

The Spoilers.

By REX E. BEACH.

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ways, watching a chance to dodge out again. When vehicles passed from the comparative solidity of the main street out into the morasses that constituted the rest of the town, they adventured perilously, their horses plunging, snorting, terrified, amid an atmosphere of profanity. Discouraged animals were down constantly, and no foot passenger, even with rubber boots, ventured off the planks that led from house to house.

To avoid a splashing team Dextray pulled his companion close in against the entrance to the Northern saloon, standing before her protectingly.

Although it was late in the afternoon, the Bronco Kid had just arisen and was now loading preparatory to the active duties of his profession. He was speaking with the proprietor when Dextray and the girl sought shelter just without the open door, so he caught a fair though fleeting glimpse of her as she flashed a curious look inside. She had never been so close to a gambling hall before and would have liked to peer in more carefully had she dared, but her companion moved forward. At the first look the Bronco Kid had broken off in his speech and stared at her as though at an apparition. When she had vanished, he spoke to Reilly:

"Who's that?"

Reilly shrugged his shoulders; then, without further question, the Kid turned back toward the empty theater and out of the back door.

He moved nonchalantly till he was outside, then with the speed of a colt ran down the narrow plank between the buildings, turned parallel to the front street, leaped from board to board, splashed through puddles of water, till he reached the next alley. Stamping the mud from his shoes and pulling down his sombrero, he sauntered out into the main thoroughfare.

Dextray and his companion had crossed to the other side and were approaching, so the gambler gained a fair view of them. He searched every inch of the girl's face and figure, then, as she made to turn her eyes in his direction, he slouched away. He followed, however, at a distance, till he saw the man leave her, then on up to the big hotel he shadowed her. A half hour later he was drinking in the Golden Gate barroom with an acquaintance who ministered to the mechanical details behind the hotel counter.

"Who's the girl I saw come in just now?" he inquired.

"I guess you mean the judge's niece."

Both men spoke in the dead, restrained tones that go with their callings.

"What's her name?"

"Chester, I think. Why? Look good to you, Kid?"

Although the other neither spoke nor made sign, the bartender construed his silence as acquiescence and continued, with a conscious glance at his own reflection while he adjusted his diamond scarf-pin: "Well, she can have me! I've got it fixed to meet her."

"Bah! I guess not," said the Kid suddenly, with an infection that startled the other from his preening. Then, as he went out, the man mused:

"Gee! Bronco's got the worst eye in the camp! Makes me creep when he throws it on me with that muddy look. He acted like he was jealous."

At noon the next day, as he prepared to go to the claim, Dextray's partner burst in upon him. Glenister was disheveled, and his eyes shone with intense excitement.

"What do you think they've done now?" he cried as greeting.

"I dunno. What is it?"

"They've broken open the safe and taken our money."

"What?"

The old man in turn was on his feet, the grudge which he had felt against Glenister in the past few days forgotten in this common misfortune.

"Yes, by heaven, they've swiped our money, our tents, tools, teams, books, hose and all of our personal property—everything! They threw Johnson off and took the whole works. I never heard of such a thing. I went out to the claim, and they wouldn't let me go near the workings. They've got every mine on Anvil creek guarded the same way, and they aren't going to let us come around even when they clean up. They told me so this morning."

"But, look here," demanded Dextray sharply, "the money in that safe belongs to us. That's money we brought in from the States. The court ain't got no right to it. What kind of a damn law is that?"

"Oh, as to law, they don't pay any attention to it any more," said Glenister bitterly. "I made a mistake in not killing the first man that set foot on the claim. I was a sucker, and now we're up against a stiff game. The Swedes are in the same fix, too. This last order has left them groggy."

"I don't understand it yet," said Dextray.

"Why, it's this way: The judge has issued what he calls an order enlarging the powers of the receiver, and it authorizes McNamara to take possession of everything on the claims—tents, tools, stores and personal property of all kinds. It was issued last night without notice to our side, so Wheatop

says, and they served it this morning early. I went out to see McNamara, and when I got there I found him in our private tent with the safe broken open."

"What does this mean?" I said. And then he showed me the new order. "I'm responsible to the court for every penny of this money," said he, "and for every tool on the claim. In view of that I can't allow you to go near the workings."

"Not go near the workings?" said I. "Do you mean you won't let us see the cleanups from our own mine? How do we know we're getting a square deal if we don't see the gold weighed?"

"I'm an officer of the court and under bond," said he, and the smiling triumph in his eyes made me crazy.

"You're a lying thief," I said, looking at him square. "And you're going too far. You played me for a fool once and made it stick, but it won't work twice."

"He looked injured and aggrieved and called in Voorhees, the marshal. I can't grasp the thing at all. Everybody seems to be against us—the judge, the marshal, the prosecuting attorney, everybody. Yet they've done it all according to law, they claim, and have the soldiers to back them up."

"It's just as Mexico Mullins said," Dextray stormed. "There's a deal on of some kind. I'm goin' up to the hotel an' call on the judge myself. I ain't never seen him nor this McNamara either. I allus want to look a man straight in the eyes once, then I know what course to follow in my dealin'."

"You'll find them both," said Glenister, "for McNamara rode into town behind me."

The old prospector proceeded to the Golden Gate hotel and inquired for Judge Stillman's room. A boy attempted to take his name, but he seized him by the scruff of the neck and sat him in his seat, proceeding unannounced to the suit to which he had been directed. Hearing voices, he knocked and then, without awaiting a summons, walked in.

The room was fitted like an office, with desk, table, typewriter and law books. Other rooms opened from it on both sides. Two men were talking earnestly—one gray haired, smooth shaven and clerical, the other tall, picturesque and masterful. With his first glance the miner knew that before him were the two he had come to see and that in reality he had to deal with but one, the big man who shot at him the level glances.

"We are engaged," said the judge; "very busily engaged, sir. Will you call again in half an hour?"

Dextray looked him over carefully from head to foot, then turned his back on him and regarded the other. Neither he nor McNamara spoke, but their eyes were busy, and each instinctively knew that here was a foe.

"What do you want?" McNamara inquired finally.

"I just dropped in to get acquainted. My name is Dextray—Joe Dextray—from everywhere west of the Missouri. An' your name is McNamara, ain't it? This here, I reckon, is your little French poodle—eh?" Indicating Stillman.

"What do you mean?" said McNamara, while the judge murmured indignantly.

"Just what I say. However, that ain't what I want to talk about. I don't take no stock in such truck as judges an' lawyers an' orders of court. They ain't intended to be took serious. They're all right for children an' easterners an' non compos mentis people, I s'pose, but I've always been my own judge, jury an' hangman, an' I aim to continue workin' my legislatif, executif an' judicial duties to the end of the string. You look out! My partner is young an' seems to like the idea of lettin' somebody else run his business, so I'm goin' to give him rein and let him amuse himself for awhile with your dinky little writs an' receiver-ships. But don't go too far. You can rob the Swedes, 'cause Swedes ain't entitled to have no money, an' some other crook would get it if you didn't, but don't play me an' Glenister for Scandinavians. It's a mistake. We're white men, an' I'm apt to come romancah' up here with one of these an' bust you so you won't hold together durin' the ceremonies."

With his last words he made the slightest shifting movement, only a lifting shrug of the shoulder, yet in his palm lay a six shooter. He had slipped it from his trousers band with the ease of long practice and absolute surety. Judge Stillman gasped and backed against the desk, but McNamara idly swung his leg as he sat sideways on the table. His only sign of interest was a quickening of the eyes, a fact of which Dextray made mental note.

"Yes," said the miner, disregarding the alarm of the lawyer, "you can wear this court in your vest pocket like a Waterbury, if you want to, but if you don't let me alone, I'll uncoil its mainspring. That's all."

He replaced his weapon and, turning, walked out the door.

CHAPTER IX.

"WE must have money," said Glenister a few days later. "When McNamara jumped our safe, he put us down and out. There's no use fighting in this court any longer, for the judge won't let us work the ground ourselves, even if we give bond, and he won't grant an appeal. He says his orders aren't appealable. We ought to send Wheaton out to Frisco and have him take the case to the higher courts. Maybe he can get a writ of superdeas."

"I don't recognize the name, but if it's as bad as it sounds it's sure horrible. Ain't there no cure for it?"

"It simply means that the upper court would take the case away from this one."

"Well, let's send him out quick. Every day means \$10,000 to us. It'll take him a month to make the round trip, so I s'pose he ought to leave tomorrow on the Ronnoke."

"Yes, but where's the money to do it with? McNamara has ours. My God! What a mess we're in! What fools we've been, Dex! There's a conspiracy here. I'm beginning to see it now that it's too late. This man is looting our country under color of law and figures on gutting all the mines before we can throw him off. That's his game. He'll work them as hard and as long as he can, and heaven only knows what will become of the money. He must have big men behind him in order to fix a United States judge this way. Maybe he has the Frisco courts corrupted, too."

"If he has, I'm goin' to kill him," said Dextray. "I've worked like a dog all my life, and now that I've struck pay I don't aim to lose it. If Bill Wheaton can't win out accordin' to law, I'm goin' to proceed accordin' to justice."

During the past two days the partners had searched the courtroom where their last fight with the judge had taken place, and had found every possible professional and unprofessional artifice in search of relief from the arbitrary rulings of the court, while hourly they had become more strongly suspicious of some sinister plot, some hidden, powerful understanding back of the judge and the entire mechanism of justice. They had fought with the fury of men who battle for life and had grown to hate the lines of Stillman's vacillating face, the bluster of the district attorney and the smirking confidence of the clerks, for it seemed that they all worked mechanically, like toys, at the dictates of Alec McNamara. At last when they had ceased, beaten and exhausted, they were too confused with technical phrases to grasp anything except the fact that relief was denied them, that their claims were to be worked by the receiver and, as a crowning defeat, they learned that the judge would move his court to St. Michael's and hear no cases until he returned, a month later.

Meanwhile, McNamara hired every idle man he could lay hand upon and ripped the placers open with double shifts. Every day a stream of yellow dust poured into the bank and was locked in his vaults, while those mine owners who attempted to witness the cleanups were ejected from their claims. The politician had worked with incredible swiftness and system, and a fortnight after landing he had made good his boast to Struve and was in charge of every good claim in the district, the owners were ousted, their appeals argued and denied and the court gone for thirty days, leaving him a clear field for his operations. He felt a contempt for most of his victims, who were slow witted Swedes, grasping neither the purport nor the magnitude of his operation, and to those litigants who were discerning enough to see its enormity he trusted to his organization to thwart them.

The two partners had come to feel that they were beating against a wall and had also come squarely to face the proposition that they were without funds wherewith to continue their battle. It was maddening for them to think of the daily robbery that they suffered, for the Midas turned out many ounces of gold at every shift, and more maddening to realize the receiver's shrewdness in crippling them by his theft of the gold in their safe. That had been his crowning stroke.

"We must get money quick," said Glenister. "Do you think we can borrow?"

"Borrow?" sniffed Dextray. "Folks don't lend money in Alaska."

They relapsed into a moody silence.

"I met a feller this mornin' that's workin' on the Midas," the old man resumed. "He came in town for a pair of gum boots, an' he says they've run into awful rich ground—so rich that they have to clean up every mornin' when the night shift goes off cause the riffles clog with gold."

"Think of it!" Glenister growled. "If we had even a part of one of those cleanups we could send Wheaton outside."

In the midst of his bitterness a thought struck him. He made as though to speak, then closed his mouth. But his partner's eyes were on him, filled with a suppressed but growling fire. Dextray lowered his voice cautiously:

"There'll be \$20,000 in them sluices tonight at midnight."

Glenister stared back, while his pulse pounded at something that lay in the other's words.

"It belongs to us," the young man said. "There wouldn't be anything wrong about it, would there?"

Dextray sneered. "Wrong! Right! Them is fine an' soundin' titles in a mess like this. What do they mean? I tell you at midnight tonight Alec McNamara will have \$20,000 of our money!"

"God! What would happen if they caught us?" whispered the younger, following out his thought. "They'd never let us get off the claim alive. He couldn't find a better excuse to shoot us down and get rid of us. If we came up before this judge for trial, we'd go to Sitka for twenty years."

"Sure! But it's our only chance. I'd rather die on the Midas in a fair fight than set here bitin' my hagnalls. I'm growin' old, an' I won't never make another strike. As to bein' caught—them's our chances. I won't be took alive, I promise you that, and before I go I'll get my satisfy. Castin' things up, that's about all a man gets in this vale of tears, jest satisfaction of one kind or another. It'll be a fight in the open, under the stars, with the clean, wet moss to lie down on, and not a scrapperin' match of freak phrases and law books inside of a stinkin' courtroom. The cards is shuffled and in the

box, partner, and the game is started. If we're due to win, we'll win. If we're due to lose, we'll lose. These things is all figured out a thousand years back. Come on, boy! Are you game?"

"Am I game?" Glenister's nostrils dilated, and his voice rose a tone. "Am I game? I'm with you till the big cash in, and Lord have mercy on any man that blocks our game tonight."

"We'll need another hand to help us," said Dextray. "Who can we get?"

At that moment, as though in answer, the door opened with the scant



The watchman sank with a faint cry. ceremony that friends of the frontier are wont to observe, admitting the attenuated, flapping, dome crowned figure of Slapjack Simms, and Dextray fell upon him with the hunger of a wolf.

It was midnight, and over the dark walls of the valley peered a multitude of stars, while away on the southern horizon there glowed a subdued effulgence as though from hidden fires beneath the Gold God's caldron or as though the phosphorescence of Bering had spread upward into the skies. Although each night grew longer, it was not yet necessary to light the men at work in the cuts. There were perhaps two hours in which it was difficult to see at a distance, but the dawn came early; hence no provision had been made for torches.

Five minutes before the hour the night shift boss lowered the gates in the dam, and as the rush from the sluices subsided his men quit work and climbed the bluff to the mess tent. The dwellings of the Midas, as has already been explained, sat back from the creek at a distance of a city block, the workings being thus partially hidden under the brow of the steep bank.

It is customary to leave a watchman in the pit during the noon and midnight hours, not only to see that strangers preserve a neutral attitude, but also to watch the waste gates and water supply. The night man of the Midas had been warned of his responsibility and, knowing that much gold lay in his keeping, was disposed to gaze on the curious minded with the sourness of suspicion. Therefore, as a man leading a packhorse approached out of the gloom of the creek trail, his eyes were on him from the moment he appeared. The road wound along the gravel of the bars and passed in proximity to the fumes. However, the wayfarer paid no attention to them, and the watchman detected an explanatory weariness in his slow gait.

"Some prospector getting in from a trip," he thought.

The stranger stopped, scratched a match, and as he undertook to light his pipe, the observer caught the mahogany shine of a negro's face. The match sputtered out and then came impatient blasphemy as he searched for another.

"Evenin', sah! You-all oblige me with a match?" He addressed the watcher on the bank above and, without waiting a reply, began to climb upward.

No smoker on the trail will deny the luxury of a light to the most humble, so as the negro gained his level the man reached forth to accommodate him. Without warning the black man leaped forward with the ferocity of an animal and struck the other a fearful blow. The watchman sank with a faint, startled cry, and the African dragged him out of sight over the brow of the bank, where he rapidly tied him hand and foot, stuffing a gag into his mouth. At the same moment two other figures rounded the bend below and approached. They were mounted and leading a third saddle horse as well as other pack animals. Reaching the workings, they dismounted. Then began a strange procedure, for one man clambered upon the sluices and, with a pick, ripped out the riffles. This was a matter of only a few seconds; then, seizing a shovel, he transferred the concentrates which lay in the bottom of the boxes into canvas sacks which his companion held. As each bag was filled it was tied and dumped into the cut. They treated but four boxes in this way, leaving the lower two-thirds of the flume untouched, for Anvil creek gold is coarse and the heart of the cleanup lies where it is thrown in. Gathering the sacks together, they lashed them upon the pack animals, then mounted the second string of sluices and began as before. Throughout it all they worked with feverish haste and in unbroken silence, every moment flashing quick glances at the figure of the lookout who stood on the crest above, half dimmed in the shadow of a willow clump. Judging by their rapidity and sureness, they were expert miners.

[Continued next week.]

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4-25-tf.

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