

# BUCK CHARLES NEVILLE

THE CODE OF THE  
MOUNTAINS

**Charles Buck**  
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*The Code of the Mountains:*

# Содержание

CHAPTER I	4
CHAPTER II	13
CHAPTER III	34
CHAPTER IV	46
CHAPTER V	57
CHAPTER VI	73
Конец ознакомительного фрагмента.	74

# The Code of the Mountains

## CHAPTER I

This morning the boy from the forks of Troublesome Creek had back his name once more. It was not a distinguished name, nor one to be flaunted in pride of race or achievement. On the contrary, it was a synonym for violent law-breaking and in the homely parlance of the Cumberland ridges, where certain infractions are condoned, it stood for "pizen meanness." Generations of Spooners before him had taken up the surname and carried it like runners in a relay race – often into evil ways. Many had laid down their lives and name with abruptness and violence.

When the pioneers first set their feet into the Wilderness trail out of Virginia, some left because the vague hinterland west of the ridges placed them "beyond the law's pursuing."

Tradition said that of the latter class were the Spooners, but Newt Spooner had no occasion to probe the remote past for a record of turpitude. It lay before him inscribed in a round clerical hand on the ledger which the warden of the Frankfort Penitentiary was just closing. Though the Governor's clemency had expunged the red charge of murder set against his name

at the tender age of eighteen, there was another record which the Governor could not erase. A sunken grave bore testimony in a steep mountainside burial-ground back in "Bloody Breathitt," where dead weed stalks rattled and tangled ropes of fox-grapes bore their fruit in due season.

However, even the name of Newt Spooner is a better thing than the Number 813, which for two years had been his designation within those gray and fortified walls along whose tops sentry-boxes punctuated the angles.

This morning he wore a suit of black clothes, the gift of the commonwealth, and his eyes were fixed rather avidly on a five-dollar note which the warden held tightly between his thumb and forefinger. Newt knew that the bill, too, was to be his. Yet the warden seemed needlessly deliberate in making the presentation. That functionary intended first to have something to say; something meant in all kindness, but as Newt waited, shifting his bulk uneasily from foot to foot, his narrowed eyes traveled with restlessness, and his thin lips clamped themselves into a line indicative of neither gratitude nor penitence. The convict's thoughts for two years had been circling with uncomplicated directness about one focus. Newt Spooner had a fixed idea.

The office of the warden was not a cheery place. Its walls and desk and key-racks spoke suggestively of the business administered there. The warden tilted back in his swivel chair, and gazed at the forgiven, but unforgiving prisoner.

"Spooner," he began in that tone which all homilies have in

common; "Spooner, you have been luckier than you had any reason to expect. It's up to you to see that I don't get you back here again."

He gazed sternly at the boy, for he was still a boy, despite the chalky and aged pallor of his face, despite the tight-clenched line of the thin lips, despite the stooping and emaciated shoulders. The Kentucky mountaineer withers into quick decay between prison walls, and, unless appearances were deceitful, this one was already being beckoned to by the specter of tuberculosis.

"You have been pardoned and restored to all civil rights by the Governor," went on the official. "Your youth and ill health appealed to some ladies who went through the prison. You are the youngest homicide we have here. They interceded because you were only an ignorant kid when you were drawn into this murder conspiracy."

Newt's eyes blazed evilly at the words, but he only clamped his mouth tighter. He would not have called it a murder conspiracy. To him it was merely "killin' a feller that needed killin'." "Since," continued the warden quietly, "you were full of white liquor, and since you had never had a chance to know much anyhow, those ladies got busy, and you have another chance. You ought to feel very grateful to them. It's up to you to prove that the experiment was worth the risk it involves – the risk of turning an assassin loose on society."

The boy from Troublesome said nothing. From his thin chest came a deep, racking cough. He spat on the floor, and wondered

how long this man would hold back the five-dollar bill and prolong the interview.

"Well?" The warden's voice was impatient. "Don't you hear me talking to you? Haven't you got any sense of decent gratitude?"

A fiercely baleful wrath shot instinctively through Newt's gray hawk-like eyes and smoldered in their deep sockets, but there still was need to leash his anger – and conceal his purpose.

"I'm obleeged ter ye," he answered in a dead voice of mock humility, though his tongue ached to burst into profane denunciation, "but I hain't axed nobody ter do nothin'. I didn't 'low ter be beholden ter nobody."

"You are 'beholden' to everybody who has befriended you," retorted the warden with rising asperity. "Do you mean to go back to the mountains?"

At once there leaped into the released convict's mind a vision of being spied upon and thwarted in his purpose – a purpose which the law could not countenance. To cover his anger he fell into a fit of violent coughing, and, when he answered, it was with the crafty semblance of indecision.

"I 'lowed I mout go back an' see my kinfolks fer a spell."

"And after that?"

"I 'lowed," lied Spooner cautiously, "thet atter thet I'd go West."

"Now take a tip from me," commanded the warden, and, since he still held the five-dollar bill, the boy from Troublesome was

forced to accord unwilling attention. "Every mountain man that goes away drifts eventually back to the mountains. God knows why they do it, but they do. You have just one chance of salvation. I had that in mind when I spoke to the Governor and asked him to include in your pardon a restoration of civil rights. If you get well enough to stand the physical examination, enlist in the army. Once in, you'll have to stay three years – and in three years a fellow can do a lot of thinking. It may make a man of you. If you don't take that tip I'll have you back here again – as sure as God made you – unless you get hanged instead."

The warden extended his hand containing the provision with which the commonwealth of Kentucky invited this human brandling to rehabilitate his life. The mountaineer bent eagerly forward and clutched at the money with a wolfish haste of greed. Ten minutes later the prison gates swung outward.

The Frankfort Penitentiary sits on a hill looking down to a ragged town which straddles the Kentucky River. In the basin below somnolent streets spread away and lose themselves in glistening turnpikes between bluegrass farms where velvet lawns and shaded woodlands surround old mansions that mirror the charm and flavor of rural England. The state capital is a large village rather than a city, but to this boy who had known only the wild isolation of the Cumberlands, where sky-high ramparts have caught and arrested human development, Frankfort seemed a baffling metropolis. In the lumber-yards and distilleries that cluttered the steep river banks he saw only bewilderment and in

the dome of the capitol the symbol of a power that had jailed him; that except for his youth would have hanged him.

One thing only he saw which struck a note of the nostalgic and brought a catch to his throat. That river had its headwaters in his own country. One branch flowed through his own county seat, and those knobs that hugged its banks and framed the straggling town under the singing June skies, were the little cousins of the mountains where his forefathers had lived their lives and fought their battles for a hundred years.

If he followed them long enough, they would mount from knobs to foothills and from foothills to peaks. The metaled turnpikes would dwindle and end in clay roads. These roads would in time give way to rougher trails, rock-strewn and licked by the little, whispering waters that make rivers, and he would travel by creek-bed ways over which wagons, if they go at all, must strain their axles and where men ride mules with their luggage in saddle-bags. There forests of age-old oaks and spruce, pines and poplars and hickory and ash would troop down and smother in the hillsides, and the rhododendron would be in bloom just now. The laurel bushes would be all a-glisten and the elder tops would be tossing sprays of foam-like blossom between towering sentinels of rock.

But the beauties of the rugged home country had for him another meaning. At the roots of the laurel a man can crouch unseen with his rifle cradled against his shoulder to "lay-way" an enemy who has over-lived his time.

When he had a certain man in rifle-range, the rest would be elementally simple. He had spent more than two years thinking of that and evolving every needful plan in detail. There was now no need of haste. After all this thinking he could afford to consult his leisure and enjoy the pleasures of anticipation. When once the deed was done, as the warder had reminded him, there was the probable shadow of the gallows. But it should be said for the late Number 813 that in his reflections was no germ of vacillation or indecision. His one definite motive in life was what he deemed just reprisal. He was willing to pay for that without haggling over the cost, but he was not willing to defeat his end by hasty incaution.

He had been in prison over two years and was still very weak. He recognized with contempt the tremor of his hand. Once that hand had been so steady that all his squirrels fell from the hickories pierced through the head. It would be a little time before he could again command that nicety of rifle-craft. But now he must get home and home lay about a hundred and fifteen miles "over yon." He could reach Jackson by rail, but that would cost money, and there was ammunition to be bought and other matters of importance, and his capital was precisely five dollars. Besides, railroad trains were luxurious and effete; they were not for him. He would "jest natcherly take his foot in his hand and light out" – pausing only for a little "snack" to eat and a flask to cheer his journey.

He made his way slowly down into the center of the town: a

town which had come to recognize at a glance these prison-given suits of black; these faces pasty with the pallor of confinement; this shamble fathered by the slouchy swing of the lock-step. For the June morning when No. 813 became again Newt Spooner was in the year 1897, and the ancient rigors of prison life still held.

Eyes turned curiously on the shambling derelict, but the only expression on Newt's face was one of surly defiance to the world. The only sentiment that stirred in his breast was such as might have brooded in the narrow and poisoned brain of a rattle-snake, lying close-coiled by the laurel roots along his native creek-beds.

Prisons are to reform and teach lessons of law. Newt Spooner had been in prison and was now out. He had already known how to hate, but now he knew how to hate with a greater tensivity. Also, he had learned to cloak his animosity behind a craftier concealment.

He had grown up as a cub among wolf-like men, running with the pack. From his mother's shrunken breast he had drawn bitterness toward his foes and "meanness."

He remembered his boyhood surprise at the shocked face of the circuit rider when his father had laconically announced: "Stranger, thet thar boy's done drunk licker sence he was a baby. We weaned him on hit. Hit's good licker, 'cause we made hit ourselves – an' we hain't paid no damn' Gov'ment tax on hit, neither." But before him no Spooner had worn felon stripes, though many had been felons. That he had done so branded

him with disgrace, and until he should remove that stigma by punishing the witness upon whose sworn word his conviction had been based, he must face the scorn of the battle-scarred members of the man-pack that still ranged free. So, as Newt Spooner turned his face homeward between sunny pasture lands and soft woodlands and golden grain fields and set his feet into the Lexington turnpike, young Henry Falkins became a man marked down for death.

## CHAPTER II

Courts can not enforce laws upon which public opinion sets its embargo. The men of the mountains have lived isolated lives for a hundred years. They inhabit an island of medievalism entirely surrounded by civilization, but the civilization is no more a part of them than the water that surrounds an island is part of the island. "Leave us alone" has been the word of the hills to the gift-bearing Greeks of innovation. The right of men to settle their own quarrels after the method of the Scottish clans from whom they sprang, has been a thing which local courts have made only perfunctory efforts to deny – and which juries of the vicinage stubbornly refused to deny. Among their crude cabins one still hears phrases bequeathed by word of mouth from the England of Elizabeth and the Scotland of Mary Stuart. Immured behind their walls of sandstone, they have lived ignorantly – and fiercely.

Their peaks are heaped against the skies, and their fields are tilled with the hoe when mules and plows might fall down to destruction. With nature itself they pursue a constant and desperate quarrel for subsistence, and through generations of battle they have grown morose and sullen and vengeful and have lost all sense of life's humor.

But slowly the tide of outside influence is creeping in upon them and at the contact-points strangely anomalous conditions arise: the clash of incongruous centuries; the war between a

stubborn old order and an inevitable new. In such a life there are here and there far-sighted men who, standing like great trees among stunted brethren, look out across a wider perspective with a surer vision.

The house of McAllister Falkins stands twenty miles from a railroad and is, for this crude environment, a mansion. It was built in the days when the first tide of pioneer life swept out of Virginia, and because it was, in that remote day, nearer kin to the culture of the Old Dominion than to the wilderness, it bore a strange blending of compromises between luxury and the exigency of the frontier.

The head of the house of Falkins, generation after generation, had clung to the old standards and old ideals. The children of this household had been reared like their cousins of Virginia and the bluegrass. Other branches of the family bearing the surname had gone to seed and lapsed into illiteracy. There were cousins who had to sign their names with cross-marks and who had been embroiled in savage animosities until the "Spooner-Falkins War" had become one of the sanguinary chapters of feudal history, but the head of the house had always stood apart and denounced the godless code of the vendetta.

And now the time was come when old McAllister Falkins could look ahead and begin to see the pale glow of a coming dawn. The railroads, whose surveyors and chain-bearers his neighbors had fought, were piercing and developing the hills. Here and there rose a circuit judge or a prosecuting attorney who

dared to talk from an unterrified soul to grand and petit juries, and occasionally a panel harkened. District schools began to pass into the hands of teachers who could teach. In this place and that rose small colleges and the flickering blaze of enlightenment was struggling into a semblance of steadiness. McAllister Falkins had sent his son Henry away to school and college, and had had the satisfaction of seeing him return unspoiled.

The life of young Henry Falkins, therefore, had been cast both in and out of the Cumberlands, and he had reached the age of twenty-five with a minimum of enemies and a maximum of friends. His was the breadth of the lowlands and the unflinching strength of the hills. Then the lurking and inevitable shadow of that life had impalpably and suddenly fallen upon him.

When Bud Mortimer, a "marked man," riding home from Jackson, had slid from his horse and died in a creek-bed with a rifle-hole drilled through his chest, Falkins had been unlucky enough to have been squirrel-shooting near by and to have recognized one of three figures that left the open road and took cover in the laurel. By one of the strange chances of fate, Falkins, who was tramping the woods with no idea of concealment, had been unobserved, while the three assassins, crouching along with all their covert art of hiding out, had not quite escaped his eye. He had not heard the volley because the murder had taken place at a distance. He would not have suspected the men who passed casually below him with their rifles cradled in their elbows, had not a word or two, in the staccato voice of a youth who

walked third in the single file, come to his ears. These words were profanely triumphant and boastful of marksmanship. The other two men, the squirrel-hunter did not recognize. Still, Henry Falkins might not have known that the bull's-eye alluded to had been a human breast, and he did not know it till later.

When the dead man's friends had carried the matter to the courts, with no better evidence perhaps than the bad blood which they knew existed, and when young Newt Spooner, aged eighteen, but precocious in crime, stood at the bar, charged with murder, Henry Falkins told the prosecutor what he had seen. The prosecutor instructed him to keep his secret until he was called as a witness. He knew the conditions and recognized that, should this evidence come prematurely to the ears of the Spooners, he should probably not only lose valuable evidence, but also be saddled with another prosecution for murder – and just now his homicide docket was burdensomely heavy.

When their cub was indicted, the Spooner pack laughed. When he was haled into court, despite his callow years, he came with insolent confidence, as one above the law. He might have escaped and hidden out, since the court had allowed him bond, but that would have hampered his future freedom of action, so he preferred to go through the farce of a trial, and afterward be free.

He testified, and his alibi corps testified as one man, that he had been at Hazard, forty miles away, when Mortimer fell. The defense closed in sanguine trustfulness. Then, in rebuttal, the prosecution sprung a surprise – a sensation – a bomb. The

surprise was Henry Falkins, and when he took the stand, the hand-made alibi collapsed. Even then Newt Spooner had not been able to realize that the convincing story of one witness could destroy his carefully fabricated tissue of lies. But sundry unexpected things were happening in this dingy court-room. A new spirit reigned there. Vaguely the sullen lad, crouching back in the prisoner's chair, was aware of a hardening and petrifying resolve on the rugged faces in the jury-box. Heretofore the average venireman had thought there was no health in incurring the wrath of a family of terrorists like the Spooners. Heretofore Spooners had always "come cl'ar." Heretofore prosecutors had made only perfunctory attempts to convict them. Not so with the Honorable Cale Floyd. From opening statement to closing argument he leaped savagely at the throat of the defense. His cross-examination was a merciless hail of verbal rifle-fire. As he defied all the vicious animosities of the Spooner tribe, the court-room held its breath, and young Newt waited vainly for his kinsmen to rise *en masse* and silence his anathemas with a volley. Each night in his cell, young Newt Spooner wondered why he did not hear a sound outside the brick "jail-house," and see the doors go down before the wrath of his rescuers. It was incredible that the clan should stand by and permit him to be "penitentiared." Yet it finally dawned upon him that precisely this thing was happening. The realization had dazed and embittered him. He knew that even among his own he was not accounted as of great importance, but he bore the name of Spooner, and in the old days

that would have been enough. He was the first sacrifice to the changing order. He felt no resentment against the prosecutor in spite of his philippics. The prosecutor was paid to do it. He even rather admired the courage which gave strength to the attack, when every precedent told the lawyer that he was inviting death for his pains. But for the man who had volunteered to testify; who belonged to the family which his family had hated and fought; who had come back to the mountains with "fotched-on" ideas and attacked him with the despised weapon of the law; for that man he felt such hatred as can only come of festering and venomous brooding, which lasts while life lasts.

These thoughts Newt Spooner carried as companions as he tramped the first leg of his homeward journey. Until he had come to Frankfort, hand-cuffed to a deputy sheriff, he had never seen this land of "down below." Its softly billowing landscape was to him unfamiliar and unpleasing. The great columned mansions of time-stained brick set deep in park-like woodlands; the smoothness of velvet lawns; rippling acres of grain ripening into gold under the June sun; all these things wore on his nerves. He was accustomed to a country shut in and sequestered between eternal hills; of roads where footfalls were silenced; of ragged patches of cultivation pocketed in surrounding forests. In such places a man could step aside and be hidden. Here he felt exposed; his very thoughts seemed naked. That men should live in such great houses and drive such smooth roads seemed monstrous and incredible. He hated the "highfalutin" bearing of

these "furriners," who carried their chins aloft like masters of creation. He hated the sight of the "niggers" who served them. He hated all the orderly smoothness and opulence of this level land where no ridges broke the sky. So he stalked along, his face set toward the far horizon, beyond which lay his mountains and his purpose.

It was a slow journey, for he was weak, but as he breathed the June air into his cramped lungs, his shoulders began to lose their slouch and his gait began to discard its prison shuffle for the long space-eating stride of the mountaineer.

At twilight, he came to a small house by the roadside. He had made a poor day's journey and, since night was falling, he turned in at the gate, as though it had been that of his own cabin. The place was shabby and its residents would have been characterized by the negroes as "po' white trash," but of social values the late Number 813 was ignorant. He saw only a roof and to the hillsman a roof is a shelter for whosoever may need it. Over the whitewashed fence clambering roses hung in profuse invitation, spicing the air with their fragrance.

Newt made his way to the door where a slatternly woman confronted him. She stared with disapproving eyes as she wiped her hands on her apron.

"Well, what do you want?" she challenged.

"I 'lowed ye'd let me stay all night – I'm a travelin'," replied the boy from Troublesome. He spoke simply and without cumbersome explanation. At home it would have been enough.

But this woman only stared at him disapprovingly and as she took in his sullen visage and dusty suit of black, she recognized in him the erstwhile convict. With a suppressed scream she disappeared indoors.

Newt stood gazing without comprehension. That he might be turned away had not at first occurred to him. He had not yet grasped the essential differences between highland and lowland etiquette. He accordingly mounted the steps, crossed the porch and entered the door without knocking. In the mountains no one knocks on a door.

But at the threshold he met a tall man, who thrust him violently backward and squared himself across the opening. As Newt staggered backward and brought himself up against one of the porch supports, the householder surveyed him from crown to toe, and then, waving a hand outward, ordered briefly:

"Get the hell out of here, you damned jail-bird!"

For an instant the pardoned prisoner stood rigidly at gaze, while his eyes gathered wrath and his ugly snarl became wolf-like. Never had he been so greeted when claiming the traveler's prerogative of shelter from the night. But he was unarmed; moreover, he had a mission. He was going to kill one man. Killing men was expensive. It cost liberty and sometimes more. He could not waste animosity. So he veiled his anger and turned away. "I didn't 'low hit war a-goin' ter make ye mad," he mumbled as he went out again to the road. But he had learned his lesson. The mountaineer is as proud as he is ignorant, and, rather than risk

another rebuff, he spent the night in a haystack, and the first rosy kindling of dawn found him again on his way; hungry, but setting his face stonily against the temptation to ask food.

The town of Winchester, like all the county seats of central Kentucky, breaks from its drowsy somnolence into a brief activity on court-day. On one Monday in each month the roads fill with an unaccustomed caravan of trade. Then under the hammer of the street auctioneer farm gear and live stock change hands; saloons and eating-houses do a banner business; politicians often harangue in the court-house square; friends renew old acquaintanceships and sometimes enemies renew old quarrels. But Winchester differs in one respect from its sister towns. The savor of a soil rich in chivalric traditions hangs here as it does over neighboring counties, and yet there is a difference. For Winchester is the nearest town of consequence to that foothilled borderland where the opulent bluegrass ends and the illiterate Cumberlands pile their grim ramparts. Here come the farther-wandering traders from the mountains; gaunt men with steady-gazing eyes and lean sinews and noiseless tread, to mingle with the louder-spoken and fuller-nourished brothers of the lowlands. It is on court-day that they come in greatest numbers. Here, too, live some of their own kin whom the menace of feudal reprisal has driven from their native slopes and "coves." With the mountaineer's strong yearning to remain as near as possible to his birthplace, these refugees have made new homes and new lives at the edge of the bluegrass where on occasion they

can again see familiar faces. From Frankfort to Winchester is a matter of almost fifty miles, and Newt Spooner, who had taken up his homeward journey on a Saturday morning, saw its courthouse cupola and church spires pierce the screen of foliage on the forenoon of Monday, which chanced to be the Monday allotted to Clark County for its court.

Newt was very tired and very hungry. His rebuff at the farmhouse had festered and rankled in his mind, and he had refused to ask hospitality again or to speak to any man, save for the curt asking of necessary directions. In Lexington he had bought himself a "snack," but because he was penuriously hoarding his small capital, he spent with a stinting hand and pushed onward unsatisfied.

Now, as he trudged wearily, he saw a figure by the roadside at his front. The figure was that of a negro, who sat on a rock pile in the sun, hammering limestone chunks into road metal. As the boy came nearer, he saw another detail. The black man, though unguarded, was a prisoner and he sat safe against the chance of escape by reason of the huge iron ball fastened to one ankle by a padlocked chain. The white man, himself so lately released from the penitentiary, halted. He had the mountaineer's chronic aversion to "niggers," but here was someone whom he could question and who was in no position to insult him.

"How fur mout hit be ter Winchester?" he demanded.

The negro, welcoming interruption and conversation, turned with his granite-headed hammer poised over a piece of

limestone.

"It's a right-smart piece, if a man's leg-weary. It's about a mile, boss," he said.

A mile to the hills-man is nothing; a mere "whoop and a holler," yet now it seemed to the ex-convict as his informant said, "a right-smart piece." The glow which spotted his pallid face at the cheekbones told of a temperature. Through his limbs went a dull ache. From time to time he coughed. Finally the negro laid aside his rock-hammer, and gazed long and inquiringly at his silent visitor. He, too, recognized the state-bestowed clothing and its meaning.

"Scuse me, boss," he suggested, "but yer done come from Frankfort, ain't yer?"

Newt Spooner nodded, but his eyes narrowed, discouraging interrogation.

"Was yer – was yer in de pen'tenshery, boss?"

The man chained to his rock pile doubted the wisdom of his question, but African inquisitiveness had mastered his better judgment.

Instantly he recognized his mistake. The boy from Troublesome was at once on his feet and his sallow face was distorted with anger. From his lips came profane volleys of abuse. Transported by rage, he took a step forward with clenched fists. The negro clambered to his feet, and, since he was anchored against flight, backed away defensively, waving his rock hammer.

Newt Spooner selected a huge fragment of the scaly

limestone, and withdrew just beyond the range of hammer and chain; but as the negro, in a paroxysm of terror, fell pleadingly to his knees, he dropped the missile at his side.

"I hain't a-goin' ter bust in yore damned black head," he said in slow wrath, "because I got another job ter do. That's ther only reason why I hain't a-goin' ter kill ye." Then he turned into the road and took up his journey again.

Back there in the fastnesses of the hills, toward which he was making his way, the leaven of change was beginning to work, yeast-like. When he reached his destination he was to learn with surprise that he could not take up without interruption the story of his life: the story out of which pages standing for two years had been torn. Births and deaths and the giving in marriage were not the only things that had happened. Quietly a new agent had entered in; the agent of a patient spirit of education. This spirit came burning in the hearts of men and women from below, who realized that they must breast stubborn opposition and that they must adapt their methods to the life they sought to change. They must plant and nourish the new idea in the younger minds and they must not seek to alter in a twinkling a régime that had long been immutable.

But buried deep in the forestry of the tangled hills, far back from a railroad stood a group of buildings that seemed miracle-reared. They were stanch buildings of square-hewn logs, which in contrast to the ramshackle huts about them appeared to have been lifted from another world and transported on the winds of

some benevolent cyclone. It was difficult to think of these houses as having been raised from solid foundation to level ridgepole so far from the facilities of transportation. Yet here in the wilderness stood the "college."

It was no vaunting boastfulness that had inspired the almost fanatical men and women who stood as sponsors for the enterprise to give so high-sounding a name to the institution which taught kindergarten and primary classes. Some day, they hoped, it might grow up to its title, and meanwhile there were gray-beards and wrinkled women who sought to study primer and multiplication-table, but whose pride would bar them from advantages undignified by the name of college.

On the spring morning when Newt Spooner was trudging homeward, Doctor Murray, who had slowly and courageously turned his dream into a reality, sat in the study of the college. There was a smile on his lips, and the square-jawed face, which escaped all trace of the pedagogic, was contented. The sun streamed in through his windows and lighted a room finished in wainscoting of oak and maple – sawed at the mill, which was part of the institution and which he could see from his window, when he looked down.

Above, when he cast his eyes in that direction through another window, nestled the small hospital, where barbaric methods of local surgery were being altered. But, best of all, there came to his ears laughter and shouts from the trim campus where boys and girls were at play: boys and girls who until they had come

here, had known little about laughter and much about drudgery. And every peal of mirth was a challenge to the old order of hatred and the ancient thralldom of sullenness.

A girl came into the room and laid some papers on his desk, and the doctor nodded at her with a smile.

"Minerva," he said, "I'm afraid you are working too hard. One doesn't have to learn everything at once, you know."

The pupil flushed and stood for a moment silent. She was straight and lithe, and under the blue calico dress that was turned down at her neck, her throat was brown with a tan through which a petal-like color glowed. Her brown hair glistened with the glint of polished mahogany, and her eyes struck the doctor as eyes meant for mirth, though they had hardly learned to laugh. The deadly seriousness of the hills and the Calvinistic seriousness that makes martyrs, seemed to hold in bondage a spirit that nature had intended to radiate gaiety. Her fingers drew themselves together into fists, and after a moment she spoke slowly, and her speech was a strange blending of the illiterate argot of the hills and a conscious effort to speak in the phrases dictated by the education which she coveted.

"I reckon ye don't hardly know how much I've got to learn," she said. "I reckon ye don't realize how plumb ign'rant I am."

Suddenly her voice became passionate.

"Maybe ye don't know how I hate it all – how I want to get away from ign'rance an' dirt an' wickedness. I've been wonderin' if I didn't err in comin' here. It's just makin' me hate that cabin

over yon – I mean over there – on Troublesome. Sometimes I think it can't hardly do nothin' – do anything – but make me dissatisfied."

The head of the school looked up, and his face grew grave.

"There are times," he said, "when that thought comes to me, too. I don't mean as to you, Minerva, alone, but as to all those we take here and teach. At first it was all a dream of bringing a light to a place that was dark. That was the only phase I saw. But later I saw more. One can't make a dream a reality without struggle. Dissatisfaction is the price we must pay for regeneration – and people like you and myself must be among the first to pay it."

"Over there," she went on, as though talking to herself, "they only hates me for it. They says I'm stuck on myself an' that what's been good enough for my folks for all time ain't good enough for me no more – I mean any more."

"It takes time," the man reassured her. "In the place of ignorance, we offer education. In the place of lawlessness, we offer law. In the place of squalor, we offer thrift. Are those things not worth what they cost?"

The girl stood silent for a moment, then nodded her head.

"I reckon so," she answered simply, and turned to leave the library. After she had gone, the teacher sat for a time with his book open before him, but his eyes were contemplative, and it was from memory and not from the printed page that he was reading.

He was thinking back and seeing over again a day shortly

after his school had opened. In those times there had been fewer buildings, and of the many pupils who came, hungry to learn, only a few could be taken in. Among the first had been Minerva.

She had come exhausted and tired because she had come on foot, and her mean calico dress had been briar-torn, and her feet, which were bare, had been bruised. But in her eyes was gleaming a passion of hunger and resolve for the food which the school offered the mind. She had presented herself, a ragged little mendicant asking the alms of education, carrying what belongings she had in such a bundle as tramps carry.

Back in her unlighted and windowless cabin, she had heard of this "new-fangled" institution where was to be dispensed the pabulum of "larnin'" – and she had made her pilgrimage. Now Doctor Murray was recalling that day. He had been down by the stile which gave entrance from the creek-bed road, when he had seen the slight figure trudging along, and the girl had stopped and eyed him shyly.

"Air ye the feller frum down below what aims ter give folks larnin'?" she had demanded, as her large eyes held his with a tense directness, untinged by any humor.

"To give folks learning is a large contract," he had answered with a quizzical smile; "but we hope to give to as many as we can, at least its rudiments."

"What's them?"

"The start. Have you ever been to school at all?"

"I've done been ter the blab-school. I kin read an' write an'

figger."

Dr. Murray had stood there looking at her, and it had come to him that she made a very pathetic picture, with the yearning in her eyes and the dust of travel on her calico, so he denied her with a heavy heart.

"Just now," he said regretfully, "we can only take in a few pupils and we are already over-crowded. I'm afraid we can't make room for you." Suddenly he added, "How far have you come?"

"The rise of twenty mile, sence sun-up," she informed him simply, then tears welled rebelliously into her eyes. Her voice broke from her lips with a fierce passionateness.

"Ye've got ter take me," she cried out. "Ye've jest simply got ter take me. I've done been prayin' ter God Almighty ter give me a chanst. I've done heerd that ye war a preacher of ther Gospel, an' I reckon God hain't a-goin' ter suffer ye ter turn me away."

Doctor Murray had then been new to the hills. The storm-like intensity of the mountain character was bringing him its revelations. He stood there by the road, watching the ox-teams that were bringing logs in to his saw-mill and made rapid calculations and as he did so he heard the new candidate for matriculation rushing on:

"Ther Scripters says thet God's servant won't turn away sich as comes to him seeking light – an' I've done come."

"At all events," he answered gently, "come up and have something to eat, and I'll talk it over with my wife."

Mrs. Murray had spent a half-hour with the girl, and then had

come back to her husband.

"She is as wild as a squirrel," was her announcement, "but I have never seen such a starving heart or brain. I don't know what we shall do with her, but we must let her stay." And so Minerva had stayed.

Now she went out of the library, and made her way to a favorite spot up on the hillside. It was a study hour, and she carried a book with her. The time she had spent here had wrought a transformation. The brain had unfolded and the heart had become unplaced. The terms of this school adapted themselves to the needs of the environment. They did not conflict with the nearer demands of farm work, but accommodated themselves to necessity. When the frequent vacations came, Minerva went back to the cabin which she called her home. Each of these visits she dreaded.

Mountain reserve is hard to break. Even in her tempestuous appeal to the head of the school, she had not told her full story. Now she was thinking of it.

Mountain women grow old while they are yet young, but her mother had seemed to her different. Mountain women are grave with a gravity which is more than half sullen, but she remembered a mother who had laughed and whose voice had been often raised in song. Then when she was still very small, she remembered one of those rude mountain funerals where those who come raise their voices in a weird incantation of "mourning," which they leave off for gossip as soon as the period

set aside for the clamor comes to its end. After that she had been motherless and had kept house for a shiftless and surly father. That house-keeping had been simple enough in the shack of one room, but it had been unrelieved drudgery, and because she was one of those human beings who are less near of kinship to the members of the family with whom they live than with some far-off ancestor whose nature is strangely duplicated, Minerva had always had longings for things which were to her undefined dreams. Her nature had always been in insurrection against the squalid facts of her life. Her inclinations and thoughts struck back, by one of Nature's practical jokes, to some woman who had been a lady in the courtly life of Virginia a century, or maybe two centuries, ago, before her ancestors became stranded pioneers and lapsed into illiteracy, degeneracy and venal sloth here in the hard hills. What this all meant she had not known, but she knew that one memory alone was sweet to her thoughts, and that that was the memory of her mother. She knew, too, that even before they had taught her at the college how perverted it all was, this whole scheme of mountain feudalism and black ignorance and bitterness had seemed to her wrong and repugnant. Something had told her that somewhere there must be something different and that somehow she must find it and weave it into the pattern of her life. Of these things she had thought as she sat in the summer evenings on the slab bench before the cabin door. In summer there was a great pine, which, just after twilight had faded into velvet blackness in the sky, pointed an index upward

beyond the valley; and over it, before the other stars came out there always appeared a tiny point of light, which she chose to call her star. Somehow, it seemed that in some vague future day that star would lead her.

She was often alone, for her father would leave her there and go his own ways, but a day came when he returned and began throwing his few possessions into a bundle.

"M'nervy," he said with a sullen sort of embarrassment, "I reckon thar's times when ye gits right-smart lonesome way up hyar, hain't thar?"

A catch had come into her voice as she said:

"Right often, Pappy."

He nodded, then added abruptly:

"Waal, we're ergwine ter nail up thet door ternight an' quit this-hyar place."

"Whar air we a-goin' ter?"

"I done got myarried terday," he announced. "I reckon we'll go down an' dwell with my wife's folks."

The sun was nearing the western peaks and the afternoon was well spent. The girl had had no intimation in advance of this contemplated change of order. She stood there stunned. Life had been empty enough, but here at least she had been in a fashion mistress of the wretched house, and here she had had her pine tree and her star, which were the emblems of her dreams.

A long, low moan escaped her, and her father's face reddened in anger. He turned away and left her, going into the house, and

she fled precipitately to the heights above and sobbed out her misery at the roots of the pine to which she was bidding farewell.

Then they had moved, and life had meant fitting herself into a new family, no member of which liked her, and submitting to the shrewish heckling of a step-mother, who seemed to her a hideous libel upon the memory of the woman who had been lucky enough to die young.

Now, as she sat with her book in her lap, because in a few days she must go back to that cabin, the past was parading in review before her eyes, and though she was very hungry for "larnin'" she was neglecting her books.

## CHAPTER III

The late convict had wasted his strength. His violent paroxysm of anger had exhausted him more than his laborious tramp. It had sent his temperature up and brought a sickening weakness to his muscles. He wavered as he plodded and once or twice even stumbled to his knees, until at last, with only three-quarters of a mile left, he turned aside to the bank of the roadside and sat down with the sweat of weakness dripping from his face.

It was such a day as must have set poets to making jeweled phrases out of words. The air and skies held that radiance which can make of a Kentucky June morning a miracle of beauty. The horizons were dreamily soft and warm. In the field at Newt Spooner's back a meadow-lark was madly trying to burst his pulsating throat with the flood of golden joy. In Newt Spooner's mind was a somber picture; a picture of the mountains which a few days more would throw across the eastern sky-line, and of a man who lived there and who was to die. He was to die without opportunity to defend himself and without benefit of clergy. It was not to be a fight, but an execution. In the entire mental range of the young man panting by the roadside was no reflex of any other thing than brute bitterness and "pizen meanness."

A buggy and horse rose into view over the crest of the hill. It had only one occupant and the occupant was a girl. She was unlike any woman Newt Spooner had ever known; unlike any of

the "gals" back in the mountains. Her lithe figure had all the fresh charm of the sparkling morning and all the spirited quality of the thorough-bred. And just as to Newt Spooner the world held only gall, so to her it held only fragrance and music and starshine – and an abiding faith in men and women.

She was happy because she had not yet discovered any unhappiness and because she was young ... and because to-day she would see in Winchester a certain member of the opposite sex in whom her interest was direct and personal. Meantime, June was softly glowing around the whole circle of the sky's embrace and the trees were rustling their fresh greenery and the birds were singing.

She was singing, too, but suddenly she stopped as her eyes fell on the young man by the roadside. Her quick gaze discerned that he was desperately thin and that the color in his face burned only in hectic spots against a chalky pallor. She saw, too, that as he wiped his forehead on his sleeve his forearm and hand trembled. His clothes proclaimed him lately released from the penitentiary, but her ideas on the subject of prisons were vaguely confined to a compassionate regret that they existed. Quite probably had she found him there looking weak and sick even had he worn stripes, she would still have offered him help. She drew the horse to a standstill, and called out cheerfully in a voice as tuneful as the lark over yonder in the field:

"Good-morning. Can't I give you a lift?"

Newt Spooner gazed back at her sullenly and defiantly. The

dog that has only been kicked distrusts the hand thrust out in kindness. It is unknown to his experience.

"Naw," he declined, with as surly an utterance as possible.

The girl flushed and her lips tightened. She flung back her head with a gesture that set truant curls tantalizingly astir and flapped the reins on the horse's back, but in quick afterthought she drew him down again. This boy's rudeness did not alter the fact that he was sick. He looked like a mountaineer and could hardly be expected to measure up to the bluegrass requirements of courtesy.

"You're about as polite as – as a mud-turtle," she calmly informed the traveler, holding his eyes with an unflinching gaze, before which they shamefacedly drooped; "but that doesn't make any difference. I'm going into Winchester, and you don't look very well. Hadn't you better get in and ride to town?"

The boy from Troublesome stared his incredulity. She seemed to him a marvelous sort of being. Her simple dress was to his eyes extravagantly elegant and her patrician delicacy of feature belonged to an order which neither the drudgery of the hills nor that of the state prison had given him opportunity to study.

"I reckon," he said slowly and diffidently, but no longer with a note of bitterness, "hit hain't wuth while to pester ye."

"That's all right," she commanded. "Climb in." Slowly he rose and obeyed, the whiskey-flask protruding from his coat-pocket, and when they had gone a quarter of a mile, Newt made his sole voluntary contribution to the conversation.

"I'm obleeged ter ye," he said.

She did not question him unduly, nor ply him with conversation, but she smiled, and in some subtle fashion there broke through the storm-wrack of the boy's bitterness a thin ray of light and glow of graciousness. She let him out at the court-house square, where buggies stood in rows and traders jostled and the auctioneer's shout resounded, and there he lost himself in the crowd; but first he stood looking after her until her buggy turned a corner, and then he remembered that she had nodded with a friendly smile of farewell. It was rather wonderful to be treated like a human being.

Newt Spooner wanted food and he wanted it to be cheap, so he foraged up and down Main Street until he came upon that lower section where several shabby eating-houses were sandwiched between equally shabby saloons.

And while he stood on the pavement undecided which way to turn, a hand was laid on his shoulder, and he wheeled, startled, to find himself gazing into the face of his kinsman, Red Newton.

"Come hyar," commanded the older man. "I done heered thet ye was pardoned out, an' I sorter 'lowed ye'd be making tracks fer thet mountings. I wants ter have talk with ye afore ye goes back."

"I aims ter git a snack ter eat," demurred Newt. "I hain't agoin' ter talk ter no man afore I eats."

The other nodded.

"I knows a place whar we kin eat an' talk, too. Fult Cawslar hes done moved hyar from over on Squabble Creek, an' opened

a resteraw. All our folks eats thar."

The youth, who had three days before been Number 813, permitted himself to be led through an uninviting doorway around which stood several gaunt men in mud-spattered clothes. But Red Newton did not suffer him to halt at any of those tables, covered with red oil-cloth, where several taciturn pilgrims from the hills were feeding themselves from the blades of their knives. Instead he whispered something to Fult Cawsler himself, and was permitted to climb a narrow stairway at the back. At its head they traversed a narrow hall and came into a separate room where around a private table were seated a group of men whom the boy knew. Old Jason Dode was, as usual, tipsy and, even as the new-comers entered, was tilting the bottle of "red licker" which he unwillingly substituted for the white and sweetish moonshine of his native stills. But the important thing was that Black Pete Spooner stood gazing out of the open window, though he stood back far enough to escape the eyes of passers-by below. His hands were thrust deep in his pockets and on his face was the same expression that always sat there. Few people passed Black Pete by without turning to look again. He stood somewhat upward of six feet and his broad shoulders tapered to a gauntness of waist and leg which gave him the suggestion of a timber wedge. He was as tough as that lumberman's implement and wedgelike, too, in his power of disrupting the dividing elements which, but for him, might have hung together in harmony.

His dark head he carried high-flung with a swing of

independence, and that head, even more than the physique, caught and challenged attention.

Black Pete's face was rather narrow and rather long, but its brow was high, its nose strong and regular, and its chin had that square-blocked declaration of resoluteness which commands respect. Under brows black and bushy gazed out eyes that were the dominating feature. They were as clear and penetrating as crystal lenses, and in them dwelt a sober, almost sad contemplativeness as though the brain behind them were habitually gazing off beyond horizons that limited other visions. They were eyes that seemed able to pierce the opaque things of life. The hair curled crisply in glistening black, about the forehead and neck, and over the firm mouth a black mustache fell drooping in long ends. It was a face that hinted at no violence, though at great strength and determination. Rather was it suggestive of melancholy thought, and it had won for him the satiric title of the "Deacon."

As Red Newton and Newt Spooner came into the room, Black Pete turned his glance for a moment upon them, then wheeled again to the window with no apparent interest in their presence or existence. His face remained as wistfully distracted as though he were a minister preparing a discourse, on a text which lay very near his heart. But Newt, having seen him, continued to stare. His eyes narrowed. He knew that several years ago, before he had himself become a felon, the Deacon had gone West – where he did not know. But he did know that only so long as

this man remained away from the county could there be hope of even comparative peace between the Spooners and the Falkinses. So dreaded was the quiet-visaged intriguer, so unalterably given to violence and the taking of lives, that his exile had been the condition precedent to all negotiations for truces and peace. Now Black Pete was back. Obviously, the meeting in Cawslers' "resteraw," seventy miles from home, held some portent beyond the casual.

They brought the newest prodigal food, and, while he devoured it, bolting it with wolfish hunger, he also picked up the loose ends of talk and began to understand the situation. There had been an election down in his section since Newt's conviction – an election and some other things, which Red Newton briefly summarized as "merry hell." The "penitentiarying" of Newt himself had been only the inaugural of more sweeping and hateful innovations. Three times the old blood-feud had broken into sporadic outbursts, and three men had been shot. But what most galled was the fact that the commonwealth's attorney had shown a hound-like nose for evidence and that all of the accused clansmen had been viciously prosecuted.

A truce had been patched, by the terms of which Jake Falerin, a cousin of McAllister Falkins and the leader of the militant Falkinses, had agreed to leave the hills and remove the menace of his disturbing influence. He had gone only as far as Winchester, and, from councils held there with visiting Falkinses, was as dangerous as though he had remained at

home, even while his own life was safer. The Spooners had decided that this half-compliance was a practical breach of the truce, and in accordance with that theory the Deacon had come home. At least, he had come this far. In the meanwhile, the Honorable Cale Floyd, commonwealth's attorney, had reaped the gratitude of his constituency. Because he had waged relentless war on lawlessness and had begun to show incipient symptoms of victory, he was defeated for reelection. Sick of the futility of such endeavor, he had closed the bare law-office before which his shingle had swung in Jackson, and had come to Winchester, where the field was larger and where men were more appreciative of the qualities and principles for which he stood. He was the man who had put stripes on Newt, and who, had he remained in office long enough, would have made the pattern a family apparel for other Spooners.

"That's how things stands, Newt," summarized Red, turning to the new arrival, "an' that's what I 'lowed ye'd better know about afore ye went back home."

"An' them damned fellers, Jake Falerin an' Cale Floyd, is a settin' over thar somewhars in this-hyar town right now, a-brewin' of more deviltry," enlightened old Jason Dode in a hiccupy voice, "an' because they hain't in the mountings, they 'lows they kin go right on with hit. We don't 'low they kin."

The "Deacon" turned from the window, and strolled toward the table. Newt, having appeased his hunger, was wiping his mouth on the spotted tablecloth. The dark giant fixed him with

thoughtful eyes. When he spoke, his voice was in contrast with those of his fellows, for his life in the West had almost freed it from drawl and vernacular, and he spoke with a quiet graveness.

"Son, this Cale Floyd is the same lawyer that sent you to prison."

Newt's eyes flashed.

"I reckon I hain't fergot thet," he said shortly.

Black Pete nodded sympathetically, and went on with the same grave intonation.

"I reckon you wouldn't mind much if he got his dues?"

"He's ergwine ter git his'n," asserted old Jason, his bloodshot eyes wickedly aflare. "He's ergwine ter git his'n this day afore sundown. An' Jake Falerin's ergwine ter git his'n, too. Them two fellers'll be in hell ternight."

"Shut the old fool up," suggested the Deacon passively; "he'll be shouting that out in the street after one more swig of liquor." Then he turned to Newt again.

"If Floyd isn't taken care of, son, the next commonwealth's attorney will follow right after him. We've got to give a lesson an' a warning. Do you understand?"

"I reckon I do," replied the ex-convict, but he spoke without ardor.

"This evenin' about half-past four o'clock," proceeded Black Pete, "Mister Lawyer Floyd is going to make a speech in front of the court-house. There'll be a crowd, and we figure that Falerin will be there, too. Our boys will get up close. Some of them will

start a fight amongst themselves, and I reckon they'll pull guns. Mr. Floyd an' Mr. Falerin are apt to get accidentally shot."

Newt Spooner rose, and stretched his arms. His food and rest had refreshed him, and the red spots had gone out of his cheeks.

"What for," he inquired coolly, "air ye a-tellin' me all this-hyar business?"

The Deacon's grave eyes clouded, but otherwise his expression did not change.

"We figured you'd be interested, son. You were the first Spooner they ever put behind penitentiary bars. This man did it. We figured that when we came to punish these fellers – " He broke off with a shrug of his shoulders.

"Ye 'lowed ye mout git me ter kill 'em?" Newt spoke with absolutely no betrayal of interest.

"Jest the lawyer, Newt," interpolated Red Newton ingratiatingly. "He's your'n. Hit's yore right ter punish him."

The late convict wheeled on the speaker, and his face blackened and lowered.

"The hell hit is!" he screamed. "I hain't aholden nothin' 'g'inst ther lawyer. He didn't do nothin' but what he had a license ter do. I knows who I'm atter. You folks wants two men killed, an' you wants me ter be ther feller ter go ter the penitentiary fer doin' hit. What the hell did any of ye do fer me last time? What the hell do I owe any of ye, wuth goin' back thar fer?"

For a moment, a general silence of dazed astonishment followed the outburst. It was the Deacon who broke it at last.

"All right, son," he said almost gently. "Every man accordin' to his lights. I reckon you ain't goin' to tell anybody what you've heard?"

Newt snorted contemptuously.

"I reckon ye knows thar hain't no danger of *thet*." "Hit 'pears like," interposed Red Newton with an apologetic shrug to the others, "hit 'pears like the penitenshery hes done broke ther boy's sperit. Some folks is thet-away, but hit don't hardly seem like no Spooner."

Newt wheeled on him.

"Thet's a low-down lie," he stormed. "Nothin' hain't broke my sperit. I hain't scairt of them, ner of you, ner of hell! I knows what I'm atter. Thar's a feller I'm ergwine ter kill, but hit hain't this one. I'm tendin' ter my own business? – not your'n. You-all got me inter one killin', an' not a blame one of ye stood by me atterwards. Now all of ye kin go ter hell!"

He glared around the group for a moment and left the house, and no one made an effort to stop him. Newt meant to take up his journey within an hour or two. He, too, had a vengeance planned, but the man he sought was back there in the mountains, and there was no use in "foolin' away time an' money here."

Yet an hour later he walked past the court-house and the large hotel just beyond it, and abruptly, opposite the hotel door, he halted. He had seen a buggy drive up and stop, and in the buggy was the girl who had brought him to town. He had forgotten her, but now he paused across the street and stood gazing. He gazed

simply because she was the first living soul who had ever been kind or gracious to him, and, precisely as the blind man may feel the sunlight and know that it is pleasant, he glowed dumbly under the remembrance of her smile.

Then as he stood looking, a young man came out of the hotel with his hat lifted and his face smiling. In his eyes was an expression easy to read, an eager, glad welcome as he crossed the pavement with extended hand and climbed into the buggy beside the girl. The young man was well dressed and bore himself like a gentleman, yet he was a mountaineer by parentage and birth.

Newt's posture stiffened into rigidity. The color left his face and his eyes began to burn balefully... He had just recognized Henry Falkins.

For an instant, the erstwhile convict stood paralyzed with astonishment, then the blood in his arteries began pounding a fanfare of triumph. Wheeling, he went rapidly toward the restaurant of Mr. Cawslar. There he would find some of the clansmen, and one of them could lend him a pistol. If they refused, he would ravish a weapon from them with his bare hands. After that, if they let him have ten minutes for his own, he would join them in any schemes, conspiracies or crimes that interested them. For him, ten minutes would be sufficient. His walk broke into a trot at which the passers-by laughed. A yokel in a hurry is always amusing.

## CHAPTER IV

A group of shabby men lounging in front of Fult Cawsler's restaurant paid scant attention to a wild-eyed youth who came down the street at a run and dashed into the door. Newt found the dining-room on the main floor empty save for a weary and untidy woman who was clearing away the china of the mid-day trade, and Fult Cawsler himself, whose bulky figure was just then disappearing up the stairs. The boy stood for a moment anxiously gazing about the place with its oil-cloth table-covers and its gaudy wall calendars, then dashed pell-mell after the climbing restaurateur. The woman called to him in high-pitched and raucous prohibition, but Newt Spooner went heedlessly on his way. At the head of the stairs in the murky hallway Cawsler turned, and without at once recognizing the on-rushing invader wheeled belligerently to face him.

The plans which had been hatched in his place that day were not such as would enhance his reputation as a law-abiding tradesman should they come to general knowledge. As the proprietor blocked the way, his voice carried the ring of asperity.

"What in hell air ye makin' such a furss about?"

"Hit's me, hit's Newt Spooner," volleyed the unarmed avenger. "Whar's Red? Whar's the Deacon? I hain't got no time ter fool round. I'm in hell's own haste!"

"They've done gone – all of 'em," responded Cawsler calmly,

as he recognized the ex-convict. "I don't know whar they're at." He paused, and then admonished coldly, "Ye'd better set down and calm yoreself. Ef ye runs around town so distracted-like, they'll put ye in the jail-house fer shore."

Newt only snarled. Here was a situation upon which he had not counted. He had unexpectedly found his quarry, and he was unarmed. By the time he remedied his deficiency his victim might have escaped. For an instant he stood in a futile and silent transport of rage, his entire body in a tremor of blood-lust and excitement. Then with an oath he pushed Cawsler aside and entered the room where he had left his clansmen. It, too, was empty, except for a figure breathing with drunken and stertorous stupor in a chair at one corner.

The one man was old Jason Dode. Newt rushed across, and unceremoniously catching him by the shoulders, twisted his sagging figure until it lay chest upward. The old drunkard mumbled and raised balky hands against the indignity, but consciousness flitted only spasmodically across his face, and he sank back again with an incoherent murmur. Newt tore open his coat and vest, and ran his hand under the left armpit, but he found there only an empty holster. Old Jason was drunk and ineffective, and lest in his maudlin condition he might wander out and disturb the equilibrium of their plans, the clan had disarmed him. Newt rose and faced Cawsler.

"I've got ter have a gun," he exploded. "Git me a gun!"

But Cawsler, gazing into the wild face and burning eyes,

judged that Newt, too, had been "hittin' up the red licker," and that a gun was just what he least needed. Accordingly he shrugged the fat shoulders under his dirty shirt, and shook his head in negation.

"I hain't got no gun," he lied; "I done loaned mine out." With another wild oath, the would-be assassin dashed down the steps and out into the street. He would search the town until he found a kinsman, and incidentally he would try to keep an eye of sufficient watchfulness on Henry Falkins to remain familiar with his movements. It did not occur to him that Henry Falkins might be unsuspecting. To his mind Henry Falkins must know, if he had heard of the pardon, that, straight as a homing pigeon, Newt would come to him for reprisal. Such was the code of the Cumberlands. So his task was threefold: to arm himself; to find Henry Falkins; and to conceal himself from Henry Falkins.

The Spooner aggregation meant to make its appearance at the psychological moment, and until that moment to remain as invisible as a covey of quail in close brush. Newt, no longer excited of guise, but quiet, almost feline in his alert movements, slunk from saloon to saloon, and scanned the length of the streets with a purposeful glitter in his eye – and his search for a kinsman was vain.

The afternoon was well advanced when the boy, lurking in a side street, saw a buggy pass at a rapid trot, and recognized its occupants. The vehicle was going out Main Street, and in it were a girl and a man. For the second time that day, he had sighted his

quarry, and, turning into Main Street, he began to follow. It was merely reconnaissance, but, if he could hold the vehicle in sight long enough, he might know where later to take up his watch. A man on foot is poorly equipped to follow a standard-bred trotter between the shafts of a light buggy, but the streets of Winchester lie over gradual and rolling hills, and the girl who held the reins was a humane driver. A square ahead, she drew her horse to a walk for the climb, so the man could keep them in sight as far as the next ridge, and he strode along at a rapid distance-devouring walk, forgetting his weariness as a hunter forgets it when a covey rises whirring from the stubble.

Then for a while he lost them, and so, losing and regaining his view, he followed them up and down hill till the town dwindled into outskirts and the street became a smooth turnpike between farms and woodlands. But, at last, the difference in speed told, and the boy reluctantly abandoned the chase. Not, however, until he had glimpsed through stretches of velvet woodland a thing which he did not understand, and which he paused in perplexity to study. Back in the patriarchal grove of oaks and walnuts and hickories was a frame platform, and men were working on their hands and knees, polishing its floors. About it were strung long lines of paper lanterns of bright and varied colors and fantastic shapes. Still farther back, but close of access to the platform, rose the front of an ancient and vine-covered mansion with its little village of barns and servants' quarters, peeping out between lilac bushes and cedars. But it was the platform that puzzled the

mountain traveler, and he perched himself on the fence to "study" about it.

A negro boy, riding a colt and carrying an empty basket, came jogging down the avenue and into the pike, where he drew rein in response to Newt Spooner's signal.

"What mout thet contraption be over yon?" demanded the mountaineer in a surly voice, as he indicated with a jerk of his head the object of his curiosity.

The servant laughed long and loud. He was a young negro and mounted. By putting spurs to his steed he could escape any penalty of insolence, and if the mountaineer dislikes the negro it is with no greater scorn than that which the negro feels for the poor white. When he had finished laughing his white teeth continued to gleam in a wide grin.

"Thet-thar contraption," he mimicked with an excellent impersonation of the nasal drawl in which he had been questioned, "is a platfawm. It's shorely an' p'intedly a platfawm. Our folks is gwine ter have a platfawm dance ternight. Saxton's band's coming frum Lexin'ton ter play de music, and all de quality folks'll be hyar."

At the sneer of the servant's manner, Newt Spooner had slipped down from the place he had assumed on the fence, and stalked menacingly out into the road. The negro had moved his horse a little to the side and waited. But, at the information received, Newt forgot his wrath in the engrossment of a sudden idea. A dance! The young people would be there in force.

Perhaps among them would be the one he sought. In his country where round dances are unknown, special invitations are not required. Word goes out that so-and-so is giving a dance at such-and-such a point, and the countryside troops thither for shuffle and jig and wassail.

"I reckon," said Newt slowly, "I reckon I'll be thar."

The black boy let out a loud guffaw. He leaned back with one hand supporting his weight on the haunches of his mount, and whooped his mirthful derision to the open heavens. Newt gazed at him, first in astonishment; then in passion.

"What air ye a-laughin' at, nigger?" he inquired with low-pitched ferocity of voice.

The boy gathered up his reins, and, under the pressure of his spurred heel, the colt was away in a gallop.

"I may be a nigger," he flung back over his shoulder, "but I ain't no po' white trash. The likes of you comin' to our dance! Good Gawd!" A roar of ironical laughter followed in the wake of clattering hoofs, while Newt Spooner, his thin face working with a positive mania of fury, hurled rock after rock at the retreating figure.

Slowly the mountain boy walked back toward town, his black suit already whitened with a fine coating of turnpike dust.

As he neared the court-house, he quickened his step, for a dense crowd was gathered at its front, and he knew that the speaking must be in progress. His people would be in the throng and they would be armed. If he were going to the dance to-

night, he needed a gun, and yet his craftiness automatically set a restraint on his impatient haste. Should he rush headlong into that crowd just on the verge of trouble, he might rush also into arrest. The applause and laughter with which the crowd just now jostled shoulders told him that nothing had yet occurred to break the peace or equipoise of the occasion; but that something was to happen he knew, and the knowledge made him cautious. A distinguished-looking gentleman with white hair was speaking from an improvised stand, and, as the ex-convict drew near the outskirts of the crowd, he found himself standing near a man who wore a blue coat, and leaned on a stout hickory staff. The partial uniform of this individual proclaimed a town marshal, and the badge on the breast corroborated the proclamation. It occurred to Newt that to be talking with an officer of the law when the shooting began would constitute an excellent alibi. So he stopped, and touching the officer on the elbow, inquired:

"Stranger, who mout thet man be, thet's a-talkin'?"

The policeman turned and regarded him out of a broad, good-humored face, in which shrewd, but merry eyes twinkled.

Newt wanted that officer to know him the next time they met, and to remember him definitely, so he returned the gaze with one frank and unblinking.

"That's General Braden, sonny," the town marshal amiably enlightened; "he's just introducin' the Honorable Cale Floyd. That's Floyd now."

"I hain't in yore way, am I, stranger?" questioned Newt

humbly by way of further emphasizing his presence. "I 'low ef I hain't, I'll jest stay right hyar an' listen at him speak."

The officer laughed.

"Stay right where you are, sonny," he invited; "I expect it's as good a place as any." And then, to the boy's delight, the other laid a hand lightly on his shoulder.

The young man from the waters of Troublesome wore a blank face, although it was difficult. He had told himself that he felt no hostility for this prosecutor who had convicted him. Yet, now, as he saw the tall man step forward to take his place on the platform, remove his felt hat and shake back the black hair which fell, mane-like, over his forehead, Newt acknowledged a sense of gladness that he was to be killed.

The Honorable Cale Floyd had fought a bitter battle back there in the lawless hills for the vindication of law. He had walked in the shadow of death and had been deprived of office; ostracized like Aristides because he was "too just a man."

Now, he had come down here to the cultured bluegrass, and was being pointed out as something of a hero. Clients with well-filled purses brought their litigation to his office. And it came to pass that in the glow of unwonted recognition, the simplicity with which he had faced peril back there in his own country was slipping from him. He felt the theatric quality of the moment, and struck something of a pose as the crowd took in his tall figure and broad shoulders and country lawyer's make-up of frock coat and black string tie. He had recognized that it was more effective

to appear the backwoods lawyer than the well-groomed attorney. His mentality would flash more startlingly from six feet of rugged mountaineer, and his attainments would limn themselves forth in a more impressive forcefulness. In short, the Honorable Cale Floyd was not now averse to capitalizing his past vicissitudes.

So he shook back his hair, and stood smiling with the June sun slanting to his fearlessly rugged features and touching them like a face cast in bronze. Then he began to talk. He warmed into his subject, gathering a wine-like thrill from the interested attention of the upturned faces; faces which long jury experience made as readable to him as clear type, and he threw more and more fire into his utterance, until he was borne out of himself and into a realm of eloquence. With a characteristic gesture, he leaned far outward and stretched his hand, index-like, toward the edge of the crowd. Thus had he turned often from the jury-box and scourged with figure and invective the man in the prisoner's dock. It chanced that all unconsciously the finger went like an aimed weapon to the face of Newt Spooner, and straightway the boy saw red. From his mind passed the white brick façade of the bluegrass court-house, the sea of hats and the field of shoulders, and in their stead there rose again before him the dingy interior in Jackson, where he sat beside his counsel, while this same man, with this same gesture, loosed on his head all the bolts of the law's castigation. And at that same moment, playing with hypnotic intensity on his audience, the Honorable Cale Floyd fell instantly and suddenly silent, holding his bronze-like pose of outstretched

arm and hand. It was only for a momentary pause: an oratorical trick of contrast and emphasis, out of which his voice would presently ring again in compelling tones. But in that instant of quiet there rose from the center of the crowd a sudden shuffle and a muffled outcry accompanied by a swaying of bodies. It was so close to the stand that the speaker, looking off more widely, was conscious of it only with annoyance for a marred effect. But, as he drew himself erect once more, to the undefined disturbance was added an outbreak of oaths, and, before they had died away, several close pistol reports came spitting sharply from the front, and little wisps of blue smoke twisted upward above the hats. At once there followed a general pandemonium, shoving, shouting, the shrill screams of women; an effort among the panic-stricken to get away by climbing over those who obstructed them.

With an oath, and an eloquent sweep of the hand to his pistol-pocket, the town marshal left Newt, who stood with an enigmatical smile on his lips, and went ploughing through the scattering mob toward the center of the disturbance. For a breathing space, the speaker stood leaning on the rail of the platform and looking out with no expression on his face save one of chagrined interruption.

Newt Spooner suppressed a snarl of contempt.

"By God," he muttered to himself, "ef they didn't go an' plumb miss him!"

But, as he was still growling inwardly with disgust, the attorney started to step back, reeled and crumpled limply to the floor of

the platform.

## CHAPTER V

After the momentary shock of sudden panic the scattered auditors began shamefacedly drifting back for inquiry and a solution.

Newt Spooner saw General Braden and a companion carrying the limp figure of the mountain lawyer down the stairway of the platform and heard them cursing the lawlessness of the mountaineers who, "having made an excursion from their own shambles were waging their damnable war on the streets of a civilized town."

He saw the crowd opening to let out several men who bore another prostrate figure, and, as they passed, one glance at the face, which had fallen back, loose-jawed, between the supporting arms, told him that some one had "gotten" Jake Falerin. Then he saw the town marshal, supported by half-dozen volunteer deputies, fighting for a passage through the throng with the prisoners, whose bodies they shielded with their own. This group made its way up the stairs, and flattened itself against the court-house wall.

Behind the drawn revolvers of the guard, the late convict recognized the faces of Red Newton and his accomplice. Already the crowd, which had a moment before been in panic-stricken flight, was pressing menacingly forward, and talk of lynching ran like wildfire from mouth to mouth. The officer was brandishing

his pistol, and two of the volunteers were holding aloft, in show of force, the revolvers they had taken from the captives, whom they were waiting to slip through the court-house halls to the jail. Someone had gone around to unlock the doors.

The prisoners themselves stood stoically enough with mask-like faces, and if the roar of bluegrass wrath intimidated them, their eyes and lips showed no trace.

The countenance of Red Newton even wore a satirical smile as he commented to the other Spooner, loudly enough to be heard around a wide radius:

"These-here furriners air shore hell-bent on law an' order, hain't they? They're bounden fer ter have hit, even if they has ter lynch folks ter git hit."

Then the door opened, and the officer with his prisoners backed swiftly through it and slammed it in the faces of the crowd. Newt calmly walked down the stairs, and strolled along the street. At a corner, he saw Black Pete leaning nonchalantly against the wall in conversation with a farmer, who was roundly berating the violence of the mountaineers. The Deacon was chewing a wooden toothpick and regarding his chance companion with grave and respectful attention, nodding his head in approval of the sentiments expressed, but, as Newt passed him, he fell into step, and the two walked together toward Mr. Cawsler's restaurant.

"Son," suggested the quiet giant who had arranged the little tragedy of the afternoon, "this town's going to be a right-bad

place for us mountain men for a time. If I was you, I'd dig out."

"That's my business," retorted the other sullenly. "I've got a matter ter settle up, fust – besides I reckon I kin prove I didn't have no hand in these doin's. I was havin' speech with the policeman when hit busted loose."

The Deacon came as near smiling as he ever came. One side of his long mustache tilted up, but his eyes remained sadly grave.

"I reckon I can prove that I didn't have no part in it, either," he said easily. "But some of these Falerins have seen me around town, and I reckon they'll try to get me implicated. That Falkins crowd suspects everybody. Come in here with me a minute, son."

The Deacon turned and led the way into a saloon, already noisy with excited men having recourse to drink and discussion.

They passed through the place and into the yard at the rear, where, after a look around to assure himself that they were alone, the older man drew a heavy revolver from under his coat.

"If they try to get me into it," he said calmly, "I'm going to make them search me. Keep my gun for me a while, if you don't mind. You were with the policeman, and they won't suspicion you."

For a moment Newt hesitated, then came the thought of his own affairs. A weapon was what, above all other things, he needed. Accordingly, he took it silently, and slipped it inside his coat, and without a word or a nod turned and walked back through the saloon, to disappear beyond its swinging screens.

When night came a two-thirds moon rode high and paled

the summer stars into pin-points. Newt Spooner knew from talk on the streets that the lawyer would recover to reap greater reputation from the affair in which, even after leaving the storm of his own country, he had fallen under a mountain hand. But Jake Falerin would reap nothing from the afternoon's doings beyond an obituary in the newspapers: an obituary which would recount a sanguinary career closed with a sanguinary climax.

These matters, however, gave Newt only minor concern. He was not to be shaken from a fixed resolve by other men's hopes or disappointments. Nightfall found him trudging out the moon-bathed turnpike between the blue and silver mists of the fields; because, though uninvited, he was going to a party. He was not going as a guest, nor yet wholly as an onlooker. If one man was not among the guests, he would turn back from the fringe of the festivity, touching it no further. If that one man was there, Newt Spooner meant to break up the party, and add a sequel to the shocking transpirings of the afternoon.

Many buggies passed him, driving slowly, for the night was gracious with the sweet fragrance of the young summer, and the occupants of the vehicles were young, too, and no part of a summer dance is better than the going thither and the coming home. From this caravan came the music of much laughter, and now and then the lilting of a song: sounds as unaccustomed to Newt Spooner as grand opera. But the only impression made on him was the realization that he was too early; so, when he found a thick grove flanking the road, he climbed the fence and lay down

under a hedge and rested. While he was stretched there in the dewy grass, he cocked and uncocked the revolver to make sure that, when he needed it, it would not fail him.

It was a night for lovers and lovers were availing themselves of it, but to Newt Spooner the seductive whispers through the upper branches of the oaks carried no message of peace or minstrelsy. Yet, even to him, there was a dumb sense that life here in the great "down below" was a different thing, and, as he lay there fingering the mechanism of his revolver, he could not escape a large and disturbing wonderment. The breadth of the sky made him feel small and alone in the center of vastness. At home, mountain walls rose confiningly on all sides and one looked up at a narrowed patch of stars as if from the depth of a great well. But here one could gaze away on the level of the eyes and watch the wonderful phenomenon of a heaven coming down with its stars to meet the edge of the flattened earth. At home, one would ride the dirt roads on muleback and in silence, save where the hoofs splashed along the creek-beds. But here the horses beat a sharp rat-tat with metal shoes on a metaled road, and the rubber-tired wheels ran noiselessly. These people, too, reversed the order of things even as their country reversed them. At home, almost every one was poor; here every one seemed rich, and the women, whom every mountaineer knows should be treated as inferiors, suited only to the tasks of housework and child-rearing, were treated by the men as equals. That he knew from the chatter and laughter of those who passed in earshot, driving two and two.

And what fools they all were, for surely no people who were not fools could chatter and laugh and sing!

After an hour, the buggies passed less frequently, leaving the road free of travel, except for town-faring negroes on foot and singing. Then Newt Spooner came out from behind his hedge and made his way once more along the turnpike. What his eyes had once seen his memory retained with photographic distinctness, and as soon as he reached the beginning of the low stone fence, which he had noted that afternoon, he knew that he was drawing near the dance.

But Newt would have known that he was near his destination without the fence, for already, though blurred by the distance into an indistinct and formless spot of brightness and color, he could make out the illumination of the Chinese lanterns and there came to his ears across the softness of the night the merry strains of a band playing a two-step.

The mountain boy made a rapid survey. The house sat deeply back in the woodland, some five hundred yards from the road, but the platform, though almost directly at its front, lay nearer the farther side. The lateral fences of the woodland were lined with locust groves, giving a band of shadow along the edges. He might have crossed the fence at the nearest corner and worked his way back, but time was not an object, and so, before selecting his route, he went along the turnpike to the other side of the place for fuller reconnaissance, and found there even better and more continuous cover. Also, by taking that side, he

was further from the driveway and would arrive closer to the platform without leaving the shadow. As Newt crossed into the woodland, he became invisible, thanks to the inky shade of the locusts, just now heavy with fragrance of bloom. The thickets of his own rhododendron and laurel could not have availed him more serviceably. At his left were acres of undulating bluegrass, broken generously with forest trees, and between the trees lay a silver lake of open moonlight, dotted with islands of shadow. But, by following the fence line back, he could invisibly draw near to the platform, and creep still closer under the shelter of a heavy growth of lilac bushes.

Suddenly, the mountain boy's heart began to pound in a strange way. He had never been afraid of anything and he was not afraid now, but as he crept, like a woodland animal, close enough to take in details, he felt as a man might feel who finds himself pursuing an enemy on Mars. He was in a new world and one so strange to him that its very difference brought a sense of misgiving. He had been born and reared in a windowless mountain cabin of one room. His light at night had been that of crackling logs on a stone hearth and a single lamp without a chimney. He had heard hatred of enemies preached before he could talk himself. That his present purpose was righteous, he passionately believed; that one should pay his blood-debt seemed axiomatic. Yet, as he looked out, he could not shake off that sense of strange uneasiness. Something was wrong. Perhaps it was simply the inarticulate realization that the scene was set for

merry-making and not for tragedy. At home, it was different. The mountains were sterner and bred sterner emotions. The darkness there seemed grimmer, too. This was not the night or place for a murder.

Criss crossed about the platform and between the trees swayed the vivid color splashes of the lanterns, like magnified and luminous confetti. Sifting and eddying on the swaying floor went the rhythmic whirlpool of dancers. The soft colors of evening gowns, the ivory flashes of girlish shoulders and the floating of filmy scarfs dizzied the boy, who by the iron dictate of heredity and upbringing was a human rattle-snake. The strange sight of men in evening dress, their shirt-fronts gleaming like conspicuous targets, added to his bewilderment.

Between the trees passed strolling couples whose laughter lilted musically, and, as he crept nearer in the shadow of the lilac bushes, he saw a queer little affair which was also new to him, only a few yards away. It was a rustic summer-house, over the timbers of which trailed masses of honey-suckle, and into it, as he lay there peering sharply ahead, went a man and a girl. The man was dutifully wielding a fan after the flush of the dance and talking earnestly in a low tone, and the girl was laughing up into his face with a silvery softness so unlike the nasal voices of his own kind that Newt could make nothing of it. Nowhere was the hint of hardship: the hardship which was in his country life's dominant note. Back at the rear in the moonlight, the whitewashed barns and fences gleamed like structures of

ivory.

He lay there on his stomach, his elbows on the ground and his chin in his hands, trying to search the faces of the dancers. But the dancers shifted and sifted in so bewildering a maze that even had they been nearer at hand he could hardly have identified familiar features. Then the music stopped, and he drew a breath of relief, for the platform partly emptied itself, and, as the couples came down and strolled under the lanterns, it was easier to search for the face he wanted to see.

Newt Spooner had been there perhaps an hour while waltz and two-step alternated to set the human mass he was trying to sift into fresh and maddening puzzles of rapid movement and vagueness. At the distance he had decided it was hopeless, and though the summer-house under the honey-suckle seemed a favorite retreat to which couple after couple came for a moment of rest and innocent flirtation, it had not proved a Mecca for his victim, if indeed his victim were there at all. Of this possibility he now felt a diminishing credulity. He would, nevertheless, try to slip closer for a final scrutiny and then go back to town, admitting temporary defeat. Then, as with snake-like movements he was hitching himself forward, he suddenly stopped and crouched closer to the ground and held his intaken breath in his throbbing throat.

A new couple came out of the shadow and strolled across the patch of open moonlight toward the summer-house. The girl was she who had picked him up on the road, and the man was

Henry Falkins. Even in evening dress, there was no mistaking the features, and that shirt-front was a target to even an amateur's taste.

The girl wore a filmy gown and about her bare shoulders was thrown some silky thing as iridescent as gossamer. But, unlike those others who had come there, she was not laughing.

Instead, she was looking up with a very direct gaze into the man's face, and her eyes and lips bore a somewhat wistful seriousness.

At the front of the summer-house, her companion stopped and broke a spray of bloom from the vine.

"It always reminds me of you," he told her in a soft voice. "There may be sweeter fragrances, but I doubt it. I guess that's why."

He lifted a drooping branch of leaf and bloom, and she passed under his arm.

Newt Spooner was lying only a few yards away, but he must be closer. The mass of vine obscured his line of vision, and he had no wish to kill the girl. Behind his ambush of trellised supports, he could come near enough to reach his hand through and touch his victim if he chose. It was almost too simple – too easy. Yet, after all, it was a bad arrangement, though that he could not remedy. He must announce himself to the man he meant to kill, or defeat the satisfaction of revenge. To let him die without realizing why would rob the punishment of its sting. Then the woman would doubtless make an outcry, and his chance

of escape would end. Besides that there was a second objection: the girl had befriended him. He was to some extent "beholden to her." He wished now that he had refused to drive with her; but, when he had accepted her invitation, he had had no idea that his purpose could concern her, and his purpose came first.

Newt Spooner drew very near. He cautiously pulled back a branch of the honey-suckle, and looked through. The girl was sitting with her eyes downcast, and the man standing with one knee on the rough bench. He was leaning forward and his voice, though tense with earnestness, was almost a whisper. Newt might at that moment have been noisy instead of noiseless without danger of distracting the attention of that man and woman.

At home in the mountains, Henry Falkins would have been more wary, but here in the bluegrass he had laid aside all thoughts of danger, as he had laid aside his high-laced boots and corduroys. He was standing at the other side of life's gamut. Enmity, for him, did not exist. The universe was filled, he believed at that moment, to the boundary of the last sentinel star with love. The night breathed it. He was breathing it, the girl's eyes were just then raised to meet his, brimming with a light that set his pulses bounding.

"Back there in the hills," he said, "there is a place high up the mountainside that looks down on such a night as this over an ocean of silver mists in the valley. I have often gone there alone and listened to the nightingale talking about you. After this," he added joyously, "all nights will be moonlight and starlight for me,

dear, if – " But there he broke off and became silent.

Newt Spooner advanced one knee a few inches, and steadied his position. He drew the vine back a little further with his left hand, and slowly thrust his right into his coat pocket. When it came back, it held the pistol, and this Newt placed at his back, that the soft click of its cocking might be muffled by his intervening body.

The stars were as bright and the moon as serene that night back in the broken ramparts of the mountains as here in the lowlands. No hint of brewing tragedy disturbed the majesty of the summits that raised their crests into the cobalt, or marred the silvery flood that bathed the valleys.

Where the college buildings nestled in a tidy village near the waters of Fist-fight Creek, the picture was a nocturne that must have brought joy to the heart of a painter whose soul responds to the beautiful.

Already, in the dormitories, most of the children were asleep, but one girl, who was half child and half woman, crept noiselessly down the stairs of the building where she had her room, and made her way to the creek-bank.

She had spent a longer time over her studies than had her fellow pupils, because in her serious little breast burned a hunger for that education which might open new ways and make for her a life beyond the imprisonment of her environment.

In years, Minerva Rawlins was a child, but the life of her people brings early maturity and into her little brain had

recently been creeping the restlessness of new things – and of womanhood. To-night, the plaintive call of the whippoorwills from the deep shadows of the timber was a call to be under open skies, where the thoughts that assailed her might not feel cramped within walls. There were many things of which she must think – and it happened that the subject uppermost in her mind was Henry Falkins.

She went with lithe tread and pliant carriage down beyond the saw-mill to a spot where the sycamores hung low by the waters that swirled in a cascade over a litter of huge rocks. On the steep mountainside beyond, the flowering laurel and rhododendron were thick, and the forests hardly showed a scar from the axes that had claimed the timber for the buildings. She had discovered that here through a gap between two summits she could see the same pale star to which the single pine had pointed back there from the front door of the cabin, which, wretched as it was, had been her only idea of home. In the silvers and grays and cobalts of the picture, and in the night song of the whippoorwills and booming frogs, there was solace, and to-night she wanted solace.

She told herself that this restlessness which would not let her sleep was loneliness; but beyond that single feeling were others more complex for which she had no analysis.

There was the starving eagerness for something very different from what wares life had ever spread to her gaze, some yearning that had crept down through lapsed generations from an ancestor or ancestress who had known the courtly life of Old Virginia

before the pioneer tide swept them westward to their stranding. This hunger was a fiery thing, which made the eagerness to learn blaze hotly because its attainment meant struggle.

Then there was the conflict between that loyalty which the code of the Cumberlandds impresses as a cardinal duty upon its children, and an insurgent hatred for the squalid family into which her father's second marriage had thrown her.

The law of feudalism and of the clan writes at the head of its decalogue, "Kith and kin above all." Minerva would have resented an implication of wanted staunchness, and yet as she sat with her small and well-chiseled chin cradled in the hands, which drudgery must soon make hard and shapeless, her eyes filled with tears and her slender body trembled with instinctive repulsion at the thought of return to the cabin where the razor-backed hogs would scratch their backs under the gaping floor timbers, and where darkness hung day-long between smoke-blackened rafters.

And though she did not admit that either, a part of the restlessness was the awakening of womanhood, and the woman's hunger for love. She thought of all the young men she knew back there; of the boorish creatures whose breath reeked with moonshine whiskey, and whose thoughts were as coarse as their brogans, and once more a shiver ran through her.

It all made her feel very wicked. She had come to the college and learned a little, and she had learned above all a fastidious discontent, which was poisoning her thoughts.

She told herself she ought to be very happy. Then a smile stole across her face as she sat there in the moonlight, and she drew from the collar of her calico dress a small medal on a string. It was a medal that had a few days before been awarded her for proficiency, but to her it stood for the nearest glimpse she had ever had of romance, though of romance passing by like a caravan which she had viewed from the wayside.

There had been spelling matches and recitations and the award of small prizes at the college, and the rough folk had trooped in from the countryside, riding mules or walking from many miles about. Women had come in bright-hued calicoes and sun-bonnets, and bearded, gaunt men in hodden-gray. Through that gathering and above it, since one who is very young and very inexperienced may be pardoned for a finger-touch from the gods of romance, a figure had stood out for Minerva Rawlins, endowed with every superiority.

The guests of honor on that occasion had been Old Mack Falkins and his son Henry. Old Mack had made a speech and, in awarding the prizes, his son had followed him. The people of the countryside had listened, and their applause had rocked the rafters, with that sincerity of admiration which they accorded to his native-born eloquence. But it was the younger man who had brought to Minerva Rawlins her first stir of hero-worship; the adulation of the inexperienced young girl for the first man she had seen who seemed an exemplar and a revelation.

Comparison is the one yard-stick of life, and by comparison

this young man, who had lived the life of the outer world as well as that at home, might well have loomed large to such impressionable eyes.

Minerva was seeing that scene again; the school-room with its shuffling audience, and the young speaker whose words carried no taint of dialect or inelegance, as he spoke of the torch which was being lighted here to dispel the murk of illiteracy.

What Henry Falkins had said became in a fashion Minerva's standards. She found herself hating the lawlessness of the feud and the squalor of backwoods ignorance. She found herself wishing to be a recruit in the little army that sought to raise other ideals – but most of all she found herself longing rebelliously for the chance to have in her own life the companionship of some man like that. To herself she put it that way. She did not say *that* man, but, when she said "some man like that," the features and bearing and voice of young Falkins portrayed themselves, and as she sat with the medal in her fingers, listening to the whippoorwills, her fancy conjured up his image.

## CHAPTER VI

When Newt Spooner had begun his search for Henry Falkins that afternoon he had not been so unobserved as he thought himself. Not very far behind him had walked Red Newton. He had not left Cawsler's with any intention of spying upon the boy and had seen him only by chance, yet when the latter halted in front of the hotel and stood there with the telltale expression which the recognition of Falkins brought to his face, Red Newton observed it and slipped silently into the door of a convenient store. When Newt went running excitedly back to Cawsler's place, the brain of the older clansman began to work rapidly. To his memory recurred the tirade that had broken so tempestuously from the boy's lips.

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