

Death at Devil's Caldron

"The prisoners are out! They've escaped jail!"

The cry was picked up by a score of voices and carried down the long, narrow main street of Cimarron—to the gambling dens, where players dropped their cards and grabbed their hats; to the dancehall, where the music stopped with a crash; to the store of the Windsor hotel, where the men suddenly lost interest in their lively yarn; to the ill lighted streets, where merchants locked safes and prepared to join in the busy streets of San Miguel county these days.

It was 9 o'clock when the alarm was sounded. It was midnight before the truth and fiction had been sifted from the women of Cimarron knew the worst. Every able-bodied, dependable man in the mountain town had sworn in either as a member of the sheriff's posse or of the patrol which guarded the town.

In a cot in his office lay Heynman, county jailer. He was encircled by stern faced men. A notary public taking his last statement, set forth that Randall Wolfe, Jose Manuel Sanchez and Felipe Maguire had choked and gagged him making their escape from the Miguel county jail. Later, at the coroner's inquest, the attendant testified that had Heynman in ordinary health the fracas of the desperadoes would not have been fatal, but the poor fellow was "lunatic" who had come to Colorado for his health. The gag had caused a hemorrhage.

The fugitives had been sentenced to six months or less on petty charges, and public opinion laid the blame at the door of Wolfe, handsomely daredevil Randall Wolfe, who had dropped into Cimarron from no known where, with plenty of money and a fondness for shooting at store windows. Soon after his arrival he had married one of the beautiful Mexican girls in the country, and had settled down to a bohemian housekeeping in a picturesque cabin among the river banks. All this had happened months before Wolfe had shot the boys in Brown's drugstore, thereby starting a conflagration and landing in jail. And now Conchita, she of the great wistful eyes and the lithe, graceful figure, had disappeared from the cabin among the willows. People said that in her hour of disgrace she had gone back to her own people and lived across the state line.

Two days, and three, slipped by, and one posse after another rode nearby into town until only Sheriff Maguire and a few picked men hung on the trail of the outlaws. These, too, were becoming disheartened when in the steel gray of early dawn they followed a woodpecker's trail to the Devil's caldron.

The search was this, its bottom covered only by rocky paths such as mountain goats or fugitives alone could tread. On one side the walls stood sheerly fifty feet, and at the point a clear mountain stream ran its way through solid rock.

Maguire had ordered the horses to be led a mile back in the thick timber, and as the posse drew close to the edge he motioned his men to halt, dropping on his hands and knees, he crawled to the edge of the precipice and peered over. What he saw was a thrill of excitement along his nerves. Near the smoldering fire of the three Mexicans, white on the left, slightly above them, lay three other figures, one of whom he could easily identify, even in the uncertain light, as the stalwart Wolfe. The fifth figure he studied carefully, but it was hidden by shaggy gaudy blankets. But Maguire, recalling the sullen Mexican bandier they had passed far up the ravine the day before knew the outlaws had been provided with food and tidings from the outer world. Then, turning his gaze on the zigzag mountain trail ending within two feet of his hand, the sheriff grimly. His prisoners were trapped.

The smile died suddenly. The figure, the one at Wolfe's side, moved restlessly, the red and purple blanket was tossed aside, and a beautiful carved arm was thrown above the head of raven hair. It was Conchita. Maguire drew back. To shoot her down in cold blood was one thing—he had done it before—but she was a woman, a woman who had done nothing but love too well this side of a race not her own. The light had seen the firearms scattered about the camp fire. And if the outlaws fought the girl would be in the midst of it.

She crept back to his men. There she whispered conference. Eight

men carefully looked over their guns. Then, dropping on their stomachs, they slid noiselessly to the edge of the caldron and surrounded it. The steel gray light had changed to rose color when Maguire's voice echoed sharply down the rocky walls of the pit. The fugitives sprang to their feet.

"Might as well come up and surrender, Wolfe. We've got you surrounded."

Wolfe threw back his handsome head and gazed upward where the first beams of sunlight touched the dwarfed pinons. He saw eight set faces and eight guns. He dropped his own weapon with a bitter laugh, and stood with folded arms, staring straight at Maguire. When at last he spoke, the sheriff, even with the thirst of the man hunter upon him, caught himself, wondering how that voice would sound in legislative halls.

"It's no use to surrender, Maguire. It means the gallows now. Conchita told us about Heynman's dying, and maybe you won't believe us, but we didn't mean to kill the fool. By heaven, I couldn't stand being cooped up there! Another day'd have set me mad. When he brought the supper, we just toppled him over, for a lark, but it's turned out an annoying one. We've got to pay the price, I suppose, but Conchita—his voice seemed almost to tremble as it floated up to Maguire—"she followed me here, and now—well, I reckon you'll give her a chance to get up there safe."

Maguire nodded grimly. He knew what those words meant. Wolfe meant to die fighting. There would be no surrender. The men of the posse kept a sharp eye on the Mexicans, who now seemed too stunned even to pick up their firearms. Maguire kept his gun trained on Wolfe as the latter stood a moment in earnest conversation with Conchita. He saw something white slipped into her hands and scented treachery, but as she pushed the packet into the bosom of her gown he saw that it was merely a bundle of papers or letters.

Without looking at his companions and with Maguire's gun still aimed at his heart, Wolfe led Conchita to the narrow goat path. She took half a dozen steps, then paused, turned and stretched out her arms. Eight deputies imperiled their lives by closing their eyes.

Conchita sprang up the path and without looking back dashed into the undergrowth on the summit and disappeared. A second later there floated up to Maguire Randal, Wolfe's taunting laugh. He swung round on the cringing Mexicans.

"Fight, you cowards!" he cried and aimed at Maguire. The fusillade was on.

The next day a ghastly quiet hung over Cimarron. The coroner had ridden to the Devil's caldron, and four bullet-ridden bodies lay in the town's small undertaking establishment. The armed guards still patrolled the town. The members of the sheriff's posse had been spirited away to Denver, Pueblo, or Canon City. A dozen reporters, from city dailies were on the scene. There was talk of a Mexican uprising.

A newspaper man who had been talking with the postmaster suddenly struck off in the direction of the river and the cabin among the willows. He was on the trail of a story, the true story of Randall Wolfe. Conchita met him at the door with eyes more wistful than ever and a pathetic droop about her mouth. But that mouth took on a determined curve as the reporter talked. She shook her head.

"But," she persisted, "did Wolfe never tell you anything about his people in the east? He got money from them, didn't he? His mother wrote to him?"

Still no answer. The newspaper man tried another tack.

"He's left you nothing, I hear, and it isn't to be supposed that his people will help you." He drew forth his purse. "Now, I'd be glad to help you out if you'll answer a few questions."

The Mexican woman rose and threw open the door.

"There is nothing to tell—nothing."

The newspaper man shrugged his shoulders and walked out into the sunlight. He knew the woman lied. She watched him through the yellowing willows. Then she closed her door and crossed to the fireplace. From her bosom she drew a packet of letters. Among them was a photograph of a woman with white hair. These she laid on the coals and watched them burn. Then she sprang

to her feet and tore from the wall a picture of her dead husband. With hungry eyes she studied each crude line, then kissed the photograph passionately and, with a sob, laid that, too, on the greedy coals.

"Ah," she sobbed as the flames licked and curled the blackened pasteboard, "mia cara, I have kept my word! It was all I could do, and they shall never know!"

Then, with her hands clasped about her knees, she crouched weeping by the dying embers.

English Oaks.

The old parliamentary oak in Clipstone park, England, is believed to be 1,500 years old. The tallest oak in that country, called the "Duke's Walking Stick," is higher than the spire of Westminster abbey, and the largest is the "Crowthorpie," which now measures seventy-eight feet in circumference and at one time with its branches covered more than an acre of space.

PRECEDENT CONFIRMED

In the case of Dolan vs. Fagnant, in which a decision was rendered yesterday by the court of appeals, the sale of the government claims of a year or so ago was revived. Dolan bought the claim at auction but as there was a misdescription the issuance of the grant to it was deferred for some time. In the meantime, Fagnant learning no grant to the ground had been issued staked and obtained a record for the claim. In the contest before the gold commissioner Dolan was sustained and in the appeal the findings of the lower court were upheld. The decision was rendered by Mr. Justice Craig and is as follows:

The plaintiff, Dolan, was the purchaser of the bench claim in question at the government sale, paid his money required at the time of the sale and afterwards conformed to all the conditions of the sale. His grant was withheld for some time for some reason or other, mainly because it was alleged in the commissioner's office that the identity or existence of the fractional claim was in question. However this may be, he did finally obtain his grant. But before the obtaining of the grant the defendant entered upon the claim and staked it, also obtaining a grant. I cannot conceive why Dolan was held so long without his grant in the commissioner's office and why the defendant should immediately have obtained his grant after his staking. There was some question as to the identity of the claim and whether any such claim was in existence, but I am convinced from the evidence that the claim granted to Dolan was in existence at the time of the sale, was the one he meant to buy and the one intended to be sold. It was argued that because he did not obtain his grant within the time limited by an arbitrary notice of the assistant gold commissioner, therefore he was not entitled to his grant at all. Such an argument seems to me to be absurd. He had complied, as I said before, with every regulation of the crown. If any one was in default it was the crown, and why the plaintiff should suffer for the neglect and delay of the crown I cannot understand. When the sale was made by auction and when Dolan had paid his money he was entitled then and there, and then and there acquired title to that piece of ground, and the crown was bound to convey it to him. No interest remained in the ground which the defendant could stake or which the crown could grant. It was not then open for location. If the parties who attend government sales, pay their money and perform every condition enacted of them are not to be protected, then the regulations for the guidance of the public are of little use and crown sales are a farce. The appeal should be dismissed and the judgment of the gold commissioner affirmed with costs.

Mr. Justice Dugas in concurring with the decision of Mr. Justice Craig, said:

This is purely a question of fact, which has been determined by the gold commissioner in favor of the plaintiff, respondent. The case offers, no doubt, some difficulty but, as it has been charged in the court of appeal, that the application in dispute was the one really sold at auction by the government to the plaintiff, notwithstanding the errors and false descriptions made therefore, and taking the whole circumstances of the case into consideration, I think that the judgment of the gold commissioner should not be disturbed, and that the appeal should be dismissed with costs.

Mr. Senkler also concurred.

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HAPPY AND CHEERFUL

Are Kennedy's Tales on the Outside

The Big Wrestler and Boxer Tells of Easy Money Won in Dawson.

The following appeared recently in the New York American and Journal. Kennedy did take some easy money from the Klondike—money earned by faking—but he only took \$5000 instead of \$30,000.

Sioux City, Iowa, March 22.—Frank Gotch, a young son of a farmer of Humboldt, Iowa, has just returned from the Klondike, and brought with him \$30,000. He made it in just six months. Two years ago Frank Gotch was just of age, tipping the scales at 190 pounds; 5 feet 10 1/2 inches high, his neck large and muscles standing out over his body. "Farmer" Burns, the well-known wrestler, "discovered" Gotch and put him to wrestling. Since then the young giant has thrown about every one in Iowa and Nebraska and he capped his record in the gold fields of Alaska last summer and fall by putting every wrestler of note in the Klondike to the mat.

When he went to Alaska it wasn't as a wrestler. So the people who saw a young stranger making his way "up creek" from Dawson and stopping at the claim of James Brown were told he was a young miner named Frank Kennedy. He began daily labor on Brown's claim, washing gold dust out of the sand.

One day, in camp, he chanced to wrestle with a bully, and threw him in a jiffy. The bully didn't tell it, but others did. So next day Billy Murdock, best wrestler on the hill, challenged him, and Murdock's friends went to the camp saloon to see the foolhardy stranger discomfited. To their surprise Gotch threw his man to the hard floor of the saloon in just four minutes and pocketed Murdock's \$500.

Kennedy's fame spread. Two light-weights down the creek—Riley and Murphy—heard about him, and put up \$2,500. They pushed their bargain hard, and Kennedy agreed to throw them both twice in an hour. He did it in half that time.

The miners began to believe Kennedy was a remarkable wrestler for a plain placer miner, but Kennedy just kept on looking for gold on Brown's claim and let the rest talk.

Down at Dawson, White, a crack wrestler of Alaska, had the papers printed under big headlines he had posted \$2,500 for a three-fall meet with Kennedy. The young "miner" came down creek and covered the purse. The Dawson papers predicted the downfall of Kennedy, for White had a reputation. The Klondike boasted only about one better. Money went up freely on White. The next day the papers said "White was like wax in Kennedy's grip." He won three falls in eighteen minutes and about \$8,000 in purse, bets and gate receipts. But still he held his tongue.

The champion of Alaska was Silas Archer. The newcomer having thrown the next to the best man, the champion became interested. But he declared he wouldn't wrestle for less than \$5,000. That suited the young miner, and the \$5,000 was doubled. This took Archer's breath away, but the papers said he would surely win. The winner was to get a single fall. Archer was not alone champion of Alaska, but a resident there. Local pride and loyalty to "their champion" brought miners from every field in the Klondike down to the Old Savoy theater the night of August 13, and every man came with a bag of gold dust. Values run high in the Klondike, and when it was all over the papers said more money was bet on that contest than on any wrestling match that ever took place in the world. At all events, men fought for standing room at \$1 a head.

Kennedy went at his man with a vim, and 17 1/2 minutes later pushed Archer's shoulder blades into the mat. He won, in purse, side bets and gate receipts, \$18,640.

A five style match followed between Kennedy, Ole Marsh and "the mighty Colonel McLaughlin," as the sporting editors put it, and when all was over, it was found Kennedy had cleaned them all out. Unable to find any more opponents who wanted to put their money up on straight contests, Gotch began wrestling against

time for nightly purses of from \$100 to \$500.

He left the Klondike with the respect of the sporting public. In spite of their heavy losses, the people bade farewell to the young man who had defeated their every veteran, and wished him well. Gotch is back in Humboldt, leading a quiet life again. His advice to the wrestler who seeks financial assistance is, "Go to the Klondike and stay six months."

"Why do you feed your turkeys those poker chips?" we asked of the honest rustic.

"To give them a gamey flavor," he responded, with a quaint smile that told all too plainly that he was clubbing the weekly village paper with the comic magazine—Baltimore American.

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Dugas concurred but, as stated, ed. The opinion extremely clear so much so, in fa made mention of Craig, who remark ard it previous to his own decision, d the effect of alter

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