnkey was unlocking the door he gave me a final shot.

"I don't want to influence you one way or the other, Bert—that is, not against your best interests; but while you're making up your mind don't leave the little woman out. I shall see her at dinner to-night, and she'll want to know what's what. I'm going to give her your love and tell her you're trying mighty hard to be reasonable. Is that right?"

XXIV

Restoration

At the clanging of the cell door behind the departing lawyer I was to all intents and purposes a broken reed. The theorists may say what they please about the fine and courageous quality of resolution which rises only the higher the harder it is beaten down; but man is human, and there are limits beyond which the finest resiliency becomes dead and brittle and there is no rebound.

The temptation to yield was both subtle and compelling. Reason, the kind of reason which scoffs at ideals, told me that I was foolish to fight for a principle. On the one hand there were sharp misery, the loss of freedom, poverty and suffering for Polly: on the other, liberty and a generous degree of affluence. We could hide ourselves, Polly and I, in some remote corner of the world where no one knew; and our share of the five millions, wealth even as wealth is reckoned in the day of wealth, would put us far enough beyond the reach of want; nay, it would do more—it would silence the gossiping tongues if there were any to wag.

Up and down the narrow limits of my cell I paced, praying at one moment for strength to hold out to the end, and at the next cursing myself for an idiotic splitter of hairs helpless to break away from the manaclings of an idea. Love, reason, common sense were all ranged on the side of the compromise with principle; and opposed to them there was only the stubborn protest against injustice pleading feebly and despairingly for its final hearing.

In the midst of the struggle the kitchen "trusty" brought the mid-day meal, and for the first time in forty-eight hours I forced myself to eat. A sound body,

weakened only by anxiety and abstinence, is quick to respond to a resumption of the normal. Under the food stimulus I felt better, stronger. But now the strength was all on the side of yielding. With the quickening pulses came the keen lust of life. To live, to be free, to enjoy, in the years, few or many, of the little earthly span: after all, these were the only realities.

Whitredge had left his fountain pen, and the papers—the letter to Barrett and Gifford and the petition—were lying on the cot where I had thrown them. For the last time I put the pleading protest under foot. Freedom, a fortune, and Polly's happiness: the triple bribe was too great and I uncapped the pen.

It was at this precise moment that footsteps in the corridor warned me that someone was coming. A bit of the old convict secretiveness made me hastily thrust the papers out of sight under the cot blankets, and at the rattling of the key in the lock I stood up to confront—Whitredge.

"You?" I said. "I thought you were going to give me until to-morrow morning."

He looked strangely perturbed, and the nervousness was also in his voice when he said: "I meant to, Bert, but I've had a wire, and I've got to go back to Glendale on this next train"—dragging his watch out of its pocket and glancing at it hurriedly. "Those papers: you've had time enough to think things over, and I'm sure you've made up your mind to do the sensible thing. Let me have them so I can set things in motion before I leave town."

I wondered why he kept jerking his head around to look over his shoulder as he talked, and why the turnkey jingled his keys and waited. But the time for indecision on my part was past and I reached under the blanket for the two papers. With the three-legged stool for a writing-table I was kneeling to put my name at the bottom of the letter to my partners when there were more footsteps in the corridor, hurried ones, this time, and I looked up to see the squarely built, competent figure of our Western lawyer, Benedict, standing in the cell

doorway, with the deputy warden, Cummings, backgrounding him.

"Hello, Whitredge; at your old tricks, are you?" snapped the new-comer brusquely. And then to me: "What are you signing there, Bertrand?"

"Nothing, now—without your advice," I said, getting up and handing him the letter.

Whitredge couldn't get out, with Benedict filling the doorway, so he had to stand a cringing second prisoner, looking this way and that, like a rat searching for a hole, while the big Westerner read calmly through the letter which had been written out for me. That moment amply repaid me for much that I had suffered at the hands of Cyrus Whitredge.

"Humph!" said Benedict, folding the letter and thrusting it into his pocket. "Now what's that other document?"

I gave him the petition for pardon, and again he took his time with the reading.

"Nice little scheme you were trying to pull off!" he said to Whitredge, after the petition, accurately refolded, had gone to join the pocketed letter. "You are certainly an ornament to an honorable profession." Then, stepping into the cell and standing aside: "You may go. We'll know where to find you when you're needed."

Whitredge's vanishing was like a trick of legerdemain; one moment he stood before us, and at the next he was gone. At his going, Cummings and the turnkey also disappeared and I was left alone with Benedict. There was a hearty handgrasp to assure me that I was not dreaming, and then I said:

"I had given you up, Benedict. I thought they had you tied hand and foot back yonder in the big hills."

"Myers is handling that end of it," he returned. "I had other irons in the fire, and they've been getting hot in such rapid succession that I couldn't leave them. But I did what I could by wire—got the warden's promise that he would hold your case 'in suspension' until I could show up in person. Have they been treating you well? I'm afraid they haven't. You're not looking quite up to the mark."

I was beginning to understand—a little.

"When did you telegraph the warden?" I asked.

"Immediately; from Cripple Creek, and as soon as Barrett had told me your story. We had our reply at once, and I took the first train for Glendale, your old home town. What I have been able to dig up in that little dead-alive burg is a great plenty, Bertrand. Your arrest has turned out to be just about the most unfortunate thing that could possibly have happened for certain persons who were most anxious to bring it to pass—namely, two old rascals who made use of the traveling-man Barton's story and started the pursuit in the right direction."

"Call me Weyburn," I broke in. "That is my name—James Bertrand Weyburn—and I'm going to wear it, all of it, from this time on."

"I know," laughed the big attorney, drawing up the stool and seating himself beside the cot much as Whitredge had done at an earlier hour of the same day. "They call you 'Bert' and 'Herbert' down yonder in your home village, and they don't seem to know that your middle name is Bertrand."

"You say you have been digging: what did you find out?" I questioned eagerly.

"Some things that I was looking for and some that I wasn't. I had the advantage of being a total stranger to everybody, and all I had to do was to stroll around and ask questions. Let me ask you one, right now; do you know

who the owners of the Lawrenceburg are?"

"A New York syndicate, I've always understood."

"Not in a thousand years!" retorted the lawyer, laughing again. "It is owned, pretty nearly in fee simple, by two old friends of yours—Abel Geddis and Abner Withers. More than that, it is a reorganized and renamed corporation founded upon a certain gold-brick proposition, called 'The Great Oro Mining and Reduction Company,' promoted and floated down in your section of the State something like five years ago by two men named Hempstead and Lesherton. Does that stir up any old memories for you?"

It did, indeed. "The Great Oro" was the mine for the capitalization of which Abel Geddis had used the money belonging to his depositors; the basis of the theft which had cost me three good years of my life.

"But I had understood that the 'Oro' was a fake, pure and simple!" I protested.

"It was. A claim had been located and a shaft sunk to ninety feet, but there was no mineral. That shaft is the present main shaft of the Lawrenceburg. After Geddis and Withers found they had been 'gold-bricked' they went to Colorado and looked the ground over for themselves. The result of that visit was a determination on their part to send a little good money after the bad, so they put a force in the mine and began to drift from the shaft-bottom, and shortly after that the workings began to pay."

"Which direction did that drift take?" I asked.

Benedict did not answer the question directly. 'Things began to fit themselves together pretty rapidly after I got the facts in the history of 'The Great Oro'," he went on. "By that time the news of your arrest and return to the penitentiary had reached Glendale and the gossip bees were buzzing.

Whitredge was rattling around like a pea in a dried bladder, holding midnight conferences in the bank with the two hoary old villains who had sworn your liberty away, starting a petition for your pardon, and I don't know what all. I didn't pay much attention to him because I was at that time more deeply interested in a number of other things."

"Go on," I begged breathlessly.

"First, I investigated carefully the records of your trial and it didn't take very long to discover that Whitredge had doubled-crossed you. He bribed the two deputies sent to transfer you from the police station in Glendale to the county seat. They were to bully and browbeat you into making an attempt to escape—thus affording proof presumptive of your guilt—and this they proceeded to do. They've admitted it under oath—after I had shown them what we could do to them if they didn't."

"Whitredge began to plan for that very thing almost at the first," I put in. "It was he who put the idea of running way into my head."

"Sure he did. But speaking of affidavits, I have another; from a fellow named Griggs; you remember him, of course,—your understudy in Geddis's bank at the time when you were bookkeeper and cashier? He swears that the original stock certificates in 'The Great Oro' were made out in the name of Abel Geddis—as you know they were—and that on a certain night just previous to your arrest, when he had been working late and had gone to the back room for his hat and coat, Geddis and Whitredge came in and Geddis opened the vault. Are you paying attention?"

I was choking with impatience, as he well knew, but he refused to be hurried.

"All in good time," he chuckled. "I'm coming to it by littles. Griggs was curious to know what was going on and he played the spy. He saw Geddis's

name taken out of the stock certificates with an acid and your name written in its place. You see, they were confidently counting upon 'getting' you through Geddis's daughter and were framing things up to fit. How much or how little they took the young woman into their confidence I don't know."

"That doesn't matter now," I hastened to say.

"No; Griggs was the man I wanted, and I got him. He will testify in court, if he is obliged to. He would have done it at the time if Geddis and Whitredge hadn't discovered him and scared him stiff with a threat to put him in the prisoner's dock with you, as an accomplice. After I had secured Griggs's affidavit I wanted one more thing, and I got it—bought it. That was a map of the Lawrenceburg underground workings, corrected up to date. I knew Geddis and Withers must have one, and by a piece of great good luck I found a young surveyor's clerk who had made a tracing for Geddis from one of Blackwell's blue-prints. He had spoiled his first attempt by spilling a bottle of ink on it, so he made another. He didn't see any reason why he shouldn't sell me the spoiled copy."

"I know what you are going to say!" I shouted.

"I imagine you do," he laughed. "The Lawrenceburg workings have never gone downhill at all. They've been burrowing in the opposite direction all the time, and according to their own map they never touched pay-ore until they cut the Little Clean-Up vein below your hundred-and-fifty-foot level. Now you know why they have been fighting us so desperately, and why, as a final resort, they are willing to pay us five million dollars for a quit-claim to the Little Clean-Up. We've got them by the neck, Jimmie. We can make them pay for every dollar's worth of ore they have stolen from us."

It was too big to be surrounded at the first attempt. I completely lost sight of my own involvement in the upflash of joy at the thought that at the long last the two old scoundrels who had robbed others right and left were going to get what

was coming to them. Benedict went on with his story quietly and circumstantially.

"I guessed at once what Whitredge was up to when I found that he was circulating that pardon petition. He was aiming to make you a self-confessed criminal before we could have time to turn a wheel. At that, I wired a Cincinnati detective agency, and a young man who knew his business was put on the job. The detective's reports showed the whole thing up. Geddis, Withers and Whitredge were hustling like mad to make capital out of your recapture by the prison authorities. Whitredge was to advise you to urge the sale of the Little Clean-Up upon Barrett and Gifford, and your reward was to be a pardon, by the asking for which you would be virtually confessing your guilt. Thus the past would be buried beyond any possibility of a resurrection. Nice little scheme, wasn't it?"

"You have those two papers—the letter and the petition," I said, with an uncontrollable shudder. "You'll never know how near Whitredge came to winning out. I was just about to sign when you came."

"Whitredge is a dangerous man," was Benedict's comment. "He took the train from Glendale last night, and the detective went with him, wiring me from a station up the line. I caught the next train and got here two hours ago. I might have headed him off of you, I suppose, but I had a bit of legal business to attend to first. If you are ready, we'll go. Your wife is waiting for you in the warden's office, and she'll be wondering why we are so long about getting the doors unlocked."

"Go?" I stammered. "You—you mean that I'm free?"

"Sure you are! My legal business was to press the *habeas corpus* proceedings which were begun as soon as I had obtained evidence of the miscarriage of justice in your trial before Judge Haskins. You are a free man. I left the order of the court with the warden as I came in."

There is a limit to human endurance, either of sorrow or of joy. I got up and tried to walk with Benedict to the cell door, which had been left standing open. I remember catching at the big lawyer's arm, and then the world went black before my eyes. And that is all I do remember.

*

We held our council of war—the final one in the long series—late in the evening of the day of climaxes in the sitting-room of a Hotel Buckingham suite, Benedict, Barrett and I. Barrett had arrived just as we were sitting down to dinner, having hurried east as soon as he could be spared at Cripple Creek.

"They are all in, down and out," was Barrett's summing-up of the situation, after he had heard Benedict's story. And then: "It's up to you, Jimmy"—looking away from me. "You owe those two old men and their scamp of a lawyer a pretty long score, and I guess you'll be wanting to pay it."

"I do!" I gritted. In a flash all the injustice I had suffered at the hands of Abel Geddis and Abner Withers and Cyrus Whitredge piled in upon me and there was no room in my heart for anything but retaliation.

Benedict clipped and lighted a cigar, and Barrett sat back in his chair and stared at the gas-fixture in the center of the ceiling.

"I can't blame you much, Jimmie," he offered. "I guess maybe, if the shoe were on my foot, I'd want to give them the limit. And yet——"

"There isn't any 'and yet'," I cried out.

"Perhaps not; but I don't know, Jimmie. If I were going to be the father of Polly's children, as you are, I—well, I don't believe I'd care to hand down that sort of a legacy to the children; a legacy of hatred—even a just hatred—gorged and surfeited on the thumb-screwing of two old men. Whitredge will get what is

coming to him; the Bar Association will see to that. But these two old misers who are already tottering on the edge of the grave——"

"They have robbed me of my good name, and they have robbed us all of our good money!" I cut in rancorously.

At this, Benedict, who had been saying little, put in his word.

"I saw Whitredge an hour ago. He has been wiring Geddis and Withers—to tell them that the game is up. He says he supposes he will have to take his own medicine, but he asked me to intercede for the two old men. They have wired their Colorado attorneys to withdraw the Lawrenceburg suit and to lift the injunction, and they offer to turn in all their property if they are permitted to leave the country. That's as bad as a prison sentence for two men as old as they are. Will you let them do it, and call the account square, Weyburn?"

"No, by God!" If I set down the very words that I uttered, it is only in the interest of truth. At that moment I was like the soldiers who have seen their dead; I had seen the look in Polly's eyes, put there by that horrible week of waiting and suspense.

The room, as I have said, was the sitting-room of our suite—Polly's and mine—and I had neither seen nor heard the door of communication with the bed-room open. When I glanced up she was standing in the doorway, and I knew that she had heard. In the turning of a leaf she had flown across the room to drop on her knees beside me and bury her face in my lap.

"Oh, Jimmie—Jimmie, dear!" she sobbed; "you *must* forgive—forgive and forget! For my sake—for your own sake—you must!"

That settled it. Benedict flung his freshly lighted cigar into the grate and turned away, and Barrett got up and crossed to the window. I stood up and lifted my dear girl to her feet, and with her tear-stained face between my palms

I turned my back upon the past and told her what we were going to do.

"It shall be as you say, Polly; we'll go back to the tall hills and forget it—and make other people forget it. And we'll let Mr. Benedict, here, do just what he pleases, no more and no less, with a pair of old plotters who haven't so very many years to wait before they will have to turn in their score to the Great Evener."

At this Barrett jerked out his watch and broke in brusquely; and as at other times, the brusquerie was only a mask for the things that a man doesn't wear on his sleeve.

"Cut it short, you two turtle-doves; you've got about forty-five minutes before the Westbound Limited is due, and you'd better be packing your grips. Come on downstairs, Benedict, and I'll buy you a drink to go with that red necktie of yours. Let's go."

XXV

The Mountain's Top

There is little to add; nothing, perhaps, if the literary unities only were to be considered. The trials and tribulations have all been lived through; the man and the woman have found each other; the villains have been given—if not altogether a full measure of their just dues, at least a sufficient approach to it; and virtue—but no, here the figure breaks down; virtue hasn't been rewarded. There wasn't any especial virtue, since there is little credit in merely enduring

what cannot be cured.

Of what happened after our return to Colorado only a few things stand out as being at all worthy of note. For one, Barrett and I, with Benedict's help, took up the case of one Dorgan, *alias* Michael Murphey, *alias* No. 3126, whom we found still preserving his incognito in a dam-building camp in Idaho. Appealing to the Governor and Board of Pardons of my home State, we made it appear that Dorgan was a reformed man and no longer a menace to society, and in due time had the satisfaction of seeing him set legally free.

As another act of pure justice, tempered with a good bit of filial and fraternal affection—Polly was the prime mover in this—my mother and sister were brought to Colorado, and a home was built for them in Colorado Springs, where my sister, ignoring a bank account which would have enabled her to sit with folded hands for the remainder of her days, promptly gathered a group of little girls about her and began teaching them the mysteries of the three "R's."

A third outreaching—and this, also, was Polly's idea—was in the altruistic field. A fund was set apart out of the lavish yieldings of the Little Clean-Up, the income from which provides in perpetuity that at the doors of at least one prison of the many in our land the outcoming convict shall be met and helped to stand upon his own feet, if so be he has any feet to stand upon.

Gray granite peaks and valleys fallow-dun under the westering autumn sun; vistas of inspiring horizons leading the eye to vanishing levels remote and vaguely deliminating earth and sky, or soaring with it to shimmering heights dark-green or bald; these infinities were spread before us in celestial array one afternoon in the first year of peace and joy when we—my good angel and I—clambered together to the summit of the mountain behind the Little Clean-Up.

After the little interval of reverent adoration which is claimed by all true lovers of the mountain infinities at the opening of the illimitable doors, we fell to talking of the past—my past—as we sat on a projecting shelf of the summit

rock.

"No," I said. "I can't admit that there is anything regenerative in punishment. If I had been the thief that everybody believed I was, I should have come out of prison still a thief—with an added grudge against society. While I was treated well, as a whole, nothing was done to arouse the better man in me, or even to ascertain if there might possibly be a better man in me."

There was what I have learned to call the light of all-wisdom in Polly's eyes when she answered.

"Oh, if one must lean altogether upon sheer logic and the pure materialism of this divided by that and multiplied by something else," she returned. "But there are two kinds of regeneration, Jimmie, dear; the kind which involves a radical change in the life-motive, and the other which is merely a stripping of the husks from a strong soul that never needed changing."

"Your love would put me where I don't belong," I protested humbly.

"No; not my love: what you are, and what you have done."

"What I am, you have made me; and what I have done you have suggested. No; the injustice, the prison, the brand of the convict, the dodging and evading, the knowledge that, if the truth were to be blazoned abroad, I could never hope to recross the chasm which Judge Haskins's sentence had opened between me and the world at large; these things made a shuddering coward of me—which I was not in the beginning. It was this prison-bred cowardice that made me potentially Kellow's murderer, willing in heart and mind, and waiting only for the firing spark of provocation. It was the same cowardice that made me Agatha Geddis's slave, and very nearly her murderer. Worse still, it sent me to you with sealed lips when I should have told you all that you had a right to know."

"Well? If you will have it so, what then?"

"Only this: that the brand which the law put upon the man wasn't any sign of the cross to make a new creature of him, as you have been trying to make me believe. That's all."

Polly's smile is a thing to make any man tingle to the roots of his hair. "As if the past, or anything in it, could make any difference to us now!" she chided. "Haven't we learned to say:

> 'Not heaven itself upon the past has power,
> But what has been, has been, and I have had my hour'?

Beloved man, I'm hungry; and it's miles and miles to dinner. Shall we go?"

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