

THE MARIPOSA WAR

By ROY NORTON

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THEY were both miners and owned claims on the same gulch, but were neither friends nor well acquainted; otherwise there probably would have been no Mariposa War, to pass down in district legend, even though it escaped the light of school histories. But there was a war, as any man in Mariposa will testify.

Bill Thompson stood six feet three in his stocking feet, and wasn't given to much conversation. He owned Number Four on Mariposa, had good ground, and worked it well. Jim Tipton owned Number Two on the same creek, but didn't work it, save for assessment, because he had another good piece of ground across the low divide. They were about the same age, and neither of them had any bad habits—that is, so far as any one in the camp ever knew. Maybe this was one reason why they weren't well known. A man has to have some bad habits in order to be what is generally called "popular."

The war was caused by two women, a bulldog, and a claim. The claim was Number Three, on Mariposa, which stood between their stake lines, and had once been owned and worked by Old Bill Banks. Old Bill had a good piece of ground, a water-right, and a hydraulic plant. Being a man who preferred telling about what he was going to do in preference to showing what he had done, he got just about that far and quit. He died. His heirs put Number Three in the hands of an eastern agent, who has since changed his home address, and perhaps his name. Anyhow, it's a certainty he never came West, where several of the boys wanted to meet him and give him a reception. He knew the kind of reception it would be, and wasn't anxious.

One noon when the sun was shining, in the summer-time, and dust was on the trails, the stage from Burdick came rattling along and dumped out a woman together with several boxes and bundles, and she wasn't the kind the camp knew. She didn't look as if she cared for dancing. She talked for a minute with the proprietor of the Palace Hotel, which really wasn't a palace, and he called Bill Thompson over from where he had been throwing supplies on the back of a mountain buckboard he always had when getting an outfit.

"Bill," he said, "this is Miss Esmerelda Brown. She's bought Number Three, on Mariposa, and is going to be a neighbor of yours. Can't you give her a lift up the gulch?"

Bill wasn't much of a ladies' man, and at first didn't like the job; but she put out her hand and gave him one of those smiles that a woman never learns until she is at least thirty years old, and from that minute she owned both Bill and the buckboard.

They drove away out through the shacks and tents and over the river flat into the canon, and she talked and Bill said "Sho," or "Do tell," or anything else in the way of conversation that seemed polite and interesting; and before they had driven two miles he learned that she had sunk all her money in buying Number Three, had read in the Weekly Woman's Advisor, published at Page Center, Iowa, of how women made the best miners in the world, and so had come West to make her fortune. She was willing to stay till she made it, even if it did take a couple of months. Bill thought probably it would take that long, anyway. He didn't tell her he had been mining for twenty years, and hadn't made it yet.

They drove away past the flats, and up where the timber grows big, and fine, stately, and the farther they drove the more confidential she got and the more certain Bill was that she had quite a little to learn about the West. He tried to picture her in rubber boots holding the nozzle of a giant, but somehow it didn't seem to work. Bill didn't have much faith in the Weekly Woman's Advisor, at least, not as much as she had.

Finally, when the sun was setting and they swung round a bend to the cabin on Number Three, standing there with its door closed and almost surrounded by big tamaracs, she seemed a little awed by the lonesomeness of it, and the only comforting thing he could offer was that his cabin was just "up the gulch a little farther." Then she reciprocated by inviting him to come back down for dinner, and he, being polite, accepted. Besides, he was hungry.

When she first came up on the big bank above the cut and watched Bill swinging the nose of the hydraulic toward the face, or shifting the muck off bed-rock at the bottom, it seemed very fine. The swirling of the water and the ease with which he handled it appealed to her, as she sat down in a clump of wild daisies, but it gradually became borne in upon her that it wasn't exactly woman's work, although the editor of the Advisor, in a soul-inspiring editorial, had counseled her readers to "Take their true places in the world." She recalled, with some faintness, a poem in those same pages:

Sisters, let us all be up and doing;
Let us take our places in the mines.
Let us show the hulking men-folk
We are not behind the times.

It had sounded rather inspiring then when read at "The Woman's Saturday Advancement Club," but when put to the test its ringing turned to pitiable tinklings. She decided she would have to have help.

So it was that one night she took Bill's advice. He agreed to hire a man for her, let the man live at his cabin, and "kinder boss the job." The hiring wasn't easy, as men were scarce in those days in Mariposa—that is, men who would work for day-wages; but Bill hired an ancient miner whose chief claim to notice was that he complained about most everything in sight, from the way the willows grew on the creek to his daily rheumatism. They called him "Doc," because he had never been a doctor, but had taken more patent medicines than any other man on the Big Divide, and titles don't count much, after all in hydraulicking. And in a few days more there might be heard each morning the mighty rush of well-directed waters on Number Three.

Miss Esmerelda did learn one thing about mining, though. She knew how to clean up the sluices and treasure the gold that came in inviting yellow grains between the riffles. So, before long, affairs on Mariposa were prosperous and pleasant.

There came a day, as before, when the stage came up with a jerk before the Palace Hotel, and as if in repetition, dumped out another woman who didn't have much luggage and was not alone. She was accompanied by about the ugliest brindle bulldog that ever came west of the Rockies. She stepped out with a self-confident air, glowered unabashed at the men who gaped at her, and said to the proprietor of the Palace:

"Here, yer! Hook onto them things and look lively! I'm Mrs. Mirandy Tibbets, and I've bought Number Three gold mine on a river called the Mariposa. Take them things inside till I find some one who ain't too lazy to take me up to my property."

She was business, all right, and she knew woman's rights and Mrs. Pinkham from A to Z. She made folks step around lively, and, partly because he was afraid of her, and partly because he didn't want to work the landlady "shuffled her off" on Jim Tipton. She started in to boss Jim from the minute she met him, but he wasn't the kind to be bossed. He sized her up critically, and decided, as he afterward said, that if she were "well halter-broke and taught not to tangle her pcket-ropes, she wouldn't be a bad one to own." So he called her down.

"Look here, Mrs. Mirandy," he said, with his soft drawl, "I don't know nothin' about women's rights, nor none of them things, so don't give me none of your guff on that line. You ain't got no soft snap buttin' up agin' you. There's a woman a-workin' Number Three now, and she says she owns it. Ef you've got the goods, it's your'n. Ef you ain't you've been bunked, an' somebody's peddled you a brick. Now, let's git down to business."

That took her down some. She looked at Jim for a minute, as if she thought of sticking the dog on him, but he didn't look the kind to be afraid. They stared into each other's eyes for about a moment, and from then on she belonged to James Tipton. She was a widow, and understood men. After that they got on amicable terms, and it wasn't very long until Jim was involved in all the trouble about Number Three. He pacified her as best he could, and told her that on the following day he would take her up to the claim and try to get the tangle straightened out.

The sun was shining, the birds singing, and everything bright and gay, when they came up Number Three on the following morning, heard the boom of the hydraulic, and the singing notes of a woman's voice. Doc was hard at work, grumbling to himself as usual, and Bill was just coming down the trail when the visitors arrived. It all looked peaceful and very little like war.

"Morning," said Jim, after stopping his horse.

"Morning," answered Bill, coming to a halt and looking at them. He confessed after that he thought by the way Jim assumed proprietorship over the woman and the bulldog that he owned them both.

Jim calmly climbed down from his buckboard, after throwing the reins to Mrs. Mirandy, and sauntered forward. The singing inside the cabin had stopped, and Esmerelda stood in the doorway, looking with wonderment on the meeting.

"Bill," began Jim, "there's somethin' crooked about this deal out here on Three. This here woman with me is Mrs. Mirandy Tibbets, and she's got a deed of sale for this mine. She's come after it."

Bill stopped an instant, aghast. He recalled now that he had never seen any papers conveying the claim to Esmerelda, and suddenly it came over him strongly that he would hate to see her worried in something on which she had set her heart and

wherein she was happy. He knew that it was none of his business, but, somehow, after all, it seemed his fight. He would run a bluff for Esmerelda.

"Oh, the girl that's here's got the papers, all right, Jim," he said. "She's got the papers. Besides, she's told me all about it, an' I know it's on the square. There ain't nobody got no rights to this claim but Esmerelda Brown."

Now, Jim Tipton was a man of strong opinions himself, and was of an inquiring turn of mind, needing to have proof for any assertion made with such confidence. The bluff didn't work, and before Bill could interfere he had turned to Esmerelda and asked to see the papers. Esmerelda, being truthful, at once said the papers were in a safe-deposit vault back in Iowa.

"Bill," Jim said, "this ain't my funeral, but I reckon this girl ain't got no papers, and Mrs. Tibbets has. So this here girl's got to go."

Bill felt his hair raise. This was too much. First because he felt himself to be Esmerelda's only champion, and, second, because Esmerelda's word had been doubted, which was beyond endurance. Big as he was, and, therefore, according to the rules of size, good natured, he flashed out, like a piece of fuse that has been overdriven.

"Got to go, ha? she? Well, not while I'm here, my bucko. She don't go till I say so, an' I ain't done none so much talkin' about it yet. I ain't a huntin' trouble, but it's a-goin' to take an officer to show me why she's got to git off Number Three."

He advanced as he talked, until he faced Jim, who stood his ground squarely and unafraid. It's probable the war would have broken out then had not Mrs. Mirandy, with good judgment,

out and he saw his antagonist still unharmed, he cursed his luck and turned back down the trail, knowing that in a mere physical contest he would be no match for that giant above, who was also hurrying to his cabin for more cartridges. So the war ended that day, and Jim went under the camp surgeon's care to wait until his wounded arm healed.

Four days of waiting passed on Number Three, in which time Bill carefully cleaned up his rifle each morning, and passed the day with Doc, who was a trifle inconvenienced from the effects of the bullet which had glanced along his skull but had brought no more serious injury. Then the mail came, bringing with it the missing deed for the property duly signed, attested and recorded back in Iowa, and Bill felt greater confidence. This was broken in upon by the sheriff.

It was well along in the afternoon when the officer arrived with a posse sufficient to make it interesting for the most desperate man in the range, and by his side triumphantly rode Jim Tipton, with his arm in a sling. Bill grinned maliciously at this evidence of his marksmanship, and with a nonchalant air chewed a pine-needle as the posse came to a halt in front of the cabin.

"Bill," the sheriff opened, "I think you're on the wrong trail. I've come up here with the papers from the court, and if you want to see it I've got the deed givin' this Number Three to the Widder Tibbets. Guess you'll have to hike."

Bill's expression of confidence waned, and he thought of his gun.

"Deeds, deeds," he growled, in a surprised tone. "If you've got a deed, Hank, I'd like to see it. We've got one, too."

It was the officers' turn to be surprised.



"ESMERELDA," HE SAID, AND HIS VOICE WAS HUSKY. "IT AIN'T TRUE, IS IT?"

ment, swooped down on Jim, pinioned his arms, and called a halt.

"Don't pay no attention to him," she said. "You just take me back to town where I can get at court, an' I'll show him something. I'll have the law on him—that's what I will."

And Jim, being under her arms, and a little surprised, and a little slow, allowed himself to be tolled off to the buckboard and back to camp.

As the buckboard went wobbling off down the trail in a cloud of dust, Bill's big fists relaxed, and he turned toward the weeping girl in the doorway.

"Esmerelda," he said, and his voice was husky, "it ain't true, is it, that this woman beat you to it? You have got real papers, ain't you? You didn't let nobody skin you, did you? I ain't wantin' to do nothin' that ain't on the square. If you've got dockments it's all well and good; but if you ain't, I'm ready to fight for you, anyhow, an' if they clean you out they'll have to take me in, too."

And then he tried to comfort her while she sobbed against his shoulder and assured him that she had the papers, and that if there was any mistake that didn't know what it could be.

That night Doc, swearing alternately at his rheumatism, womanfolk in general, and his horse, rode to Burdick, where he sent a telegram East for the missing deeds. Then he whipped a somewhat coarse jester, who wanted to know how the "petticoat" was that "bossed the work on Mariposa."

By the brindle bulldog, which had adopted him as a master and seemed pleased with the new partnership. They came to the cut first and found Doc with the stream working.

"It's possible that there would have been an arbitration had not Doc been so peculiar. He pretended not to see Jim, but spotted the bulldog and switched the lever. There was one frightened yowl, and for one quick instant the air was filled with water and dog. The bull landed about 50 feet up the bank, caught his breath, tucked his tail between his legs, and made a speed record for the camp."

But, in the meantime, things were doing with Jim and Doc.

Jim unlimbered a Colt's of antique but trusty "hy pattern, and his first shot brought Doc into the air sprawled out and quiet. The report had barely died away when there came another "Bang" from up the gulch, where Bill had appeared on the scene. Jim felt his left arm go numb, and dropped to cover until he could see where the shot came from. Then the two combatants arose and blazed away at each other, but with bad aim because between them was a sheet of spraying water where the hydraulic was playing silvery sheets aimlessly into the air, heedless of the part it was taking in the little war.

Jim soon realized that he had made one mistake, that of not coming prepared for a long-range duel with no other ammunition than the cartridges in his gun. As his last shot blazed

prised, they hesitated, dismounted, and held a confab wherein the two documents were compared, and found to have been issued on the same date and recorded in two different places at the same hour.

Matters were growing complicated. Jim and Bill had nothing to say, and the sheriff was puzzled. He looked at the two papers again, and softly swore at the agent who had sold the property twice for the same amounts of money, and with different sets of witnesses. It was too much for him.

"I reckon there ain't nothin' to do but to take both these documents back to the court," he finally said, "but I don't think it's a square deal for you to keep your giants a-workin' on the bank, Bill, until it's settled."

Bill was about to explain that there wasn't any power on earth that he knew of that would keep him from turning on the stream each day as long as he bossed the mine for Esmerelda, but she herself, white, trembling, and wanting to avoid trouble, silenced him, and assured the sheriff the pipes should rest.

It was up to the law now, the thing that took away property by means not understandable, and always left people poorer than when they started along its devious trails; but there was nothing else for it. The next day found the big miner in the camp, seeking legal advice for Esmerelda, and burdened with forebodings and gloom. Like Jim, he felt himself hopelessly embroiled as he turned homeward after his errand.

During alterations on the first floor of the Nell Gwynne tea rooms, High street, Epsom, there has been discovered a secret door in the bedroom that was used by Nell Gwynne, who was one of Epsom's fashionable visitors when the town was noted for the health giving properties of its waters.

The house is the one to which Pepys refers in his diary: "To Epsom by 8 o'clock to the well, where much company. And to the town to the King's Head; and hear that my Lord Buckhurst and Nelly are lodged at the next house and Sir Charles Sedley with them; and keep a merry house."—London Daily Mail.

DRUMMER OF ARCOLA

LITTLE FRENCH LAD PUTS AUSTRIAN ARMY TO FLIGHT.

Napoleon's Great Career Illustrated Heroic Episode Which Illustrates Extraordinary Military Value of Spirit-Stirring Drum.

There stands in the French town of Cadonet, his native place, a monument to the memory of "The Little Drummer of Arcola." Andre Estienne, the hero of one of the most romantic episodes in French history. It was an episode that illustrated the extraordinary military value, so often attested by the world's greatest generals, of what Othello called the "spirit-stirring drum." It may be said, cautiously enough, that Napoleon Bonaparte's great career was built upon a drum, for the battle of Arcola was won by the beating of Estienne's drum, and the Corsican himself always dated his confidence in his own fortune from this battle, won in 1796. The circumstances were these:

Bonaparte, hemmed in with a small army at Verona, between two greatly superior forces, sallied out at night, made a forced march, and with 14,000 men fell upon the rear of 50,000 Austrians. The battle lasted seventy-two hours. On the second day of the fighting the Austrians obtained such a position that they completely and audaciously swept the bridge of Arcola, which the French had gained, and which they must hold if they expected to win the battle.

It was an unlooked-for movement. No officer was near, but Andre Estienne, the little drummer, was there. He went to his sergeant and told him that he should cross the bridge with his drum, and beat it on the other side.

"But," protested the sergeant, "before you place one foot upon the bridge you will be killed. No man on earth could live on that bridge. However, can you swim?"

"I can," said the drummer. "Then swim across with your drum." "Impossible!" returned Estienne. "Should the drum become water-soaked, I could not beat it on the other side."

But the sergeant was equal to this difficulty. Being himself a fine swimmer, he plunged into the water, bade Andre mount upon his shoulders and hold his drum clear of the water. In this way the two crossed the river, Andre beating his drum lustily all the way. Once on the other side, he pounded it in a way to well-nigh wake the dead. The Austrians who were massed near were nearly all raw recruits. Hearing what they took to be the drums of an advancing force of French, and remembering the terrible French onslaught of the day before, they fled. This left the bridge clear, and the French began to pour across. Andre was joined by other drummers. The Austrian flight became a rout. The French swept on, with Andre Estienne, still drumming at their head. Soon the whole Austrian force was retreating, utterly beaten.

Years later Estienne's heroic act was celebrated by being represented in stone on the front of the Pantheon at Paris. The funeral of the little drummer of Arcola was attended by a great concourse of French officers and soldiers.

No Chop Suey in China.

"I have just come from a trip to China," said the foreign agent, "and I found everything to eat there except chop suey. While seeing the sights in various Chinese cities I would occasionally drop into a restaurant to have a bite of native food. An order for a bowl of chop suey invariably was met by a mystical shake of the head. The fact is that they don't eat chop suey in China. An Intelligent Chinaman tells me that chop suey is eaten only by pigs, cats and Americans. It is the American corruption of some Chinese dish that probably was very good. There is a legend to the effect that it was invented by some practical joker in San Francisco's Chinatown, and from there it has spread over the entire United States and most of Europe. Even London, Paris and Berlin now have their chop suey joints where respectable natives go and consume the stuff under the impression that they are being wicked. Chinamen in America tell me that chop suey is eaten only by the poorer Chinese, who order it in the dingier restaurants because it is cheap."

Lark Now a Pest.

Assemblyman Struckenbruck, the farmer-blacksmith of San Joaquin, Cal., is devoting a great deal of his time to getting votes for his bill to permit the shooting of meadow larks. He says that the birds destroy not only grain, but have lately developed a fondness for melons that is proving disastrous to the cantaloupe crop.

One of the strongest bits of evidence cited by Struckenbruck is that when the agricultural demonstration train of the University of California was sent through the state to teach the farmers how to raise their crops on scientific principles the meadow lark, properly stuffed and mounted, occupied a dishonored place among the exhibits as a "pest."

Observation in the fields has also shown that the bird is too busy picking up the farmers' grain to devote any time to singing. He claims that the lark, whose rippling melody, which was once the harbinger of spring and the inspiration of rhymesters, has now become an ordinary thief.

Very Frank.

He was a great bore, and was talking to a crowd about the election. He said:

"Bunce is a good man; he is capable, honest, fearless and conscientious. He will make the very kind of M. P. we need. He once saved my life from drowning."

"Do you really want to see Bunce elected?" a solemn faced old man asked.

"I do, indeed. I'd do anything to see him elected," the bore said.

"Then never let anybody know he saved your life," counseled the solemn faced man.

MARTHA WASHINGTON NOTE

Written to Mrs. Francis Washington and is Sympathetic Throughout.

A fine specimen of rare autograph, a two-page quarto letter of Martha Washington, dated Philadelphia, February 10, 1793, written while George Washington was president, will be sold at auction by Stan. V. Henkels in that city. It is addressed to Mrs. Francis Washington and is a letter

full of sympathy. It is accompanied by a letter of John Burckhardt, giving a history (Henkels calls it "a very scaly one") of how he came into possession of it. He says that it was found near the Washington mansion at Mount Vernon by a member of his company (Company F, One Hundred and Forty-Sixth Indiana regiment), who presented it to him. Mrs. Washington's letter is as follows:

"Since my last, your letter of the 25th January is come to hand. I am sincerely sorry to hear that the poor major's complaints continue. The Al-

ly for you in your heavy affliction and will take pleasure in doing everything we can to make your troubles as light to you as we can. Thank God we are all well—if Patty Dandridge can be useful to you I hope she will stay with you.

"I will, my dear Fanny, have you a bonnet and cloak made and sent by the first opportunity. At this time there is no vessel here for Richmond, but I expect there will soon be, as the river is free from ice, which is a very uncommon thing at this season of the year. My love (to the major and a

kiss to the children, in which the president joins me. My love to your brothers and sisters, and to Patty Dandridge; tell her that her brother is very well. Nelly and Washington sent their love to you and children, and that you may be enabled to keep your health is the prayer of your most Affectionate."

Neil Gwynne's Secret Door.

During alterations on the first floor of the Nell Gwynne tea rooms, High street, Epsom, there has been discovered a secret door in the bedroom that was used by Nell Gwynne, who was one of Epsom's fashionable visitors when the town was noted for the health giving properties of its waters.

The house is the one to which Pepys refers in his diary: "To Epsom by 8 o'clock to the well, where much company. And to the town to the King's Head; and hear that my Lord Buckhurst and Nelly are lodged at the next house and Sir Charles Sedley with them; and keep a merry house."—London Daily Mail.

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