

OUR OWN LITTLE HIGHWAYMAN.

BY JACQUIN MILLER.

I had been duly elected to the responsible position of Judge of Northern Oregon by the people there before I yet had a beard. With that matchless confidence and audacity which is born of youth and fed on vanity, I had taken the oath of office and entered upon its duties, and, with one law book and two six shooters, proceeded to sternly administer justice, if not the law.

One sultry twilight, as I sat smoking a pipe on the steps of my office, an old man came shuffling down the steep hill from a little cluster of cabins that clung to the side of the mountain, with its top crowned by a gallows and graveyard.

The cabin constituting my office and my residence—my country residence and city residence—lay at the edge of the tumble-down old mining town. This town was deep down in a canyon. Indeed, it was called Canyon City. You will find it on the map of Oregon. It is now the county seat of Grant county. We who had found this mining camp and built this dismal mountain town, 200 miles from any other place, first named it Orodelfia; but it didn't look like Orodelfia. It looked like Canyon City. The miners called it Canyon City and Canyon City it is to this day.

Brown, bold hills, high and barren, heaving to the clouds all around us; a high, timbered mountain for a background, away to the south and east, with the graveyard and gallows looking squarely down upon us, whence the Shoshone Indian sometimes shot arrows at night into our one populous street, and wounded, drunken and howling miners—this, in short, is a charcoal sketch of my seat of justice, where the old man who shuffled down the hill in the twilight found me sitting that sultry evening.

"They stole two horses," began the bent and weary old man, as he shuffled up close, lifted his tattered hat in his left hand, and clucked a coiled rope in his right. "My children!" I stood up in an instant, lifted my face to the gallows, and then glanced at the rope in his right hand; but before I could speak he put up a hand in protest and went on.

"No, no, no! I don't want 'em punished. No, no, not like that, judge; but if they'll go back with me, I'll take 'em back, I will, and I'll forgive 'em, and—"

The poor old man quite broke down. He put on his hat and pulled it over his eyes, as he turned aside. "They are your children?"

"Yes." "The law will have to—"

"No, no, no! I don't want the law. I want my children. Why in the world they run away I don't know. Of course, it was dull for 'em down in the settlements, and then they hear of the mines, I s'pose, and wanted some excitement, so they saddled up and rode 200 miles through the Injun country, and I after 'em. And now they won't go back. Why, one of 'em—"

The old man twisted his hat and his rope together in his two hands, and caught his breath and half stopped as he spoke here, as if there was something behind all this that he did not care to tell; but in a moment he went on, "One of 'em, the girl—was to have been married only last week; but they took my horses and run away. They're up there now, in that old cabin with the roof half off. They've made a bed out of the saddle blankets, they've turned the horses out on the hill, and they tell me they won't go back. They say they're going to stay and dig gold. Now, judge, I want you for to go and talk to 'em. Get 'em to go back. I'm all alone. Their mother died when they were babies, and I brought 'em up. I brought 'em up by hand, judge. And—judge, they're not bad. They only don't want to stay at home. They say they'll dig lots of gold and bring it to me; that they won't go back to the settlements no more. Now, judge, you come up in the dark and talk to 'em. Don't let anybody see you, for I don't want 'em took up for stealin'. I only want you to tell 'em to go back."

In a moment more we were climbing the hill toward the roofless old cabin that clung to the hillside, under the gallows and the graveyard. I cannot tell to you the city and the paths that was in that old man's voice, as he had stood there in the twilight, twisting his hat and his rope together, pleading for his runaway children. I knew it was not the law I was about to try to enforce; but I thought it was justice, and my heart was with the old Oregonian. As we climbed higher up and out of the canyon, and stood by the door, we were quite away from the noise of the town. All was as still as if we had stood at the door of one of the everlasting homes on the hilltop.

The door had long since disappeared from the deserted old cabin. I listened. Not a sound. I stepped across the sill.

Click, click! Two black bushy heads shot up from under a pile of blankets in a dark corner, two white little hands shot out, and two bull-dog Derringers looked us in the face, as if about to bark.

We went outside. Perhaps it was cooler there; for, as before observed, it was a sultry evening.

I do not know why, but I began to suspect this whimpering old man of some sort of falsehood and trickery the moment I saw those two resolute heads shoot up in the dark corner of that deserted old cabin. Then the pistols! "If these are your children," I said, with a spice of resolution, as we reached a cool spot, about fifty yards distant, "if these are your children, they are not worth your tears or your trouble. You had better take your horses and return home. When they get hungry they perhaps will not be so ready to draw Derringers on your father. And if they are not your children, I don't see what better you can do than to let them sleep."

The old man was looking up under the shadow of the gallows as I spoke, as if trying to make out the horses that were grazing among the graves there in the darkness. He took a few steps in that direction, as if to make certain of his object, and then returned. Then he melted away in the darkness, and I saw him no more. I waited patiently. To be sandwiched in between a graveyard and

two vicious characters, with bullock derringers in hand, and have to wait there for the return of a sort of Ancient Mariner, whom you begin to half suspect has only just left one of the graves, "for this occasion only," is not pleasant.

Pretty soon I started; and I got down the hill and into the heart of that town, after I did start, with a haste hardly consistent with judicial dignity.

The next day there was a sensation in camp. A pretty woman had come to town! The arrival of a pretty woman in any part of this earth that had not yet visited in an event that loosens every tongue; but the arrival of a pretty woman in a rude, wild mining camp, hundreds of miles away in the wilderness—why, it almost took men's breath away.

She had come in the night, men said. Come with her lover—a beardless fellow, a mere boy. They had been discovered walking down the one street that morning, looking curiously at the mines, miners, and all the strange sights of the half savage camp.

Was it a love affair? Men grew bold with curiosity as the day wore by, and the two still wandered about the town or around the placer mines in the canyon.

She was very beautiful. A bit stout, but rosy with youth and health. They were both shy at first—the lover particularly so. And, indeed, when a half drunken miner made bold to speak to them, the man, or rather the boy, shrunk back, blushing and embarrassed, while the woman, or girl, was left to do the talking.

Who were they? Where did they come from? Was it a runaway match? Would he keep her long? Could that beardless boy keep that one beautiful woman all his own in this town full of tall and brawny men?

These were only a few of the many questions men put to each other, as the two still wandered up and down the camp, looking curiously at all men and all things they met.

Toward night they went to the butcher's and bought some meat. They next visited the German baker. Then, as the sun went down and lifted the gallows to awful prominence on the high brown hill, over the graveyard, the beautiful lady, with her weak and boyish lover, disappeared from our savage little town. It was as if the sun and the moon and the stars had set forever on Canyon City.

Men took their pipes, however, as was their custom, and sat on their doorsteps and smoked in the twilight; while the bat whirled by, and coyote called, and the howl of his always mate prowling around the graveyard and the gallows.

Suddenly looking up in that direction, I saw that the half roofless cabin had taken on a few fresh shingles, and that a smoke was curling lazily up from out the ugly, tumble-down old chimney.

It all came to my mind like a flash. The pretty lady and her boy lover were the two little desperadoes I had encountered only the night before in that same old cabin.

I was more curious now than ever; but I kept my own counsel. Later in the evening I went around to the express office and waited for the arrival of the stage. From the driver I learned that fifty miles away an old man had been seen riding furiously for the settlements and driving two horses before him.

Curious to know who he was, I climbed onto the box with the dusty driver, after he had emptied his stage of mail bags and passengers; and when he had turned his leaders with a long, lazy swing and was drawing up at the stable, I began to pump this traditionally dignified and silent master of the road.

"It was Crittenden," he laconically answered the driver, as he drew up at the stable and threw the reins to his hostler.

"What! Not old Crittenden that killed—"

"The Crittenden that killed his man last year, and the year before, and is going to kill another this year. You see, there's a fellow been a foolin' with a gal of his. Run away with her, or something worse. Whoa! Charley. Yes, I will take a cigar. Well, good-night, judge."

The boldest men and the bloodiest men, too, in all the settlements were these Crittendens. A proud old southern family. Poor as could be, but so proud! Of course they were hated, and were feared, too, by the whole country.

No man ever struck hands in friendship with this hard and unhappy family. They were half outlaw, and yet no man could lay any real dishonorable deed at their door, save that of their dreadful ready use with deadly weapons. Even the women were feared in the settlements, I remember. And now one of them was stolen or gone astray.

And to think that this dreaded head of this clan and most dreaded family had pleaded with me for his children only a few hours before!

"His children, indeed! It was the old man's daughter that had been stolen; not his horse," I said to myself, that night, as I went to bed, and waited to get a good look on the morrow at the woman who could so readily draw a derringer.

I saw her; I saw her daily; but she refused to make friends with any one. The two kept patching up the cabin and it began to look as if they had come to stay.

By and by the beautiful woman, who still seemed to be growing stout, despite their hungry, began to make bold demands on both butcher and baker. The two made common cause and refused her absolutely. All this time the lover, husband, brother, or whatever he may have been, kept timidly in the background.

The two were evidently desperate, hungry, starving.

There was a famous, or rather infamous, house in the heart of town, kept by the Jack of Clubs. The Jack of Clubs was a short, stout, black woman, with a bullet head and a foot like an old-fashioned coffin; and when she was mad, and stood straight up, and dug her fists in her ribs, and grew black in the face with rage, she looked like the Jack of Clubs, and that is why she was so called.

One day the beautiful woman on the hill, under the shadow of the gallows, came down, walking very fast and alone. She looked neither to the right nor to the left, but walked the straight way down to the house of the Jack of Clubs, knocked, entered, shut the door behind her and disappeared.

The town was appalled. It stood on its feet in silent consternation. It refused to sit down while she remained inside that house.

Cid Berry went up to a drinking booth in the open street, and with one eye fixed on the door of the infamous house, poured out and drank, alone and in silence, a draught that would stagger a sailor. After a while the beautiful woman came, and something she said, seemed in great haste, and looking neither to the right nor left, but walking very fast, started on up through the town, toward the cabin on the hill. Men leered at her now. They looked at each other and winked and made faces.

Cid Berry boldly crossed her path. She did not speak. She refused to understand that he stood before her, but hastily tried to pass around.

He caught her by the shoulder and spun her about. Then, for the first time, her face met his, and something she said, seemed in great haste, and looking neither to the right nor left, but walking very fast, started on up through the town, toward the cabin on the hill. Men leered at her now. They looked at each other and winked and made faces.

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That night there was a fearful storm, and the little brook in the bed of the canyon began to take to itself the air and dignity of a river. How the rain did come down.

No man sat in his cabin door that night. All took refuge in the gambling saloons, and even in places of less substantial character; and the one topic that was the beautiful stranger on the hill; her morals and her immorality; her reckless visit to the wretched place; and, also, the discomfiture of their bold leader, Cid Berry.

The Jack of Clubs was sought and consulted. She was thoughtful and mysterious. "What in the world did the woman want? Was she starving? Who was she, anyhow? What was he? And, above all, who was he? And what manner of man was he, to let her come to—"

"Now, stop right there! I'll answer your questions. She's a woman."

"Of course, she's a woman!"

"Yes, she's all woman. Stop! Just what's the matter. Now, stop! Not a word, for I won't answer. The Jack of Clubs bet the last lead on that ere card. She's a woman and a stranger, and another stranger is a coming."

"Another stranger. From Oregon?"

"No, Cid."

"From Idaho."

"No."

"From—"

stones was being built around the new grave on the hill under the gallows. Some men passing that way one night found that this work was being done by the boy they so heartily despised. This fact being noised about, helped him in the eyes of the camp a bit; but still it could never forgive him, and he was left to starve, soul and body, so far as the camp should care.

Singularly enough, in a place so utterly isolated, where everybody knew everybody, there began to be frequent and reckless highway robberies on the road leading to John Day's city. This little cluster of shanties was only three miles away. It has long since disappeared from the face of the earth; but still it keeps firm place on the maps of the country, and looks as big there now as it ever did.

It seemed like a sort of joke to have highway robbers, or, at least, a highway robber amongst us. Men laughed at those who got robbed. Was it not all in fun, and to be willy-nilly? Indian adopted this plan to get a little gold dust without digging it from the earth!

One night, as I stood watching the monte game in the saloon, I saw a man, or rather felt a man come up to my side and look me steadily in the face. I did not move or seem to notice this; but I felt my face grow red.

Then I saw, or rather felt this man step back and speak in sharp, short, whispers to a companion. This companion happened to be a friend of mine, and so soon as the obtrusive party went out I went straight up to him and asked what was the matter.

The man blew a long, curling cloud of smoke, closed his eyes and chuckled: "It's the robber. He was robbed of his dust last night, and he says it was a little feller and a feller without a beard. Sabe?"

"And he means to hint that I—I, the judge—I'll—I'll murder him!"

"Keep cool, now. You just keep cool. It's got to be somebody. It's got to be one of us, ain't it? Here we are. Everybody knows everybody. No strangers up from the settlements yet. It'll all come out straight. You just keep your shirt on, judge."

And, chuckling as if it was a great joke to be suspected of highway robbery, the man sauntered up to the table and laid a blue chip on the ace of diamonds.

Which one of us was the highwayman? It is to be admitted that our moral status was not high. Many of us had been in prison, including the honored judicial head of the camp, and there is not a bit of doubt that a great many of us ought to have had a similar and even more extended experience. But all that did not settle the question as to which one of us was defying the gloomy old gallows that looked down upon us.

The little circle of rocks grew very slowly around the grave on the hill, for the boy was certainly not strong now. Still it was to be seen that he kept steadily on at his singular task—a task of sad, desolate love and devotion.

After a while the boy employed a teamster to haul him down some evergreens from the mountains, to plant on the barren, brown hillside about the grave, inside the little circle of stone.

The teamster, doubtful of his ability to pay, demanded his hire in nugget. The boy at once gave him a large nugget of gold, and turning away, went on up the hill to his cabin.

The teamster ran to Cid Berry with the nugget. Consternation, curses, and the laughter. Berry has been robbed of this nugget only the night before. The remaining Derringer was doing its work.

And do you know we all suddenly came to like that little highwayman of ours? He was now even a greater hero than Cid Berry, who had slain an Indian chief. Hang him! He was a hero now, a sort of Alexander. Canyon City had a highway robber of her own and such a handsome, young and dashing Dick Turpin in town, too! All this would make our town famous in the land. We were particularly proud of our mysterious and sententious little robber.

The nugget, however, was not returned, though Cid Berry proudly refused to prosecute. Perhaps it was hunger that drove our hero once more and very soon to the highway, for in a short time another robbery was attempted. This time, unfortunately, our hero attacked two men who had newly come to the camp, and he was shot dead in his tracks.

When these men told what they had done they were cursed and despised. A party went out in the darkness and brought the body into town. It was laid out on a mantel table, and the camp, now filling up with men from the settlements, came pouring its people into the saloon to see the corpse.

Beautiful, very beautiful was the face. The hands were so small and delicate! One of them still held the ugly little pistol. And when, on examination, it was found not to be loaded, the indignation against the two men was unbounded.

Suddenly a stranger, who had pushed his way through the crowd, threw up his two hands and cried: "It's Crittenden! Yes, it is! You know the place—that was betrayed at the Forks, and they said had gone to 'Frisco to hide!'"

"Kate Crittenden?"

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