

Kelly Florence Finch

With Hoops of Steel



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PUBLISHERS' NOTE

Owen Wister's *The Virginian* and Florence Finch Kelly's *With Hoops of Steel* were the first of the modern cow-boy novels. Twenty-five years have passed since Mrs. Kelly's enthralling story first appeared – September, 1900. Most of the novels published then and since, are dead and forgotten. Not so *With Hoops of Steel*. It was in continuous demand from its first friendly welcome by the critics until the World War turned public attention to Europe. Even so its vitality persisted, justified this new edition, and seems to warrant the belief that the present generation will find its story interest as vivid and as exciting as did the past, and its value even greater, for it presents an authentic portrait of the old southwestern cattlemen and a fascinating picture of a phase of national development now passed into history.

The Publishers.

CHAPTER I

The soft, muffling dusk settled slowly downward from the darkening blue sky and little by little smothered the weird gleam that rose from the gray-white plain. Away toward the east a range of mountains gloomed faintly, rimming the distance. Another towered against the western horizon. Cactus clumps and bunches of mesquite and greasewood blotted the whitely gleaming earth. In and out among these dark spots a man was slowly riding. Now and then he leaned forward and looked keenly through the growing darkness as though searching for some familiar landmark. The horse lagged across the heavy sand, with drooping head and ears. The rider patted its neck with a buckskin gloved hand and spoke cheerily to the tired animal:

“Hot and tired, ain’t you, old fellow? You want your supper and a big drink of water. Well, you oughtn’t to have wandered off the road while I was asleep. Now, I sure reckon we’ve got to bunk on a sand heap to-night and wait till daylight to find out where we are.”

Again he peered through the dusk, and a little ray of light came glimmering from far away toward the right. He knew that it must come from either a ranch house or a camp-fire.

“I don’t remember any ranch as far up toward the White Sands as that seems to be,” he thought. “It must be a camp-fire. We don’t know whose it is, old pard, but we’re goin’ to take chances

on it.”

He rode on in silence, the bridle lying loosely on the horse's neck. All the senses of the plainsman were on the alert, his ears were strained to catch the faintest sound that might come from the direction of the fire, while his eyes alternately swept the darkened plain and fastened themselves on the light. His horse pricked up its ears and gave a loud whinny, which was answered in kind from the direction of the fire. Presently the man shouted a loud “hello,” but there was no reply. “That's queer!” he thought. “My voice ought to carry that far, sure!” He waited a few moments, listening intently, then, drawing in a deep breath, he sent out another long, loud call that bellowed across the plain and sank into the far darkness. Still there was no reply, but when his horse neighed again there was instant response. The animal had quickened its pace and with head up and ears bent forward was rapidly lessening the distance between them and the light. The rider could see that it was a camp-fire, and soon could distinguish the flickering of the flames, but, in the illuminated circle around it there was no sign of human beings nor shadow of moving life. He drew rein and again sent a full lunged, far-reaching “hello-o-o” across the distance. The moon, just showing a silver edge above the mountain tops, threw a faint glimmer of light across the plain, making visible the nearest clumps of bushes.

“I guess that would mighty near wake a dead man. If there's anybody alive around that camp they sure heard me this time,” he thought, as he looked and listened with straining eyes and ears.

But there was no movement about the fire, and another whinny was the only sound that came from its direction. "Mighty queer!" was his inward comment, as his hand sought the revolver which hung by his side, while a light pressure of spurs started his horse forward again. Suddenly there was a swift rustle of the bushes beside him.

"Stop! Throw up your hands!"

A man had sprung from a tall clump of mesquite, and the traveler saw the faint light reflected from a gun barrel pointed straight at his breast. He stopped his horse, but did not respond to the other summons; instead, his fingers closed quickly over the butt of his revolver.

"Throw up your hands, or I'll blow a hole through you!"

"Well, the drop's yours, stranger, so here goes," and the traveler's hands went straight above his head.

"That's better! Now, what do you want here?"

"I saw your camp-fire and I reckoned I might get some water for my horse and some supper for myself."

"Who are you?"

"My name is Thomson Tuttle."

"What are you doing here?"

"Attendin' to my own affairs and lettin' other people's alone."

"You allowed just now it was my drop." There was a note of warning in the man's voice. The traveler hesitated a moment. The click of a trigger quickened his discretion.

"I am on my way from Muletown to Las Plumas, but I lost the

road this afternoon and I've no idea where I am now. As soon as I saw your camp-fire I came straight for it, for my horse needs water mighty bad."

There was a moment of silence. The moon was well above the mountains, and in its brightening light the form of the traveler stood out in ridiculous silhouette, his hands held high above his head. He could see plainly the figure of the man and the gun leveled at his breast.

"How long had you been in Muletown?"

"I got in this forenoon, and I guess I stopped an hour. I left about noon."

"Where from?"

"I started yesterday morning from Millbank. I had been there two days. I went there from Santa Fe. I've been in New Mexico about ten years, and I was born –"

"Never mind about that. You can have some supper. Unfasten your belt with your left hand, and be sure to keep your right hand where it is." Tuttle's left hand fumbled a moment with his cartridge belt, and revolver and belt dropped to the ground.

"Anything else?"

"No."

"Put up your hands again until I fix these things."

Again the traveler lifted his hands above his head, while the other buckled the belt around his own body, which it circled above another already heavy with cartridges and revolver. This latter weapon he drew from his holster, and, coming close beside

Tuttle, held it at cock while he passed his hand lightly over the rider's person.

"I guess you spoke the truth," he said, returning the pistol to his belt, and again leveling the shot-gun. "Now, Mr. Thomson Tuttle, you've been a gentleman so far, and as long as you keep up that play you'll be all right. You won't be hurt if you don't make any breaks. Take down your hands and we'll go into camp and have some supper."

Tuttle held his hands motionless in the air a moment longer as he said:

"Any objection to my askin' who you are?"

"You said yourself that the drop's mine."

"All right, pard."

As they neared the camp, the man called to him to dismount, walk forward and sit down in a wagon seat near the fire. Tuttle could see the wagon from which the seat had been taken, a small, light affair, standing back in the shadow, and near it two horses feeding. Another man stood a little way off with leveled gun, apparently relieving guard for the first. He was in the shade of a tall mesquite bush, but Tuttle could see that he was of medium height and build and was dressed in a Mexican suit of closely fitting, braided trousers and jacket. The wide brim of his Mexican sombrero was pulled low over his eyes, so that only the lower part of his face could be seen, and that dimly. But it was evidently dark-skinned, and the mouth was shaded by a black mustache. "Some Greaser scalawag," was Tuttle's

immediate decision. The other unsaddled, watered and fed the horse, and then returned to the fire and began making coffee.

“We haven’t much to eat,” he said apologetically, “but you’re welcome to a share of whatever we’ve got.”

Soon he put beside Tuttle a supper of hot coffee, fried bacon, canned baked beans, and a loaf of bread. Then he sat on the ground near by and talked cheerfully while Tuttle ate, now and then urging him, in hospitable fashion, to eat heartily. But all the time he held his revolver in his hand, and the other man stood in the shadow with his Winchester ready to fire at a second’s notice. Tuttle and his captor talked on in a friendly way for half an hour after supper, while the other still kept guard from the shadow of the mesquite bush. At last the first man got up leisurely, took a flask from his pocket and handed it to Tuttle with the request, “Drink hearty, pard.” With a little flourish and a kindly “Here’s luck,” he took a long pull himself, then, telling Tuttle he could use his saddle for a pillow and lie down near the fire, he picked up his shot-gun and sat down on the wagon seat and the man who had stood beside the mesquite walked away into the bushes.

“Now,” said the man with the shot-gun, “you can sleep just as sound as a baby in its cradle, for I’m going to watch here and see that the coyotes don’t bite you. You’ll be safe,” and the note of warning filled his voice again, “as long as you don’t make any breaks.”

“I’m not a fool,” responded Tuttle, stretching out on the ground and resting his head against the saddle. Whenever he

awoke during the night he saw his guard keeping alert watch, gun in hand and revolver by his side. Just before daybreak the other man returned and held guard while the first watered and saddled Tuttle's horse and prepared breakfast. The captive was dimly conscious of the change, and then slept again until he was awakened at sunrise.

"I had a mind to wake you by shooting a button off your coat, just to see if that would do the business," said his host, smiling pleasantly, as he handed Tuttle the flask which had done duty the night before. "I reckon you're about the soundest sleeper I ever saw."

By daylight Tuttle saw that the man was well along in middle life and that his face was smoothly shaven. Tuttle himself looked to be less than thirty years old. He was tall, broad of shoulder and big of girth, with large hands and great, round, well-muscled wrists that told of arms like limbs of oak and of legs like iron pillars.

The young man ate his breakfast alone, his captor standing near by and talking pleasantly with him, but holding alertly a shot-gun at half cock, while crouching behind a bunch of greasewood was the Mexican with a drawn pistol in his hands. As Tuttle mounted, the tall man called out sternly:

"Hold up your hands!"

Tuttle hesitated for a moment, looking at him in surprise.

"I mean it!" and the trigger of his shot-gun clicked to full cock. Tuttle's hands went up quickly. The man came beside him and

buckled on his cartridge belt, with the revolver in its holster. Then he backed to his own horse, mounted it, and leveled his shot-gun at Tuttle's breast.

"Now you can take down your hands and go," he said. "But remember that I'm ridin' behind you, ready to bang a hole through your head if you make the first motion toward your gun, or anything happens that ain't straight. I'll put you on the road to Plumas, and then I want you to make tracks, for we've got no time to waste."

As they rode away, Tuttle could hear the hoof beats of two horses and knew that both men were following. After a few miles the tall man called to Tuttle to halt and said, pointing to a road that wound a white line across the distance:

"That's your road over there, and you can go on, now alone. But I want you to remember that I'm here watchin' you, with two loads of buckshot and six of lead, and every one of them is goin' plumb through you if you ain't square. You've been a gentleman so far, and dead game, and I'm proud to 've met you, Mr. Thomson Tuttle. If it ever comes my way to treat you whiter than I have this time, I'll be glad to do it. Good-bye, sir."

As Tuttle rode away, he saw, from the corner of his eye, the tall man, shot-gun in hand, sitting motionless on his horse, and the other, watchful, holding a rifle, a little distance behind him. The young man put spurs to his horse and rode several miles with his eyes steadily in front of him, discreetly holding curiosity in check. He did not look back until he reached the highroad, and

then he saw his two captors galloping across the plain toward their camp. He took out his pistol and examined it carefully. It was just as he had left it the night before.

“They might have put every bullet into my head,” was his mental comment, “but they didn’t, and they might have emptied ’em all out and left me in a box. But they didn’t do that, either. I guess they played as square as they could.”

CHAPTER II

“Me, Tom Tuttle, holding up my hands while a fellow takes my gun! What will Emerson Mead say to that! Well, I reckon he wouldn’t have done different, for Emerson’s got good judgment.”

Such was Tuttle’s soliloquy as he mounted the gradual ascent of the range that bounded the plain on the west. Alternately he chuckled and slapped his thigh in appreciation of the joke on himself, and exploded an indignant oath as mortified pride asserted itself.

After a time he espied a black dot in a halo of dust coming down the mountain side. He considered it a moment and then decided, “It’s a man on horseback.” He took out his revolver and, holding it in his hand, made another scrutiny of the approaching figure.

“Je-e-mima! If he don’t ride like Nick Ellhorn! I shouldn’t wonder if it’s Nick!”

Presently the figure flourished a black sombrero and down the dusty road came a yell which began full-lunged and ended in a screeching “whee-ee-e.” Tuttle answered with a loud “hello,” and both men put spurs to their horses and were soon shaking hands.

“What’s the news at Plumas and out at Emerson’s?” asked Tuttle.

“Oh, things are fairly quiet at Plumas just now, but you never know when hell is going to break loose there. You’re just in time,

though, for Emerson's up to his ears in fight. Goin' to stay?"

"I will if Emerson needs me. I've been with Marshal Black over to Millbank after some counterfeiterers from Colorado. He took 'em back, and, as he didn't need me, I thought I'd just ride over here and see if you-all mightn't be in trouble and need some help."

"Ain't after anybody, then?"

"No. But, say, Nick! I struck the darndest outfit last night! I got regularly held up!"

"What! You! Held up?"

"Yes, I did. Sat with my hands in the air like a fool tenderfoot while a man took my gun and cross-questioned me like a lawyer."

Ellhorn rolled and rocked on his horse with laughter. When he could speak he demanded the whole story, which Tuttle told him in detail.

"What was their lay?" he asked.

"I'll give it up. I've thought of everything I could, and there ain't a blamed thing that'll explain it."

"Tommy, I reckon they need to be arrested about as bad as two men ever needed anything. Come along and we'll corral 'em."

"We've got no warrants, Nick!"

"Haven't you got any in your pockets?"

"Yes, but not for them."

"Tommy, you're a deputy marshal, and that outfit took you at a disadvantage and misused you shameful. You're an officer of the law, Tommy, and it was as bad as contempt of court! It's our

duty to arrest 'em for it and bring 'em in.”

“But we can’t do it without warrants, Nick.”

Ellhorn took some papers from his pocket and looked them over. “I’m lookin’ for a Mexican named Antonio Diaz,” he said. “Here’s the warrant for his arrest. Violation of the Edmunds act. You say one of these men was a Mexican. I think likely he’s Antonio. We’ll go and find out. Never mind tellin’ me how he looked,” he went on hastily, as Tuttle began to speak. “It’s likely he’s Antonio, and it’s my duty to go and find out. Of course, they’ll resist arrest, and then they’ll get their punishment for the way they treated you.”

Tuttle looked disapproving. “Nick, what do you think would be Emerson’s judgment?”

“Emerson ain’t here, and I’m acting on my own judgment, which is to go after this outfit and pepper 'em full of holes if they’re sassy.”

Tuttle shook his head. “I don’t like the scheme.”

“Well, it ain’t your scheme, and you don’t have to like it. I think we ought to go after these men right now. They’ve done something they ought to be arrested for. And, anyway, they ought to be punished for holdin’ you up.”

“Nick, I’d go with you in a minute, you know I would, if we had a warrant for 'em, or if I had any reason to think that the Mexican is the man you want. You don’t think so yourself. They might have blowed my brains out any minute, and nobody would ever have known a thing about it. But they didn’t and I reckon

they treated me as white as they could and look after their own interests. It's my judgment, and I think it would be Emerson's, too, that it would be a mean trick for me to come up behind 'em and begin shootin', just for holdin' me up, when they might have treated me a whole heap worse. I won't go with you, Nick."

"Sure, then, and I'll go alone," Ellhorn responded cheerfully.

"They'll be two to one."

"Not very long, I reckon."

"Better wait a few days, Nick, till you can go after 'em legally."

"They'll be out of the country by that time. I'm under no obligations to be kind to 'em, and I don't mean to be. I'm goin' to camp on their trail right now." He dismounted and cinched up his saddle and inspected his revolver.

Tuttle regarded him dubiously and in silence until he remounted. Then he said, slowly: "Well, my judgment's against it, Nick, but I won't see you go off alone into any such scrape as this is bound to be. I'll go with you, but I won't do any shootin' – unless you need me mighty bad."

They galloped back to the scene of Tuttle's captivity the night before. They found the trail of the wagon, and followed it rapidly toward the north. Soon they saw a glaring white line against the horizon. "There's the White Sands," said Ellhorn. "We ought to catch 'em before they get there." A few moments later they came within sight of the wagon. Tuttle and Ellhorn spurred their horses to a quicker pace and when they were within hailing distance Ellhorn shouted to its two occupants to surrender. Their only

response was to put whip to their horses, and Ellhorn sent a pistol ball whizzing past them. They replied in kind and a quick fusillade began. Tuttle rode silently beside his companion, not even drawing his six-shooter from its holster. A bullet bit into the rim of his sombrero, and he grumbled a big oath under his breath. Another nicked the ear of Ellhorn's horse. In the wagon, the Mexican was crouched in the bottom, shooting from behind the seat, apparently taking careful aim. The tall man stood up, lashing the horses furiously. He turned, holding the reins in one hand, and with the other discharged another volley, necessarily somewhat at random. But it came near doing good execution, for one bullet went through Tuttle's sleeve and another singed the shoulder of Ellhorn's coat.

"Whee-ee-e!" shouted Ellhorn. "Sure, and I've winged him! I've hit the big one in the leg!"

The next moment his pistol dropped to the ground. A bullet from the Mexican's Winchester had plowed through his right arm. Tuttle, who had not even put hand to his revolver, drew rein beside him while the other men stopped shooting and devoted all their energies to getting away as quickly as possible. Tuttle tore strips from his shirt with which to bind Ellhorn's wound, and persuaded him to return to Las Plumas, where he could have the services of a physician.

"I guess I'll have to, Tom," he said regretfully. "I'd like to go after 'em and finish this job up right now. I got one into the big one, but that's nothin' to what they deserve. Lord! but they need

to be peppered full of holes! But I can't fight now, and you won't, so it's no use."

As they rode back Tuttle said: "You say that Emerson's up to his ears in fight? What's it about? That cattle business?"

"Yes, that's it. You know he's been havin' trouble for some time with Colonel Whittaker and the Fillmore Cattle Company, and I reckon hell's a-popping over there by this time. Colonel Whittaker – he's manager of the company now, and one of the stock-holders – wants to corral the whole blamed country for his range. Well, there's Emerson Mead has had his range for the last five years, and Willet still longer, and McAlvin and Brewer, they've been there a long time, too, and they all say they've got more right to the range than the company has, because they own the water holes, and they don't propose to be crowded out by no corporation. But I reckon they'll have to fight for their rights if they get 'em."

"How's Whittaker off for men? Got anybody that can shoot?"

"You bet he has. Young Will Whittaker is mighty near as good a shot as Emerson is. He does most of the managing at their ranch headquarters, while the old man works politics over in Plumas."

"Have they had any fights yet?"

"I haven't seen Emerson for a month. He was over in Plumas then and he said he expected to have trouble and wanted me to come out."

"You don't mean to say that the Fillmore outfit is really tryin' to drive Emerson and the rest of them out of the Fernandez

mountains?”

“Well, they want to get control of the whole range for about a hundred miles, if they can. And there’s some politics mixed up in it, of course. Old Whittaker is a Republican, you know, with a lot of political schemes he wants to put through. Of course Emerson and the others are Democrats and stand in with the party, and the Colonel thinks he’ll be doing the Republicans a big service if he can break them up. Emerson expected the trouble to come to a head over the spring round-up, for Colonel Whittaker said that Emerson and McAlvin and the rest of them shouldn’t round-up with him.”

“Well, Emerson won’t stand any such nonsense as that!”

“I guess Whittaker and his cow-boys will have to flirt gravel mighty fast if they keep him from it!”

CHAPTER III

Unkempt, dusty and dirty, straggling its narrow length for a mile along the irrigating ditch, the village of Las Plumas lay sleepily quiet under the hot, white, brooding spring sunshine. A few trim-looking places cuddled their yards and gardens close against the life-giving channel, whose green banks, covered with vegetation and shaded by trees, bisected the town. Elsewhere, naked adobe walls flanked the dusty streets and from their stark surfaces gave back the sunshine in a blinding glare. Here and there an umbrella tree, or a locust, made a welcome splotch of green and shade down the length of the barren, dusty streets, or the tiny yard of a house set back a little from the adobe sidewalk held a few clumps of shrubs and flowers. A half dozen cross streets sprang up among the scattered adobe houses that dotted the edge of the plain rising to the Hermosa mountains on the east, crossed the bridges of the irrigating ditch, and ended in the one business street, which trailed a few closely built blocks along the western edge of the town, near the railroad and its depot. On one of these cross streets a yard and orchard of goodly size extended from the ditch a block or more to the east and surrounded a flat-roofed, square adobe house. A wide veranda, its white pillars covered with rose and honeysuckle vines, ran around the house, and a square of lawn, with shrubs and flowers and trees, filled the yard. A little boy, perhaps four years old, with flaxen curls

floating about his neck, played in the shade of a fig tree beside the veranda.

Down the dusty road which wound a white strip over the pale, gray-green upland and merged into the street which passed this house, a man came riding at a leisurely lope. He was tall and broad shouldered, straight in the back and trim in the girth, and he sat his horse with the easy, unconscious grace of a man who has lived much in the saddle. His black sombrero shaded a dark-skinned face, tanned to a rosy brown. An unshaven stubble of beard darkened his cheeks and a soft, drooping, black mustache covered his lip. A constant smile seemed lurking in the corners of his mouth and in his brown eyes. But his face was square, firm-jawed and resolute, and had in it the look of a man accustomed to meet men on their own ground and to ask favors of none.

He checked his horse to a slow trot and, without turning his head, searched with a sidewise glance the yard and veranda of the adobe house. When he saw a flutter of pink inside a window he stopped at the gate and called to the child:

“Hello, little Bye-Bye! Don’t you want a ride?”

The child ran to the gate with a shout of welcome.

“Better ask your sister if you can come.”

“Daisy! Daisy! May I go?” the boy called, running back to the porch. A young woman in a pale pink muslin gown came out and led the child to the gate.

“Good morning, Miss Delarue. May I take little Bye-Bye for a ride?”

The roses in her cheeks deepened as she looked up and saw the admiration in his eyes.

“Certainly, Mr. Mead. It is very kind of you, I’m sure. But please don’t take him far.”

The boy, shouting with laughter, was lifted to the saddle in front of the rider, and the girl, smiling in sympathy with his delight, leaned against the gate watching them. She was tall, with the broad shoulders, deep bosom, slender waist, and clear, blooming complexion that tell of English nativity. Her eyes were blue, the soft, dark blue of the cornflower, and her face, a long, thin oval, was gentle and sweet in expression. Her light brown hair, which shone with an elusive glimmer of gold in the sunlight, was gathered on her neck in a loose, rippling mass. She took the child from Mead’s hands when they returned, and her eyes went from the boy’s laughing face to the smiling one of the man. Then the roses deepened again and she looked away. The man said nothing and they both waited, silent and smiling, watching the antics of the child. Presently she turned to him again:

“Are you – do you expect to stay long in town, Mr. Mead?”

“I think – I – do not know. It will depend on business.”

They were silent again, and after a moment he gravely said, “Good morning,” and rode away. He frowned and bit his lip, muttered a mild oath under his breath, and then put spurs to his horse and rode on a gallop up the main street. The girl glanced after him, still blushing and smiling. Then a frown wrinkled her forehead and she said, “Well!” under her breath with such

emphasis that the child looked up at her curiously. At that, she laughed with a little touch of embarrassment in her manner, and, taking the boy in her arms, ran into the house.

In the busiest part of the main street, a flat-roofed adobe house with a narrow, covered porch forming the sidewalk in front, flanked the street for half a block. Offices and shops of various kinds filled its many rooms, and the open door of a saloon showed a cool and pleasant interior. In front of this saloon Emerson Mead halted as Tuttle and Ellhorn came out of a lawyer's office beside it. Ellhorn explained his non-appearance at the ranch and told the story of Tuttle's capture, over which they made jokes at his expense.

"The doctor says this is only a flesh wound," said Nick, touching his sling-swung arm and speaking in answer to Mead's question, "and that I can use my gun again in another week."

"I'd have been out right away, Emerson," said Tuttle, "but Nick had to stay here for the doctor to take care of his arm, and I didn't dare leave him alone. He was bound he'd go on a spree, and he couldn't shoot, and the Lord knows what trouble he'd have got into. Maybe I haven't had a time of it! I'd rather have had a fight with the Fillmore outfit every day!"

"Yes," growled Ellhorn, "he put me to bed one night and sat on my neck till I went to sleep. And yesterday morning he planted himself against the door and held his six-shooter on me till I promised I wouldn't drink all day. Lord! the week's been long enough for the resurrection!"

“How’s things at the ranch, Emerson?” asked Tuttle. “Have you had any fightin’ yet with the Fillmore outfit?”

“No, not real fightin’. I caught ’em puttin’ a branded steer into one of my herds, so they could say I stole it, about a week ago, and Will Whittaker and I exchanged compliments over the affair.”

As he spoke a tall, gray-haired man, riding a sweating horse at a hard gallop, rushed up the street and dismounted on the opposite side. His thin, pale face bore a look of angry excitement.

“What’s the matter with Colonel Whittaker?” exclaimed Ellhorn. “He looks as if he’d heard the devil behind him!”

Whittaker had spoken to a man in the doorway of an office bearing the sign, “Fillmore Cattle Company,” and already several others had gathered around the two and all were listening eagerly.

“Something’s happened, boys,” said Mead, as they watched the group across the way. “They told me in Muletown that Colonel Whittaker had passed through there the day before on his way to the ranch.”

Just then Miss Delarue came up the sidewalk leading the flaxen-haired child, and as she passed the three men she smiled a pleasant recognition to Ellhorn and Mead.

“Who’s she?” Tuttle asked, gazing after her admiringly.

“Why, Frenchy Delarue’s daughter!” Ellhorn answered. “Didn’t you ever see her before? That’s queer. You remember Delarue, the Frenchman who has the store up the street a-ways and loves to hear himself talk so well. He came here two years ago with a sick wife. She was an Englishwoman and the girl looks

just like her. She died in a little while and the daughter has taken care of the kid ever since as if she was its mother. She's a fine girl."

"She's mighty fine lookin', anyway," Tuttle declared.

"Well, boys," said Mead, "I'm goin' to my room to slick up. If you find out what the excitement's about, come over and tell me."

"I reckon if Emerson was rich he'd be a dude," said Ellhorn, looking meditatively after Mead. "He keeps a room and his best duds here all the time, and the first thing he does after he strikes town is to go and put on a bald-faced shirt and a long-tailed coat. He don't even stop to take a drink first."

The crowd across the street had increased, and the men who composed it were talking in low, excited tones. As Emerson Mead walked away many turned to look at him, and significant glances were sent over the way to Ellhorn and Tuttle, who still stood on the sidewalk. They stopped a man who was hurrying across the street and asked him what the excitement was about.

"Will Whittaker has disappeared. His father thinks he's been killed. He left the ranch a week ago to come to town and nobody's seen him since. I'm goin' after Sheriff Daniels."

"Gee-ee! Moses!" Ellhorn exclaimed, as his eyes, full of amazed inquiry, sought Tuttle's. But amazed inquiry of like sort was all that flashed back at him from Tuttle's mild blue orbs, and after an instant's pause he went on: "Whew! won't hell's horns be a-tootin' this afternoon! Confound this arm! Say, Tom, you-all go and tell Emerson about it and I'll skate around and find out

what's goin' on.”

Tuttle hesitated. “You won't go to drinkin'?”

“Not this time, Tommy! There'll be excitement enough here in another two hours without me making any a-purpose, and don't you forget it! Things are a-goin' to be too serious for me to soak any of my wits in whisky just now!”

“No, Nick,” said Tuttle, looking at the other's helpless arm, “I reckon I better go along with you-all, if there's likely to be any trouble.”

It was as Ellhorn predicted. Before night the town was buzzing with excitement. Wild rumors flew from tongue to tongue, and with every flight took new shape. Shops and offices were deserted and men gathered in knots on the sidewalk, discussing the quarrel between the cattlemen and Emerson Mead's possible connection with young Whittaker's disappearance, and predicting many and varied tragic results. All those who congregated on one side of the street scouted the idea that the young man had been murdered, indignantly denied the possibility of Emerson Mead's connection with his disappearance, insisted that it was all a trick of the Republicans to throw discredit on the Democrats, and declared that Will Whittaker would show up again in a few days just as much alive as anybody. Nearly all the men who had offices or stores in the long adobe building were Democrats, and the saloon it contained, called the Palmleaf, was the place where the men of that party congregated when any unusual excitement arose.

On the other side of the street were the offices of the Fillmore Cattle Company, the White Horse saloon, and Delarue's store, all gathering places for the Republican clans. There it was declared that undoubtedly Emerson Mead had killed young Whittaker, and had come into town to kill the father, too, that other outrages against the Republicans would probably follow, and that the thing ought to be stopped at once. But each party kept to its own side of the street, and each watched the other as a bulldog about to spring watches its antagonist.

A man, whose manner and well-groomed appearance betokened city residence, mingled with the groups about the cattle company's office, listening with interest to everything that was said. He himself did not often speak, but when he did every one listened with attention. He was of medium stature, of compact, wiry build, had large eyes of a pale, brilliant gray, and a thin face with prominent features. He joined Miss Delarue when she came down the street on her way home.

"You get up very sudden storms in your quiet town, Miss Delarue," he said. "An hour ago Las Plumas was as sleepy and decorous – and dead – as the graveyard on the hill over yonder. But a man rides up and says ten words and, br-r-r, the whole population is agog and ready to spring at one another's throats."

"Yes," she assented, "when I went up town a little while ago everything was as quiet as usual. What is the excitement all about?"

"Why, they are saying that Emerson Mead has killed Will

Whittaker!”

“What!”

Her face suddenly went white, and she stared at him with wide, horrified eyes.

“It may not be true.”

“Oh, I don’t believe it can be true!”

He swept her face with a sudden, curious glance.

“Nobody seems to know, certainly, that Will is dead. He and Mead had a quarrel a week ago and Mead threatened to kill him. Will left the ranch that day to come to town, and he hasn’t been seen since. Of course, he may have changed his mind and gone off to some other part of the range.”

“Of course,” she assented eagerly. “At this time of year he is very likely to have been needed somewhere else on the range. I don’t believe he has – he is dead.”

“There is much feeling about it on the street. And it seems to be quite as much a matter of politics as a personal quarrel.”

“Oh, everything is politics here, Mr. Wellesly!” said the girl. “If the people all over the United States take as much interest in politics as they do here, I don’t see how they have found time to build railroads and cities.”

Wellesly laughed. “They don’t take it the same way, Miss Delarue. Las Plumas politics is a thing apart and of its own kind. Except in party names, it has no connection with the politics of the states. Here it is merely a case of ‘follow your leader,’ of personal loyalty to some man who has run, or who expects to run,

for office. Being so personal, of course, it is more virulent.”

“Do you think there is likely to be any violence this time?” she asked, with a tremor of anxiety in her voice.

“There is violent talk already. I heard more than one man say that Mead ought to be lynched” – he was watching her face as he talked – “and his two friends, Ellhorn and Tuttle, along with him. There is a great deal of feeling against Mead, and the general idea seems to be that he is an inveterate cattle thief, and that the country would be better off without him.”

She turned an indignant face and flashing eyes upon him and opened her mouth to reply. Then she blushed a little, caught her breath, and asked him if he thought her father was in any danger. When Wellesly left her he said to himself: “That’s an unusually fine girl. Handsome, too. Or she would be if she didn’t wear English shoes and walk like an elephant. She seems to be interested in Emerson Mead, but old Delarue certainly wouldn’t permit anything serious. He’s too ardently on our side, or thinks he is, the old French windbag, though he’s never even been naturalized. I’ll see her again while I’m here and find out if there is anything between them. It might have some consequence for us if there is. I wish the Colonel hadn’t got the company so mixed up in their political quarrels. But there may be an advantage in it, after all, for I guess it will furnish the easiest way of getting rid of those one-horse outfits. The old man’s got the upper hand now, and as long as he keeps it we’ll be all right.”

Marguerite Delarue stood on her veranda looking after

Wellesly as he walked away. “What a nice looking man he is,” ran her thoughts. “He is interesting to talk with, too. The people here may be just as good as he is, but – well, at least, he isn’t tongue-tied.”

Ellhorn and Tuttle met Emerson Mead as he stepped from his room, freshly shaven and clad in black frock coat and vest, gray trousers and newly polished shoes. As he listened to Ellhorn’s account of the sudden storm that was already shaking the little town from end to end, a yellow light flashed in his brown eyes and there came into them an intent, defiant look, the look of battle, like that in the eyes of a captured eagle. He went back into the room, buckled on a full cartridge belt, and transferred his revolver from his waistband to its usual holster.

“Now, boys,” said Mead, “we’ll go back up town and have a drink, and I’ll talk with Judge Harlin about this matter.”

The three friends walked leisurely up Main street, talking quietly together, and apparently unconscious of any unusual disturbance. Except that their eyes were restless and alert and that Mead’s glowed with the yellow light and the defiant look, they showed no sign of the excitement they felt. They were all three of nearly the same age, they were all Texan born and bred, and for many years had been the closest of friends. Each one stood six feet and some inches in his stockings, and their great stature, broad shoulders, deep chests and sinewy figures marked them for notice, even in the southwest, the land of tall, well-muscled men.

Thomson Tuttle was the tallest and by far the heaviest of the

three – a great, blond giant, with the round, frank, sincere face of an overgrown school-boy, glowing with the red tan which fair skins take on in the hot, dry air of the southwest. From this red expanse a pair of serious blue eyes looked out, while a short, tawny mustache covered his lip, and auburn hair curled in close rings over his head. It was never necessary for Thomson Tuttle to do any swearing, for the colors that dwelt in his face kept up a constant profanity. There was a strain of German blood in him – his mother had come from Germany in her childhood – which showed in his impassive countenance and in the open, serious directness of his mental habit.

Ellhorn was the handsome one of the three friends. He was straight, slender, long of limb, clean of muscle, and remarkably quick and graceful in his movements. His regular features were clear-cut and his dancing eyes were bright and black and keen. His sweeping black mustache curled up at the ends in a wide curve that shaded a dimple in each cheek. He was as proud of the fact that both of his maternal grandparents had been born in Ireland as he was that he himself was a native of Texas. The vigorous Celtic strain, that in the clash of nationalities can always hold its own against any blood with which it mingles, had dowered him well with Celtic characteristics. A trace of the brogue still lingered in his speech, along with the slurred r's and the soft drawl of his southern tongue, while his spontaneous rebellion under restraint and his brilliant disregard of the consequences of his behavior were as truly Celtic as was

the honey-sweet persuasiveness with which he could convince his friends that whatever he had done had been exactly right and the only thing possible. He was all Irish that wasn't Texan, and all Texan that wasn't Irish, and everybody he knew he either loved or hated, and was ready, according to his feeling, either to do anything for, or to "do up" on a moment's notice.

Emerson Mead's stronger and more sober intelligence harked back to New England, whence his mother had come in her bridal days, and although the Puritan characteristics showed less plainly in his nature than she wished, having been much warmed and mellowed by their transplantation to southern soil, no Puritan of them all could have outdone this tall Texan in dogged adherence to what he believed to be his rights. His mother had kept faith with the land of her nativity, and as part of her worship from afar at the shrine of its great sage had given his name to her only son. By virtue of his stronger character and better poised intelligence, Emerson Mead had always been the leader of the three friends. Tuttle yielded unquestioning obedience to "Emerson's judgment," and, if Emerson were not present, to what he imagined that judgment would be. Ellhorn, in whose nature dwelt the instinctive rebellion of the Irish blood, was less loyal in this respect, but not a whit behind in the whole-heartedness with which he threw himself into his friend's service. For years they had taken share and share alike in one another's needs, and whenever one was in trouble the other two rushed to his help. Together they had gone through the

usual routine of southwestern occupations. They had prospected together, had herded cattle together, together they had battled their way through sudden quarrels and fore-planned gunfights, and together, with official warrants in their pockets, had helped to keep the peace in riotous frontier towns. Some years before, they had gone into partnership in the cattle business, on the ranch which Mead still owned. But Tuttle and Ellhorn had tired of it, had sold their interest to Mead, and ever since, as deputy United States marshals, had upheld the arm of the law in its contests with the "bad men" of the frontier. All three men were known far and wide for the marvelous quickness and accuracy with which they could handle their guns.

Main street was lined, in the vicinity of the two saloons, with knots of men who talked in excited, repressed tones, as though they feared to be overheard. These knots constantly broke up and reformed as men hurried from one to another, but there was no crossing the street. Each party kept to its own side, the Democrats on the east and the Republicans on the west, and each constantly watched the other. The women had all disappeared from Main street, gone scuttling home like fowls, rushing to cover from a hailstorm, and the whole town was in a state of strained expectancy, waiting for the battle to begin. When the three friends came walking leisurely down the street, there were nods and meaning glances on the Republican side and excited whispers of "There they are!" "They are ready for work!" "That's what they are all here together for!" "We'd better get ready for

them!"

On the Democratic side of the street it was declared that this was a scheme of the cattle company to get Mead away from his ranch, so they could do as they liked at the round-up, and that the Republicans had planned the whole story of Will Whittaker's disappearance in order that they might arrest Mead, kill him if he resisted, and inaugurate a general slaughter of the Democrats if they should come to his help.

The three friends went at once to the office of Judge Harlin, who was Mead's lawyer, and Harlin and Mead had a long conference in private, while Ellhorn and Tuttle talked on the sidewalk with the changing groups of men. Beyond the surprised inquiry which each had darted into the eyes of the other when they were first told of Whittaker's disappearance, neither Tom Tuttle nor Nick Ellhorn had said a word to each other, or exchanged a meaning look, as to the possibility of Mead's guilt. They did not know whether or not he had killed the missing man, and, except as a matter of curiosity, they did not particularly care. If he had, they knew that either of them would have done the same thing in his place. Whatever he might have done, he was their friend and in trouble, and they would have put on belts and guns and rushed to his assistance, even though they had known they would be dropped in their tracks beside him.

CHAPTER IV

Pierre Delarue, "Frenchy" Delarue, as all Las Plumas called him, had been born and brought up in the south of France, whence he had wandered to many parts of the earth. He had married and lived for years in England, and, finally, he had come to Las Plumas with his invalid wife in the hope that its healing airs might restore her to health. But she had died in a few months, and he, perhaps because the flooding sunshine and the brilliant skies of the southwestern plains reminded him of the home of his youth, stayed on and on, went into business, and became one of the prominent citizens of the town. The leisurely, let-things-drift spirit of the region, which could be so easily stirred to violent storms and ardent enthusiasms, was near akin to his own volatile nature. Nobody in the town could be more quickly and more thoroughly convinced by first appearances than he, and nobody held opinions more volubly and more aggressively, so that from the start he had assumed a leading place in the discussion of all public matters. Although he had not taken even the first step toward naturalization, he was active in the constantly sizzling political life of the town, and along all that side of Main street there was none more staunchly and violently Republican than he.

He believed, and voiced his belief loudly and aggressively, that Will Whittaker had been slain and that swift punishment should be visited upon his murderer. The Gascogne nimbleness

of tongue which enabled him to express his conviction with volubility made him, all through that excited day, the constant center of an assenting crowd. As night came on, the groups of men all gathered about his store. By that time every one among them was convinced that Emerson Mead had killed young Whittaker. At first this theory had been a mere guess, a hazard of probability. But it had been asserted and repeated and insisted upon so many times during the day that every man on the west side of the street had finally adopted it as his own original opinion, and by nightfall refused to entertain any other explanation. Inside the store, Delarue was expounding the necessity of swift retribution. Men crowded in and packed the room to its last capacity. They made Delarue get up on the counter, so that all could hear what he said. Those outside struggled and pushed about the door. A man on the sidewalk cried out:

“We can’t hear! Let’s go to the hall and give everybody a chance!”

The crowd gave instant response: “To the hall, so everybody can hear! Let’s go to the hall!”

Those within took up the cry and drowned the speaker’s voice with cries of, “Let’s go to the hall! Let’s go to the hall!”

Delarue stopped in his harangue and shouted: “Yes, my friends, let us go to the hall and make this a public meeting of indignation against the cowardly murder that has been done!”

Out they rushed, and with Delarue in front, gesticulating and

calling to them to come on, they hurried to the public hall. A man quickly mounted the platform and nominated Pierre Delarue for presiding officer of the meeting. The crowd responded with yells of, "Yes, yes!" "Of course!" "Go on, Frenchy!" "Hurrah for Frenchy!" There were many Mexicans among them, and as Delarue stepped to his place, there was a call for an interpreter and a young half-Mexican walked to the platform. Some one was sent to hold guard at the door, with orders to admit "no turbulent persons." Then Delarue began an impassioned speech, pausing after each sentence for it to be translated into Spanish. With each flaming outburst the "hurrahs" of the Americans were mingled with the "vivas" of the Mexicans.

The interpreter leaned far over the edge of the platform, swaying and gesticulating as though the speech were his own, his face glowing with excitement. The crowd yelled madly, while with flushed face, streaming forehead, and heaving chest the speaker went on, each fiery sentiment increasing his conviction in the righteousness of his cause, and the cries of approval urging him to still more inflamed denunciation and outright accusal.

Those who had gathered in Judge Harlin's office and in and about the Palmleaf saloon were closely watching developments. Two or three men who mingled with the Republicans, and were apparently in sympathy with them, came in occasionally by way of back doors, and reported all that was being said and done. Emerson Mead talked in a brief aside with one of these men, and presently he stepped out alone into the deserted street. The

other man hastened to the hall, took the place of the one on guard, giving him the much-wished-for opportunity to go inside, and when, hands in pockets, Mead strolled up, his confederate quickly admitted him, and he stood unobserved in the semi-darkness at the back of the room. A single small lamp on the speaker's table and one bracketed against the wall on each side made a half circle of dusky light about the platform, showing a mass of eager, excited faces with gleaming eyes, while it left the rear part of the bare room in shadow.

"I demand justice," cried the speaker, "upon the murderer, the assassin of poor Will Whittaker! And I say to you, friends and neighbors, that unless you now, at once, mete out justice upon that murderer's head, there is no surety that justice will be done. To-day you have seen him walking defiantly about the streets, armed to the teeth, ready to plunge his hands still deeper into the blood of innocent men. Your own lives may yet pay the penalty if you do not stop his lawless career! Such a measure as he measures to others it is right that you should measure to him!"

There was an instant of solemn, breathless hush as the speaker leaned forward, shaking an uplifted finger at the audience. Then some one on a front seat cried out, "Emerson Mead! He ought to be lynched!" The cry was a firebrand thrown into a powder box. The whole mass of men broke into a yell: "Emerson Mead! Lynch him! Lynch the murderer!" The speaker stood with uplifted hands, demanding further attention, but the crowd was beyond his control. Moved by one impulse, it had sprung to

its feet, clamoring and yelling, "A rope! A rope! for Emerson Mead!"

Then, like men pierced through with sudden death, they halted in mid-gesture, with shout half uttered, and stood staring, struck dumb with amazement. For Emerson Mead, a half smile on his face, his hat pushed back from his forehead, was walking quietly across the platform. The speaker, turning to follow the staring eyes of his audience, saw him just as he put out his hand and said, "How do you do, Mr. Delarue!" The orator's jaw fell, his hands dropped nervelessly beside him, and involuntarily he jumped backward, as if to shelter himself behind the table. The interpreter leaped to the floor and crouched against the platform. All over the hall hands went to revolver butts in waistband, hip-pocket and holster. The dim light shone back from the barrels of a score of weapons already drawn. Mead faced the audience, the half smile still lingering about his mouth.

"I understand," he said quietly, "that you want to lynch me. Well, I'm here!"

A sudden, bellowing voice roared through the room: "Stop in your tracks, you cowards!"

Judge Harlin, having guessed where Mead had gone, had just plunged through the door and was shouldering his way up the aisle, his robust, broad-backed frame, big head and bull neck dominating the crowd. Behind him came Tom Tuttle and Nick Ellhorn, their guns in their hands. A young Mexican, who was with them, leaped to the back of a seat, and on light toes raced by

Harlin's side from seat to seat, interpreting into Spanish as he ran.

"A nice lot you are!" shouted Judge Harlin. "A nice lot to prate about law and order, and ready to do murder yourselves! That is what you are preparing to do! Murder! As cold-blooded a murder as ever man did!"

He mounted the platform and faced Delarue, while Tuttle and Ellhorn, with revolvers drawn, stood beside Mead.

"Better put your guns away, boys," whispered Mead.

"Not much!" Ellhorn replied. "We can't draw as quick as you can!"

"Let's go for 'em!" pleaded Tuttle in a whisper. "You and Nick and me can down half of 'em before they know what's happened, and the other half before they could shoot."

"No, Tommy; it wouldn't do."

"It would be the best thing that could happen to the town," he grumbled back. "Say, Emerson, we'd better go for 'em before they make a rush."

"No, no, Tom; better not shoot. I tell you it wouldn't do!"

"Well, if you say so, as long as they don't begin it. But they shan't touch you while there's a cartridge left in my belt."

The crowd, arrested and controlled, first by the spectacle of Mead's audacity and then by the compelling roar of Judge Harlin's denunciation, listened quietly, still subdued by its amazement, while Harlin went on, standing beside Delarue and shaking at him an admonishing finger.

"Pierre Delarue, I am astonished that a good citizen like you

should be here inciting to murder! You have not one jot of evidence that Emerson Mead killed Will Whittaker! You do not even know that Whittaker is dead!”

The crowd shuffled and muttered angrily at this defiance of its conviction. It was returning to its former frame of mind, and was beginning to feel incensed at the irruption into the meeting.

“We do know it!” a man in the front row flamed out, his face working with the violent back-rush of recent passion. “And we know Mead did it!” another one yelled. Murmurs of “Lynch him! Lynch him!” quickly followed. Tuttle and Ellhorn were white with suppressed rage, and their eyes were wide and blazing. Tuttle was nervously fingering his trigger guard. “Then bring your evidence into a court of law and let unprejudiced men judge its value,” Judge Harlin roared back. “Accusers who have the right on their side are not afraid to face the law!”

Mead caught the angry eye of a brutal-faced man directly in front of him, and saw that the man’s revolver was at full cock and his hand on the trigger. In the flash that went from eye to eye he saw with surety what would happen in another moment. And he knew what the sequence of one shot would be.

“Neighbors!” he shouted. “Jim Halliday has a warrant for my arrest. I protest that it has been illegally issued, because there is no evidence upon which it can be based. But to avoid any further trouble, here and now, I will submit to having it served. I will not be disarmed, and I warn you that any attempt of that sort will make trouble. But I give you my word, for both myself and my

friends, that otherwise there shall be no disturbance.”

Judge Harlin shot at Mead a surprised look, hesitated an instant, and then nodded approval. Tuttle and Ellhorn looked at him in open-mouthed, open-eyed amazement for a moment, then dropped their pistols to their holsters and stepped back. A sudden hush fell over the crowd, which waited expectantly, no one moving.

“I think Jim Halliday is here,” Mead said quietly. “He has my word. He can come and take me and there shall be no trouble, if he don’t try to take my gun.”

A stout, red-haired young man worked his way forward through the crowded aisle to the platform and took a paper from his pocket. Mead glanced at it, said “All right,” and the two walked away together. The crowd in the hall quickly poured out after them. Tuttle, his lips white and trembling, looked after Mead’s retreating figure and his huge chest began to heave and his big blue eyes to fill with tears. He turned to Ellhorn, his voice choking with sobs:

“Emerson Mead goin’ off to jail with Jim Halliday! Nick, why didn’t he let us shoot? He needn’t have been arrested! Here was a good chance to clean up more’n half his enemies, and he wouldn’t let us do it!” He looked at Ellhorn in angry, regretful grief, and the tears dropped over his tanned cheeks. “Say, Nick,” he went on, lowering his voice to a hoarse whisper, “you-all don’t think he was afraid, do you?”

“Sure, and I don’t,” Ellhorn replied promptly. “I reckon

Emerson Mead never was afraid of anybody or anything.”

“Well, I’m glad you don’t,” Tom replied, his voice still shaking with sobs. “I couldn’t help thinkin’ when he kept tellin’ us not to shoot, that maybe he was afraid, with all those guns in front and only us four against ’em, and I said to myself, ‘Good Lord, have I been runnin’ alongside a coward all these years!’ And I was sure sick for a minute. But I guess it was just his judgment that there’d better not be any shootin’ just now.”

Ellhorn looked over the empty hall with one eye shut. “Well, I reckon there would have been a heap o’ dead folks in this room by now if we-all had turned loose.”

“About as many as we-all had cartridges,” and Tuttle glanced at their well-filled belts. He was silent a moment, while he wiped his eyes and blew his nose, and his sobs gradually ceased. “No, Emerson couldn’t have been afraid. Though I sure thought for a minute I’d have to quit him. But you’re right, Nick. Emerson ain’t afraid of anything, livin’ or dead. It was just his judgment. And Emerson’s got powerful good judgment, too. I ought to have known better than to think anything else. But, Lord! I did hate to see that measly crowd sneakin’ out of here alive!”

CHAPTER V

The next morning there were only faint traces of the excitement of the day before. Men began to cross Main street from one side to the other, at first with cautious, apprehensive glances that swept the hostile territory and penetrated open doors and windows, but, as the day wore quietly on, with increasing confidence and unconcern. At noon Colonel Whittaker and Pierre Delarue walked over to the Palmleaf saloon, and while they clinked the ice in their mint juleps, good-natured and smiling, they leaned on the bar and chatted with the two or three Democrats who were in the room. An hour or so later, Judge Harlin strolled across to the White Horse saloon and called for a whisky straight. Then all Las Plumas knew that the war was over and went about its usual affairs as amiably as if the day before had never been.

At the breakfast table Pierre Delarue told his daughter about the mass-meeting, its balked determination to lynch Emerson Mead, and Mead's subsequent arrest.

"But, Father, how could they be so sure that Mr. Mead killed him? Did they have any evidence?"

"Ah," he replied, shrugging his shoulders protestingly, "you women never understand such things! Because Mead is a handsome young man and looks good-natured, you think he can't possibly be a murderer. But it is well known that he had killed

more than one man before he murdered poor Whittaker, and he is notorious as one of the worst cattle thieves in the southwest.”

“Father! These are dreadful things! Do you know them to be true?”

She looked across the table at him with horror in her face and eyes. Delarue considered her indulgently.

“Everybody knows them to be true. There is plenty of proof.”

“Then why hasn’t he been arrested and tried and – punished?”

“That is what many are saying now – why has he not been punished long before this? People have been lenient with him for a long time, but he has at last reached the end of his career. They are now determined that a stop shall be put to his crimes and that he shall suffer the punishment he has so long deserved.”

Marguerite was accustomed to having the remnants of her father’s down-town speeches served up at home, and her cooler judgment had learned not to put much dependence upon them. She gave a perfunctory assent and made another effort to reach facts.

“Yes, Father, it is certainly very dreadful that such things should be allowed to go unpunished. But did any one see him stealing the Fillmore Company’s cattle, and do they really know that he killed Mr. Whittaker?”

“The proof is as clear as any unprejudiced person need want. Will Whittaker and some of his men caught Mead in the very act of driving into his own herd a steer plainly marked with their brand. They stopped him, and he foolishly tried to crawl

out of his predicament by accusing them of driving the branded steer into his herd. A most absurd story! They had a quarrel, and Mead threatened to kill Whittaker. Immediately after that Will disappeared and has not been seen since. Evidently, he has been killed, and there is no one except Mead, who had threatened to kill him, who could possibly have had any motive for murdering him. The evidence may be circumstantial, but it is conclusive. Besides, if Mead had not known that the case against him was complete, he would not have given himself up last night as he did. And if he had not done so he would certainly have been lynched. The people were thoroughly aroused, and it was impossible to control their indignation.”

A little shiver ran through Marguerite’s frame and she turned away, looking much disturbed. Her father patted her head indulgently. “There, there, my dear child, these things do not concern you in the least. Don’t trouble yourself about public affairs.”

He hurried down-town and she sat alone, a little frown on her forehead and her mouth drooping, as she thought: “I can not believe he is a thief and a murderer, without more evidence than this. And still – how can it be that so many men are so sure of his guilt that – and he is in jail now – Oh, a thief and a murderer!”

She hurried from the room calling, “Paul! Paul!” The boy ran in from the veranda and she caught him in her arms and pressed him to her bosom, kissing him over and over again and calling him her darling, her treasure, and all the dear names with which

womankind voices its love, and at last, sobbing, buried her face in his flaxen curls. The child put his arms about her head and patted her cheek and said, "Poor sister! Poor Daisy!" until, frightened by her emotion, he too began to cry. The necessity of soothing and comforting him gave her that distraction which has been woman's chief comfort since woman first had trouble. But her face was still sad and anxious when Wellesly appeared on the veranda in the late afternoon.

Albert Wellesly, who lived in Denver, disliked very much the occasional visits to Las Plumas which his financial interests made necessary. He was still on the under side of thirty, but his business associates declared that he possessed a shrewdness and a capacity that would have done credit to a man of twice his years. Possibly people not infatuated with commercial success might have said that his ability was nothing more than an unscrupulous determination to grab everything in sight. Whatever it was, it had made him remarkably successful. The saying was common among those who knew him that everything he touched turned to gold. They also prophesied that in twenty years he would be one of the financial giants of the country. Las Plumas bored him to desperation, but on this occasion he thought it would be the part of wisdom to stay longer than had been his first intention. As long as the town was feverish with excitement he found it endurable. But when the dullness of peace settled over the streets again he walked about listlessly, wondering how he could manage to get through the day. At last he thought of Miss Delarue.

“That’s so!” he inwardly exclaimed. “I can go and find out if the English girl is in love with this handsome big fellow who has been stealing my cattle. I suppose it will be necessary for me to drink a cup of tea, but she will amuse me for an hour.”

Marguerite Delarue’s friends always thought of her and spoke of her as English, notwithstanding her French paternity. For her appearance and her temperament she had inherited from her English mother, who had given her also English training. Miss Delarue laughed at the forlorn dejection of Wellesly’s face and figure.

“My face is a jovial mask,” he gravely told her. “You should see the melancholy gloom that shrouds my mind.”

“I hope nothing has happened,” she exclaimed, with sudden alarm.

“That’s just the trouble, Miss Delarue. It’s because nothing does happen here, and I have to endure the aching void, that I am filled with such melancholy.”

“Surely there was enough excitement yesterday and last night.”

“Ah, yesterday! That was something like! But it was yesterday, and to-day the deadly dullness is enough to turn the blood in one’s veins to mud!”

“Then everything is quiet down-town? There is no more danger of trouble?”

“There is no danger of anything, except that every blessed person in the place may lie down in his tracks and fall into a hundred years’ sleep. I assure you, Miss Delarue, the town is as

peaceful as the plain out yonder, and birds in their little nests are not nearly so quiet as are the valiant warriors of Las Plumas.”

“Oh, that is good! I am very glad, on my father’s account. He is so aggressive in his opinions that whenever there is any excitement of this kind I am anxious about him until the trouble is over.” She hesitated a moment, her lips trembling on the verge of further speech, and he waited for her to go on. “Mr. Wellesly,” she said, a note of uncertainty sounding in her voice, “you are not prejudiced by the political feeling which colors people’s opinions here. I wish you would tell me what you think about this matter. Do you believe Mr. Mead has killed Will Whittaker?”

Wellesly noted her earnest expression and the intentness of her voice and pose, and he decided at once that this was not mere curiosity. He paused a moment, looking thoughtful. His keen, brilliant eyes were bent on her face.

“It’s a hard question you’ve asked me, Miss Delarue. One does not like to decide against a man in such serious accusations unless he can be sure. The evidence against Emerson Mead, in this murder case, is all circumstantial, it is true, but, at least to me, it is strongly convincing.” His eyes were almost closed, only a strip of brilliant gray light showing between their lids, but he was watching her narrowly. “We know that he has been stealing cattle from us. We have found many bearing our brand among his herds. Our men have even caught him driving them into his own bands. In fact, there is no doubt about this matter. Emerson Mead is a cattle thief of the wildest sort.” He paused a moment,

noting the horrified expression on her downcast face. But she did not speak, and he went on:

“About this murder, if murder it is, of course nobody knows anything with certainty. But in my judgment there is only one tenable theory of Will Whittaker’s disappearance, and that is, that he was murdered and his body hidden. Mead is the only enemy he was known to have, and Mead had threatened to kill him. The evidence, while, of course, not conclusive, is shockingly bad for Mead.”

She looked away, toward the Hermosa mountains looming sharp and jagged in the fierce afternoon sunlight, and he saw her lips tremble. Then, as if her will caught and held them, the movements ceased with a little inrush of breath. He lowered his voice and made it very kindly and sympathetic as he leaned toward her and went on:

“For your sake, I am very sorry for all this if Mr. Mead is a friend of yours. He is a very taking young fellow, with his handsome face and good-natured smile. But, also for your sake,” and his voice went down almost to a murmur, “I hope he is not a friend.”

There were tears in her eyes and distress, perplexity and pain in her face as she turned impulsively toward him, as if grasping at his sympathy.

“I have it!” he thought. “She is in love with Mead! Now we’ll find out how far it has gone. Papa Frenchy couldn’t have known of it.”

“I can not say he is a friend,” she said slowly. “He is scarcely an acquaintance. I have not met him, I think, more than half a dozen times, and only a few minutes each time. But he has always been so kind to my little brother that I find it hard to believe a man so gentle and thoughtful with a child could be so – criminal.”

“Ah! Love at first sight, probably not reciprocated!” was Wellesly’s mental comment. “I guess it is a case in which it would be proper to offer consolation, and watch the effect.” Gradually he led the conversation away from this painful topic and talked with her about other places in which she had lived. Then they drifted to more personal matters, to theories upon life and duty, and he spoke with the warmest admiration of what he called the ideal principles by which she guided her life and declared that they would be impossible to a man, unless he had the good fortune to be stimulated and helped by some noble woman who realized them in her own life. It was admiration of the most delicate, impersonal sort, seemingly directed not to the girl herself, but to the girl she had wished and tried to be. It set Marguerite Delarue’s heart a-flutter with pleasure. No one had ever given her such open and such delicate admiration, and she was too unsophisticated to conceal her delight. He smiled to himself at her evident pleasure in his words, and, with much the same feeling with which he might have cuddled a purring, affectionate kitten, he went a step farther and made love – a very shadowy, intangible sort of love, in a very indefinite sort of way.

Albert Wellesly usually made love to whatever woman

happened to be at hand, if he had nothing else to do, or if he thought it would advance his interests. With men he was keen and forceful, studying them shrewdly, seeing quickly their weak points, turning these to his own advantage, and helping himself over their heads by every means he could grasp. In his dealings and relations with women he aimed at the same masterful result, but while with men this might be attained in many ways, with women he held there was but one way, and that was to make love to them.

Marguerite bade him good-by with the same deep pain still in her heart, but pleased in spite of herself. His words had been laden heavily with the honey of admiration of a sort that to her serious nature was most pleasing, while about them had hovered the faintest, most elusive aroma of love. In her thought, she went over their long conversation again and again, and dwelt on all that he had said with constant delight. For to women admiration is always pleasing, even though they may know it to be insincere. To young women it is a wine that makes them feel themselves rulers of the earth, and to their elders it is a cordial which makes them forget their years.

Marguerite Delarue had had little experience with either love or admiration. Her heart had been virgin ground when her face had first flushed under the look in Emerson Mead's brown eyes. And the first words of love to fall upon her ears had been the uncertain ones of Wellesly that afternoon. She conned them over to herself, saying that of course they meant only that he was a

high-minded gentleman who admired high ideals. She repeated all that he had said on the subject of Mead's guilt.

“He seemed fair and unprejudiced,” she thought, “but I can not believe it without certain proof. I know more about Mr. Mead than some of those who think they know so much, for I have seen him with my little Bye-Bye, and until they can prove what they say I shall believe him just as good as he seems to be.”

So she locked up in her heart her belief in Mead's innocence, saying nothing about the matter to any one, till after a little that belief came to be like a secret treasure, hidden away from all other eyes, but in her own thought held most dear.

CHAPTER VI

The jail at Las Plumas was a spreading, one-story adobe building, with a large, high-walled court at the back. This wall was also of adobe, some ten feet high and three feet thick, without an opening, and crowned with a luxuriant growth of prickly-pear cactus. At certain hours of the day the prisoners were allowed the freedom of this court, while a guard kept on them an occasional eye. Behind the court, and coming up to its very walls, was a small tract of land planted with vegetables, flowers and fruit trees and worked by an old Mexican who lived alone in a tiny hut at the farther end of the enclosure.

For two days after the night of Emerson Mead's arrest his friends tried every device known to the law to get him free of the prison walls. But each attempt was cleverly met and defeated by the opposing party, and he was still behind the bars. Then Nick Ellhorn and Thomson Tuttle held a conference, and agreed that Mead must get back to his ranch at once in order to save his affairs from further injury.

"That's what they are doin' this thing for," said Nick, "so they can get a good chance to steal all his cattle. And what they don't steal they'll scatter over the plains till it will be more than they're worth to get 'em together again. They think they can just everlastingly do him up by keepin' him in jail for a month."

Tuttle broke out with an indignant oath. "It's the meanest, low-

downest, dirtiest, measliest trick they've ever tried to do, and that's sayin' a whole heap! But they'll find out they've got more to buck against than they're a-lookin' for now!"

"You bet they will! They've got to travel mighty fast if they keep up with this procession! Talk about measly tricks! Tom, that Fillmore outfit's the biggest cattle thief in the southwest. It's just plum' ridiculous to hear them talk about Emerson stealin' their cattle! Why, if he'd stayed up nights to steal from them he couldn't have got even for what they've taken from him."

They talked over the plan Ellhorn had proposed and when it was all arranged Tuttle asked, "Shall we tell the judge?"

"Tell nothin' to nobody!" Nick exclaimed. "The judge will find it out soon enough, and if we don't tell him he won't bother us with advice to give it up. We've got some horse sense, Tommy, and I reckon we-all can run this here excursion without help from any darn fool lawyer in the territory. If they'd left it to us in the first place, we'd have had Emerson at home long before this."

"I guess we-all can play our part of this game if Emerson can play his."

"Don't you worry about Emerson. He's ready to ride the devil through hell to get back to his round-up."

The next morning Nick Ellhorn hunted up the Mexican who worked the garden behind the jail and talked through the enclosure with the old man, who was crippled and half blind. Ellhorn talked with him about the garden and finally said he would like to eat some onions. The Mexican pulled a bunch of

young green ones for him, and he sat down on a bench under a peach tree near the wall of the jail-court to eat them. He sent the Mexican back to his hut for some salt, and at once began whistling loudly the air of "Bonnie Dundee." Presently he broke into the words of the song and woke the echoes round about, as he and Emerson Mead had done on many a night around the camp-fire on the range:

"Come fill up my cup, come fill up my can,
Come saddle my horse and call out my men."

There he stopped and waited, and in a moment a baritone voice on the other side of the wall took up the song:

"Come ope the west port and let us go free
To follow the bonnets of Bonnie Dundee!"

Ellhorn went on singing as he threw one of his onions, then another, over the wall. One of them came sailing back and fell beside the peach tree. Then he took a slip of folded paper from his pocket, tied it to another onion and sent it over the cactus-crowned adobe. The Mexican returned with the salt and they sat down together under the tree, chatting sociably. Presently Mead's voice came floating out from behind the wall in the stirring first lines of the old Scotch ballad:

"To the lords of convention, 'twas Claverhouse spoke:

‘If there are heads to be crowned, there are heads to be broke!’”

Nick chuckled, winked at the old Mexican, and hurried off to find Tuttle.

That evening, soon after the full darkness of night had mantled the earth, Nick Ellhorn and Tommy Tuttle rode toward the jail, leading an extra horse. Ellhorn gave Tuttle a lariat.

“You’d better manage this part,” he said in a low tone. “My arm’s not strong enough yet to be depended on in such ticklish matters. I tried it to-day with my gun, and it’s mighty near as steady as ever for shooting, but I won’t risk it on this.”

They rode into the Mexican’s garden and Ellhorn stood with the extra horse under the drooping branches of the peach tree. They listened and heard the sound of a soft whistling in the *patio*, as if some one were idly walking to and fro.

“That’s him!” Ellhorn whispered excitedly. “That’s what I told him to be doing at just this time! He’s listening for us!” Ellhorn whistled softly several bars of the same air, which were at once repeated from within. Tuttle rode beside the wall and threw over it the end of his lariat. He waited until the whistling ceased, and then, winding the rope around the pommel, he struck home the spurs and the horse leaped forward, straining to the work. It was a trained cow-pony, Mead’s own favorite “cutting-out” horse, and it answered with perfect will and knowledge the urging of Tuttle’s spurs. With a soft “f-s-s-t” the rope wore over the top

of the wall and Mead's tall form stood dimly outlined behind the battlement of cactus. He untied the rope from his waist, threw it to the ground, and with foot and fist thrust aside the bristling, sharp-spined masses, dropped over the outer edge, hung at full length by his hands for an instant, and landed in the soft earth at the bottom.

They heard his name called inside the *patio*. It was the guard, who had just missed him. As they quickly mounted there came over the wall the sound of hurrying feet and the rapid conference of excited voices. Mead shot his revolver into the air and Ellhorn, lifting his voice to its loudest and fullest, sang:

“Come ope the west port and let us go free
To follow the bonnets of Bonnie Dundee!”

“Whoo-oo-oo-ee-ee!”

Spur met with flank and the three horses bounded forward, over the fence of the Mexican's garden, and up the street at a breakneck gallop. They clattered across the *acequia* bridge and past Delarue's place, where Mead, eagerly sweeping the house with a sidewise glance, had a brief glimpse of a brightly lighted room. Instantly his memory went back, as it had done a thousand times, to that day, more than a year before, when he had stood at the door of that room and had first seen Marguerite Delarue. As they galloped up the street the vision of the room and of the girl came vividly back – the inviting, homelike room, with its easy-

chairs, its pictures and shaded lamps, its tables with their tidy litter of papers and fancy work, its pillowed lounges, and deep cushioned window-seats, and the tall, anxious-eyed girl with the sick child in her arms, held close to her breast. Unconsciously he turned his head, possessed for the moment by the vision, and looked back at the dark mass of the house and trees, lighted by the one gleaming window.

“Think they’ll follow us?” asked Tuttle, noticing the movement.

“Who? Oh! No, I guess not.”

Beyond the town, in the edge of the rising plain, they drew rein and listened for the sound of pursuing hoof-beats. Facing their horses roundabout, they bent forward, their hands hollowed behind their ears. Out of the darkness, where it was gemmed by the lights of the town, came the sound of galloping horses.

“They’re after us!” cried Nick. “Three of ’em!”

Mead took off his sombrero and as his left hand sent it twirling through the air, a vague, black shape in the darkness, his right drew his revolver from its holster and three quick, sharp explosions flashed through the night. A pressure of his heels, and he was leaning far over from his darting horse and snatching the hat as it barely touched the gray earth. He held it up toward the sky and in the starlight three bullet holes showed dimly through the crown, inside the space a silver dollar could cover. Ellhorn waved his hat and sent his peculiar “Whoo-oo-ee-e!” back through the darkness toward the town. They listened again

and heard the pursuing horsemen clattering over the *acequia* bridge and into the street through which they had come.

“I reckon we could keep ahead of ’em if we wanted to,” said Mead, “but we’ll make the pass, and then if they are still following we’ll teach them some manners.”

Ellhorn shouted out again his yell of defiance and clicked the trigger of his gun to follow it with a challenging volley of bullets, but Mead stopped him with a cautioning word that they might need all their cartridges.

They spurred their horses forward again and galloped over the rolling foothills, neck to neck and heel to heel. The cool, dry night air streamed into their faces, braced their nerves and filled their hearts with exultation. Behind them they could hear the hoof-beats of their pursuers, now gaining on them and again falling behind. On and on they went, sometimes sending back a defiant yell, but for the most part riding silently. They reached the steep grade leading to the mountain pass and eased their horses, letting them walk slowly up the incline. But the others took it at a furious pace, and presently, at the entrance to the pass, a voice shouted Mead’s name and ordered him to halt. Mead, laughing aloud, sent a pistol ball whizzing back through the darkness. Ellhorn and Tuttle followed his example, and their three pursuers discharged a volley in concert. The fugitives put spurs to their horses, and, turning in their saddles, fired rapidly back at the vague, moving shapes they could barely see in the darkness. Ellhorn heard an angry oath and guessed that somebody had been injured. The

bullets whistled past their ears, and now and then they heard the dull ping of lead against the rocky walls of the narrow pass. Their horses had kept their wind through the slow walk up the hill and sprang forward with fresh, willing speed. But the others had been exhausted by the fierce gallop up the steep ascent, and could not hold the pace that Mead and his friends set for them. Slowly the officers fell back, until they were so far in the rear that they ceased shooting. Mead, Tuttle and Ellhorn put away their revolvers and galloped on in silence for some distance before they stopped to listen. Far back in the darkness they could hear the faint footfalls of the three horses.

“They blowed their horses so bad comin’ up the hill,” said Mead, “that they’ll never catch up with us again. I reckon they won’t try now. They’ll stay in Muletown to-night and go on to the Fillmore ranch to-morrow.”

“If they don’t turn round and go back,” said Ellhorn. “I don’t believe they’ll want to try this thing on at the ranch.”

“We’ll sure be ready for ’em if they show up there,” said Tuttle, the grim note of battle in his voice.

Ellhorn laughed joyously. “I guess we’re just goin’ to everlastingly get even with that Fillmore outfit!”

“Well, it will keep us busy, but we’ll do our best,” Mead cheerfully assented.

They galloped down the long eastern declivity of the mountain, stopping once at a miner’s camp, a little way off the road, to water and breathe their horses. A little later they stopped

to listen again, but they could not catch the faintest sound of hoof-beats from the mountain side. They did not know whether their pursuers had turned about and gone back to Las Plumas, or were taking the road leisurely, intending to stop at Muletown until morning.

On again they galloped, neck to neck and heel to heel, with the starry sky above and the long level of the plain before them. Mead glanced to the north, where the Big Dipper, pivoted on the twinkling pole star, was swinging its mighty course through the blue spaces of the sky, and said, "It's about midnight, boys." The dim, faintly gleaming, dusty gray of the road contracted to a lance-like point in front of them and sped onward, seeming to cleave the wall of darkness and open the way through which they galloped. The three tall, broad-shouldered, straight-backed figures sat their horses with constant grace, galloping abreast, neck to neck and heel to heel, without pause or slackened pace. The rhythmical, resounding hoof-beats made exhilarating music for their ears, and now and again Ellhorn's yell went calling across the empty darkness or the sound of Mead's or Tuttle's gun cleft the air. On and on through the night they went, their wiry ponies with ears closely laid and muscles strained in willing compliance, the starry sky above and the long level of the plain behind them.

At Muletown they stopped to water their horses at the brimming pump-trough in the plaza and, as the thirsty creatures drank, Ellhorn glanced at the swinging starry Dipper in the northern sky again and said, "I reckon it's three o'clock, boys."

Then on they went, clattering down the long adobe street, flanked by dim houses, dark and silent; and out into the rising edge of the plain, where it lifted itself into the uplands. The black silence was unbroken now save as a distant coyote filled the night with its yelping bark, or a low word from one or another of the riders told of human presence. On and on they galloped, neck to neck and heel to heel, without pause or slackened pace. At last they swerved to the right and began mounting the low, rolling foothills of the Fernandez mountains. The cold night air, dry and sharp, stung their faces and cooled the sweating flanks of their horses. The creatures' ears were bent forward, as if they recognized their surroundings, and their springing muscles were still strong and willing. Over the hills they galloped, the lance-like point of the road cleaving the black wall in front and the hoof-beats volleying into the silence and darkness behind them.

The gray walls of an adobe house took dim shape in the darkness, and beyond it a mass of trees, their leaves rustling in the night wind, told of running water. The three men halted and with lowered bridles allowed their horses to drink.

"Is this old Juan Garcia's ranch?" Tuttle asked.

"Yes," Mead replied, "old Juan still lives here. And a very good old fellow he is, too. He isn't any lazier than he has to be, considering he's a Mexican. He keeps his ranch in pretty good order, and he raises all the corn and *chili* and wheat and *frijoles* that he needs himself and has some to sell, which is a very good record for a Mexican."

“What’s become of his pretty daughter?” asked Ellhorn. “Is she married yet?”

“Amada? She’s still here, and she’s about the prettiest Mexican girl I ever saw. She’s a great belle among all the Mexicans from Muletown to the other side of the Fernandez mountains, and with some of the Americans, too. Will Whittaker used to hang around here a good deal, and Amada seemed to be pretty well stuck on him.”

Again the horses sprang to the pace they had kept so gallantly, and on and on their hoofs flew over the low, rolling hills. The riders sat their horses as if they were part and parcel of the beasts, horse and rider with one will and one motion, and all galloping on with rhythmic hoof-beats, neck to neck and heel to heel, without pause or slackened pace, while the cold, dry night wind whistled past their ears and the stars measured their courses through the violet blue of the bending vault above. On they went over the slowly rising hills, and the slender, silver sickle of the old moon shone brightly in the graying east. Soon the mountains ranged themselves against the brightening sky, and as they galloped, on and on, the stars vanished, and from out the black void below the plain emerged, gray-green and grim, spreading itself out, miles and miles into the distance, to the rimming mass of mountains in the west. Still the hoof-beats rang out as the sky blushed with the dawn and the cloud-flecks flamed crimson and the peaks of the distant mountain range glittered with the first golden rays.

Neck to neck and heel to heel they galloped on over the faint

track of the road, which now they could see, winding over the hills in front of them. The men spoke cheerily to the horses and patted their wet sides, and the spirited beasts still bent willingly to their task. The three riders sat erect, straight-shouldered, graceful in their saddles and the gentle morning breeze bathed their faces as on they rode over the hills, while the sun mounted above the Fernandez range and flooded all the plain with its soft, early light.

They swept around the curving bend in the road, where it half-circled the corrals, and Ellhorn's lusty "Whoo-oo-oo-ee-ee" rang out as they drew rein at Mead's door; Las Plumas, the night and ninety miles behind them. Ellhorn's yell brought the cook to the door, coffee-pot in hand, with two *vaqueros* following close behind. One of these took the horses to the stables and the three friends stood up against the wall in the sunshine, stretching themselves. Mead took out his pocket-knife and began cutting the cactus spines from his swollen hands.

"I'm glad to have a chance to get rid of these things," he said. "They've been stinging like hornets all night."

CHAPTER VII

Emerson Mead's ranch house was a small, white, flat-roofed adobe building, with cottonwood trees growing all about it, and the water from a spring on the hillside beyond, flowing in a little rill past the kitchen door. Inside, on the whitewashed walls, hung the skins of rattlesnakes, coyotes, wild cats, the feet, head and spread wings of an eagle, and some deer heads and horns. There were also some colored posters and prints from weekly papers. A banjo stood in one corner of the dining room, while guns and revolvers of various kinds and patterns and belts heavy with cartridges hung against the walls or sprawled in corners.

The cook and housekeeper was a stockily built, round-faced Englishman, whom Mead had found stranded in Las Plumas. He had been put off the overland train at that place because the conductor had discovered that he was riding on a scalper's ticket. Mead had taken a liking to the man's jovial manner, and, being in need of a cook, had offered him the place. The Englishman, who said his name was Bill Haney, had accepted it gladly and had since earned his wage twice over by the care he took of the house and by the entertainment he afforded his employer. For he told many tales of his life in many lands, enough, had they all been true, to have filled the years of a Methuselah to overflowing. Mead did not believe any of his stories, and, indeed, strongly suspected that they were told for the purpose of throwing

doubt upon any clue to his past life which he might inadvertently give. Good-natured and jovial though he was in face and talk and manner, there was a look at times in his small, keen, dark eyes which Mead did not like.

As Haney bustled about getting a fresh breakfast for the three men he said to Mead, "It's mighty lucky you've come 'ome, sir. There's been merry 'ell 'erself between our boys and the Fillmore boys, and they're likely to be killin' each other off at Alamo Springs to-day. They 'ad shots over a maverick yesterday, and the swearin' they've been doin' 'ad enough fire and brimstone in it to swamp 'ell 'erself."

Haney's conversation contained frequent reference to the abode of lost spirits, and always in the feminine gender. Mead asked him once why he always spoke of "hell" as "her," and he replied:

"Well, sir, accordin' to my reckonings, 'ell is a woman, or two women, or a thousand of 'em, accordin' as a man 'as made it, and bein' female it 'as to be called 'er."

As the three men mounted fresh horses after a hasty breakfast, Nick Ellhorn said to Mead:

"Emerson, you're in big luck that that confounded thug in the kitchen hasn't cut your throat yet."

"Oh, he won't do anything to me," Mead replied, smiling. "I reckon likely he is a thug, or a crook of some sort, but he won't do me any harm."

"Don't you be too sure, Emerson," said Tuttle, looking

concerned. "It's the first time I've ever seen him, but I don't think I'd like to have him around me on dark nights."

"He is a good cook and he keeps the house as neat and clean as a woman would. He won't try to do anything to me because I'm not big enough game. He knows I never keep money at the ranch, and that I haven't got very much, any way. Besides, he's seen me shoot, and I don't think he wants to run up against my gun."

They were hurrying to Alamo Springs, a watering place which Mead controlled farther up in the Fernandez mountains, where they arrived just in time to stop a pistol fight between the cow-boys of the opposing interests, half-a-dozen on each side, who had quarreled themselves into such anger that they were ready to end the whole matter by mutual annihilation.

Mead found that the round-up had progressed slowly during his absence. There had been constant quarreling, occasional exchange of shots, and unceasing effort on each side to retard the interests of the other. The Fillmore Company had routed the cow-boys of the small cattlemen, Mead's included, and for the last two days had prevented them from joining in the round-up. Mead found his neighbors and their and his employees disorganized, angry, and determined on revenge. Accompanied by Tuttle and Ellhorn, he galloped over the hills all that day and the next, visiting the camps on his own range and on the ranges of his neighbors who were leagued with him in the fight against the Fillmore Cattle Company. He smoothed down ruffled tempers, inquired into the justice of claims, gave advice, issued orders,

and organized all the interests opposed to the cattle company into a compact, determined body.

After those two days there was a change in the way affairs were going, and the allied cattlemen began to win the disputes which were constantly coming up. There were not many more attempts to prevent the round-up from being carried on in concert, but there was no lessening of the bad temper and the bad words with which the work was done. Each side constantly harassed and defied the other, and each constantly accused the other of all the cattle-crimes known to the raisers of hoofed beasts. The mavericks were an unfailing source of quarrels. According to the Law of the Herds, as it is held in the southwest, each cattleman is entitled to whatever mavericks he finds on his own range, and none may say him nay. But the leagued cattle growers and the Fillmore people struggled valiantly over every unbranded calf they found scurrying over the hillsides. Each side accused the other of driving the mavericks off the ranges on which they belonged, and the *vaqueros* belonging to each force declared that they recognized as their own every calf which they found, no matter where or on whose range it chanced to be, and they branded it at once with small saddle irons if the other side did not prevent the operation.

Mead was the leader of his side, and, guarded always by his two friends, rode constantly over the ranges, helping in the bunching, cutting-out and branding of the cattle, giving orders, directing the movements of the herds and deciding quarrels.

Colonel Whittaker came out from Las Plumas, and was as active in the management of the Fillmore Company's interests as was Emerson Mead for those of his faction. Ellhorn and Tuttle would not allow Mead to go out of their sight. They rode with him every day and at night slept by his side. If he protested that he was in no danger, Ellhorn would reply:

“You-all may not need us, but I reckon you're a whole heap less likely to need us if we're right with you in plain view.”

And so they saw to it that they and their guns were never out of “plain view.” And, possibly in consequence, for the reputation of the three as men of dare-devil audacity and unequalled skill with rifle and revolver was supreme throughout that region, wherever the three tall Texans appeared the battle was won. The maverick was given up, the quarrel was dropped, the brand was allowed, and the accusation died on its maker's lips if Emerson Mead, Tom Tuttle and Nick Ellhorn were present or came galloping to the scene.

The look of smiling good nature seldom left Mead's face, but his lips were closely shut in a way that brought out lines of dogged resolution. He was determined that the cattle company should recognize as their right whatever claims he and his neighbors should make. Tuttle and Ellhorn talked over the situation with him many times, and they were as determined as he, partly from love of him and partly from lust of fight, that the cattle company should be vanquished and compelled to yield whatever was asked of it. But they took the situation less seriously than did Mead,

looking upon the whole affair as something of a lark well spiced with the danger which they enjoyed.

Ellhorn heard one day that Jim Halliday was at the Fillmore ranch house, and they decided at once that his business was to lay hands upon Mead. It was also rumored that several people from Las Plumas had been riding over the Fernandez plain and the foothills of the Fernandez mountains trying to find Will Whittaker's body or some clue to his disappearance. The three friends learned that all these people had been able to discover was that he had left the ranch on the morning of his disappearance with a *vaquero*, a newly hired man who had just come out of the Oro Fino mountains, where he had been prospecting, in the hope of making another stake. A man had seen them driving down through the foothills, but after that all trace of them was lost. Old Juan Garcia and his wife, past whose house the road would have taken them, had been away, gathering firewood in the hills, but Amada, their daughter, had been at home all day, and she declared she had seen nothing of them, and that she did not think they could have gone past without her seeing them. It was accordingly argued that whatever had happened must have taken place not far from the junction of the main road with the road which led to Emerson Mead's ranch, and all that region was searched for traces of recent burial.

CHAPTER VIII

The round-up was almost finished, and, so far, Emerson Mead had won the day. Backed always by his two friends, he had compelled the recognition of every general claim which had been made, and in most of the daily quarrels his side had come out victor.

Toward the end of the round-up, Mead and two *vaqueros*, accompanied by Tuttle and Ellhorn, had worked all day, getting together a scattered band of cattle, and at night had them bunched at a water hole near the edge of his range. The next day they were to be driven a few miles farther and joined with the droves collected by the Fillmore Company's men and by two or three of his neighbors for the last work of the spring round-up. In the evening one of the cow-boys was sent to the ranch house with a message to the foreman, and a little later the other was seized with a sudden illness from having drunk at an alkali spring during the day. Mead, Tuttle and Ellhorn then arranged to share the night in watches of three hours each with the cattle. Mead's began at midnight. He saddled and mounted his horse and began the monotonous patrol of the herd.

There were some three hundred steers in the bunch of cattle. They lay, sleeping quietly, so closely huddled together that there was barely room for them to move. Occasionally, one lying at the outer edge got up, stretched himself, nibbled a few bunches of

grass, and then lay down again. Now and then, as one changed his position, a long, blowing breath, or a satisfied grunt and groan, came out of the darkness. When Mead started his horse on the slow walk round and round the sleeping herd the sky was clear. In its violet-blue the stars were blazing big and bright, and he said to himself that the cattle would sleep quietly and he would probably have an uneventful watch. He let the horse poke round the circle at its own pace, while his thoughts wandered back to his last visit to Las Plumas and hovered about the figure of Marguerite Delarue as she stood beside her gate and took little Paul from his hands. With a sudden warming of the heart he saw again her tall figure in the pink gown, with the rose bloom in her cheeks and the golden glimmer in her brown hair and the loving mother-look in her eyes as she smiled at the happy child. But with a sigh and a shake of the head he checked his thoughts and sent them to the mass-meeting and the days he had spent in the jail.

Presently it occurred to him that his watch must be nearly over and he looked up at the Great Dipper, swinging on its north star pivot. Then he smiled at himself, for it seemed scarcely to have changed position since he had mounted his horse. "Not an hour yet," was his mental comment. Clouds were beginning to roll up from the horizon, and he could hear low mutterings of thunder and among the mountain tops see occasional flashes of lightning. Soon the sky was heavily overcast, and the darkness was so dense that it seemed palpable, like an enveloping, smothering cover, which might almost be grasped in the hands, torn down and

thrown away. Mead could not see the horse's head, so, letting the reins lie loosely on its neck, he allowed the animal to pick its own way around the circle.

The cattle began to show signs of nervousness, and from the huddled mass there came sounds of uneasy movements. Mead urged his horse into a quicker walk and with one leg over its neck as they went round and round the herd, he sang to them in a crooning monotone, like a mother's lullaby to a babe that is just dropping into dreamland. It quieted the incipient disturbance, the rumbling thunder ceased for a time, and after a little moving about the cattle settled down to sleep again.

Suddenly, without forerunner or warning, a vivid flash of lightning cleft the clouds and a roar of thunder rattled and boomed from the mountain peaks. And on the instant, as one animal, hurled by sudden fright, the whole band of cattle was on its feet and plunging forward. There was a snorting breath, a second of muffled noise as they sprang to their feet, and the whole stampeded herd was rushing pell-mell into the darkness. They chanced to head toward Mead, and he, idling along with one leg over his saddle horn, with a quick jab of the spur sent his pony in a long, quick leap to one side, barely in time to escape their maddened rush. A second's delay and he and his horse would have been thrown down by the sheer overpowering mass of the frenzied creatures and trampled under their hoofs, for the horn of a plunging steer tore the leg of his overalls as the mad animals passed. Away went the herd, silent, through

the dense blackness of the night, running at the top of their speed. And Mead, spurring his horse, was after them without a moment's loss of time, galloping close beside the frightened beasts, alertly watchful lest they might suddenly change their course and trample him down. They ran in a close mass, straight ahead, paying heed to nothing, beating under their hoofs whatever stood in their way.

They rushed crazily on through the darkness which was so intense that Mead's face seemed to cleave it as the head cleaves water when one dives. He galloped so close to the running band that by reaching out one arm he could almost touch one or another heaving side. But he could see nothing, not a tossing horn nor a lumbering back of the whole three hundred steers, except when an occasional flash of lightning gave him a second's half-blinded glimpse of the plunging mass. By hearing rather than by sight he could outline the rushing huddle at his right hand. And watching it as intently as if it had been a rattlesnake ready to strike, he galloped on by its side in a wild race through the darkness, over the plain, up and down hills, through cactus and sagebrush, over boulders and through treacherous, tunneled prairie dog towns, plunging headlong into whatever might be in front of them.

From the rushing herd beside him there came the muffled roar of their thousand hoofs, overtone by the constant popping and scraping of their clashing horns. The noise filled his ears and could not quite be drowned even by the rattling peals of

thunder. Swift drops of rain stung his face and the water of a pelting shower dripped from his hat brim and trickled from his boot heels. The beating rain, the vivid flashes of lightning and the loud peals of thunder drove the maddened creatures on at a still faster pace. Mead put frequent spurs to his horse and held on to the side of the mob of cattle, bent only on going wherever they went and being with them at the dawn, when it might be possible to get them under control.

They plunged on at a frenzied gallop through the darkness and the storm, and when at last the sky brightened and a wet, gray light made the earth dimly visible, Mead could see beside him a close huddle of lumbering, straining backs and over it a tangle of tossing and knocking horns. The crowding, crazy herd, and he beside it, were rushing pell-mell down a long, sloping hill. With one keen, sweeping glance through the dim light and the streaming rain he saw a clump of trees, which meant water, at the foot of the hill, and near it a herd of cattle, some lying down, and some standing with heads up, looking toward him; while his own senseless mass of thundering hoofs and knocking horns was headed straight toward them.

With a whooping yell he dashed at the head of the plunging herd, sent a pistol ball whizzing in front of their eyes and with a quick, sharp turn leaped his horse to one side, barely in time to escape the hoofs and horns of the nearest steer. They swerved a little, and making a detour he came yelling down upon them again, with his horse at its topmost speed, and sent a bullet

crashing through the skull of the creature in the lead. It dropped to its knees, struggled a moment, fell over dead, and the herd turned a little more to the right. Spurring his horse till it leaped, straining, with outstretched legs, he charged the head of the rushing column again, and bending low fired his revolver close over their heads. Again they swerved a little to the right, and dashing past the foremost point he sent a pistol ball into the eye of the leader. It fell, struggling, and with a sudden jerk he swung the horse round on its hind legs and struck home the spurs for a quick, long leap, for he was directly in the front of the racing herd. As the horse's fore feet came down on the wet earth it slipped, and fell to its knees, scrambled an instant and was up again, and leaped to one side with a bleeding flank, torn by the horns of the leading steer. The startled animals had made a more decided turn to the right, and by scarcely more than a hand's breadth horse and rider had escaped their hoofs. The crazy, maddened creatures slackened their pace and the outermost ones and those in the rear began to drop off, one by one, grazing and tailing off behind in a straggling procession. Another rush, and Mead had the mob of cattle, half turned back on itself, struggling, twisting and turning in a bewildered mass. The stampeding impulse had been checked, but the senseless brutes were not yet subdued to their usual state.

Glancing down the hill to the clump of trees, he saw men rushing about and horses being saddled. Shouting and yelling, he rushed again at the turned flank of his herd, firing his pistol under

their noses, forcing the leaders this time to turn tail completely and trot toward the rear of the band. The rest followed, and with another furious yell he swerved them again to the right and forced them into a circle, a sort of endless chain of cattle, trotting round and round. He knew they would keep up that motion until they were thoroughly subdued and restored to their senses, and would then scatter over the hillside to graze.

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