



The DAY of the DUEL

TWO—AND A THIRD

(A TRUE STORY)



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"It's a safe bet that Crowley brings the affair to a head if he will give Ellen the money," said the postmaster.

"Crowley? Why Crowley more than Fitch? When a carcass is to be picked there's little choice between the crows," answered his old friend, the court clerk.

"Well, they do say that Crowley has had an eye on Jim O'Neill's money this many a year. I've always supposed he had a long start on any possible competitor. Still, if you put it that way, there's a whole flock able to smell a fortune."

"The rest don't count; they haven't claws nor beaks for the job. But Fitch is flying well up, don't make any mistake. Crowley may be the smartest lawyer in the county, but Fitch is less scrupulous."

"Has it dawned on you yet that we're settling this thing pretty much without considering Ellen?" said the postmaster after a pause. "There's usually some prejudice in favor of young women making their own choice."

"Ellen don't come under the usual head. I happen to know something about her. She was raised in a French convent, and after her mother's death her uncle kept her close. O'Neill was a hard man. He never let more than three or four folks see her at all when he had her here. The rest of the time she was in religious houses."

"Crowley was one of the three or four."

"Yes, and Fitch was another. They both worked in on the old man. He needed them with his continuous performance of law suits. They're both clever and they're almost the only men she knows."

"She may have a mind of her own."

"The chances are against it. Her mother and the convent and O'Neill crushed that out of her. Here she is a woman of twenty-five, used to being looked after and ordered around. She gets a fortune. She'll fall to the one of the two men that plays sharp and quick."

The opinion of the court clerk was generally held by all who had known the eccentric and his ways. It was confirmed when the will was read and it was found that the entire estate, valued at \$400,000, had been left to Ellen Dugray. Those who were first to call upon the young woman with neighborly condolences were satisfied that she was not one to stand alone. Slender and pale, with a rather pretty face, she distinctly gave the impression of helplessness and dependence which the townspeople had been led to expect. At the funeral service it was noticed that she was supported and comforted by Mrs. Jane Taggart, upon whose motherly arm she leaned at trying moments. The postmaster pointed out this fact to the court clerk as they were returning from the cemetery.

"I said Crowley, didn't I? He's first on the ground already. Did you notice Aunt Jane?"

"What's Aunt Jane got to do with it?"

"Nothing, except that she's Joe Taggart's mother and Joe Taggart is Crowley's chief admirer and henchman. It was skillfully done. He has one of his own party to the front at a critical moment. Watch Crowley; he's smiling already."

Wagering on the Result.

During the next week wagers were freely offered and as freely taken on the outcome. It was conceded that Crowley had lost no time in starting his campaign. But Fitch was as assiduous in his visits as his rival, and the issue hung in doubt. The common conviction was that the question would be decided once for all when Ellen indicated which of the two should be her legal adviser. The estate was large and complicated, litigation was still pending and it would be necessary for the young woman to designate some one to take charge of her affairs, since she could not follow the bandit tactics of her uncle.

The first surprise came when it was learned that Ellen had recruited moral support in the person of a distant cousin, a prim and aged lady of formidable respectability, who now took up residence in the O'Neill house. The neighbors in their amiable desire to further the designs of one or other of the pretenders found themselves quietly foiled by the presence of this new factor. Both Fitch and Crowley were matters of supreme indifference to the distant cousin, and she could not be led or driven into partisanship. Most of the callers retired discouraged from the field. Only Mrs. Taggart, secure in an expansive affection for every one and her homely title of "Aunt Jane," continued undaunted.

The community had already begun to think that the situation would not find so swift a conclusion as had been expected when it sustained another shock. It was announced that neither of the young lawyers was to have the O'Neill estate in charge. Ellen placed her business in the hands of aged Judge Poole, a man of unquestioned integrity, who had been rather hostile to her uncle. The townspeople felt vaguely that they had been defrauded in some way, but there was no doubt that the young woman had acted wisely. The court clerk rubbed his hands in glee, seeing in all these complications the clever checks manipulated by Fitch and scenting a keen contest.

Meanwhile relations between Crowley and Fitch, heretofore marked by outward friendliness, were undergoing a change. They no longer exchanged polite greetings when they met upon the steps of the O'Neill house, nor did they attempt simultaneous visits. The one in possession withdrew when his rival called, and this tacit avoidance of direct conflict remained the sole recognition between them.

Crowley discussed his hopes and his plans with but one person, Joe Taggart. Taggart had attached himself to Crowley in their school days and had since revolved about him as a satellite, singly devoted to his interests, charging himself with political or personal missions at the order of the young lawyer. They made a singular pair—Crowley thin, long of face and nervous; Taggart towering a foot above him, with the shoulders of a Colossus and a shaggy head of red hair.



Throughout the county Taggart was known as "Crowley's dancing bear."

They sat at an evening in the rear of Crowley's little office, in the Brick Block, and the lawyer veered to the subject that now lay nearest him.

"What does your mother say, Joe?" he asked.

"Nothing much," growled Taggart. "Fitch was there on Monday and again on Wednesday. He didn't stay long."

"Has he a hold on her, do you think? Was there any thing in the way of business between them?"

"The old lady couldn't find out. But it's a likely thing that O'Neill left something hanging over that gives him an excuse."

Crowley frowned. "I've been afraid of that. He's been there more frequently of late. And she's growing more difficult to understand. At first I was sure of her. She seemed nothing more than a child. But, hang it all, Joe, she's a woman and she makes a man feel it. Have you ever seen her, Joe?"

"Yes. I went with the old lady once or twice. She's pretty enough, I guess."

"Did she ever mention me?"

"No. She didn't say much, except about her uncle."

Crowley began to walk the floor frowning. "This is getting on my nerves, Joe. I'm beginning to think he's making it a personal issue. Have you heard any more about what he's been saying?"

"Except what I told you. He had a little too much one night and he let on he had you blocked. Some of the boys told me."

"Blocked, eh?" said Crowley, with kindling eye. "I'm sure he's been quietly knitting me. I don't know and I can't answer what he's been telling her. But it would be just like him to try and fix my chances that way, wouldn't it, Joe?"

Crowley's Menace.

Taggart nodded, with lowered eyes. "I guess he wouldn't care very much what he said 's long's he got her."

"Let him keep away from that," Crowley broke out sharply. "It lies between us two. If it wasn't for Fitch I'd have her to-morrow. I won't stand by and let him lie me out of the way."

It was a Saturday night and a group had gathered in the room above the Post Office for the weekly game of poker. Fitch and Crowley had absented themselves from the circle for several weeks. In the meantime there had been persistent rumors of increasing hostility between the two lawyers. The postmaster on entering had a bit of news.

"Fitch is coming."

"Then we'll be right on the scene," chuckled the court clerk, "for Crowley is, too."

Taggart had induced his chief to be present. He had brought word that Fitch would play poker, as usual. "You better go," he had said. "It's no use letting him think you're afraid to be near him. Folks are wondering already if it ain't a case of one's afraid and t'other dassn't. He'll get off some crack about your keeping under cover and it won't do you no good."

Crowley and his "dancing bear" were the last to arrive. There were six of them about the round table, with bottles and glasses handy. Fitch and Crowley did not even glance at each other, a fact that was noted with furtive grins among the others. Chips were dealt and the game began without delay. Taggart dropped into the chair next to Fitch, and Crowley took the one between Taggart and the court clerk.

THE FIGHT HAD GONE ON FOR TEN MINUTES.

They played with few words. From the first Fitch won steadily. Fortune also favored Crowley, and at midnight both were well ahead of the game. An hour later they were the only winners at the board and the tension lightened. The situation took on a curious suggestion of hidden significance, as if the cards offered a test of the issue between the two men.

Heated by the excitement and the drink, each emphasized the personal note by directing his play pointedly against the other. Fitch raised Crowley at each opportunity and Crowley responded promptly. The others, losers all, sat with grim faces, hoping for some turn that would allow them to take advantage of the reckless battle. Meanwhile, the hands running persistently toward the two lawyers, the luckless four were winnowed steadily. Taggart called for new cards three times, but the change brought no result.

The court clerk was dealing and Fitch opened the pot. Taggart stared, as did Crowley. Fitch stood pat and bet the limit, \$50. Taggart dropped out and Crowley drew one card. He glanced at it to find that he held a jack full. He raised Fitch the limit. The opener came back again.

"Sorry I'll have to repeat," said Crowley, addressing his rival for the first time and smiling coldly.

"Trotting along," answered Fitch, easily. They raised back and forth steadily, while the others looked on, fascinated and breathless. There was more than \$1,000 on the table when Fitch, with a gesture of impatience, called. Crowley was still smiling.

"I've got a jack full."

"No good; four eights," returned Fitch, and raked down the stakes.

Crowley knew that Fitch by failing to draw a card had overplayed him, and his face was unpleasant as the game proceeded. He played cautiously for a time. There came several passed hands, and with a good pot on the table he looked at his cards to find that he held a pat king full. It was Fitch's deal. Glancing at the court clerk, King, the man who sat next, and the postmaster, Crowley decided that the last could open the pot. When it came his turn he passed. His face reading proved correct and the postmaster opened.

Fitch raised and Taggart dropped out. Crowley raised the limit. The others threw down their hands and the postmaster also quit, showing a pair of aces as openers, with an angry gesture. The struggle was joined once more between the two lawyers. The betting was stiff. The pile of gold and bills on the table grew steadily. Then Crowley brought about a lull by calling and Fitch held the pack ready to deal.

"Help yourself," said Crowley.

Fitch carefully discarded one card and dealt himself another from the pack. He looked at it carefully and the betting began again. It went on until his neatly arranged piles had melted and he was forced to have recourse to his pocketbook. The watchers knew that the ill will between the adversaries was now at white heat and that neither would stop short of his last cent. They bent forward eagerly, while the raising continued back and forth. Taggart was following the play intently, hair awry and chest sunk against the table. Crowley threw down his money to call with an oath and spread his king full upon the table.

"No good; four eights," said Fitch, as before, but his hand trembled a little as he reached for his winnings. Exclamations escaped from the others. It was a remarkable coincidence that he should repeat

his hand so soon. Crowley sat back with white face and turned toward Taggart, murmuring something under his breath. Fitch caught a word.

"What's that you said?" he challenged sharply, half rising from his seat. The postmaster started to protest. Just then Taggart leaned over and plucked Crowley's arm. He pulled his chief toward him and pointed over the edge of the table. Under Crowley's chair, in the dust and litter of the floor, lay a card.

With a leap Crowley was past Taggart's outstretched arm. He stooped, picked the card from under the chair and held it over the table under the light, where all might see. It was an eight of hearts.

The design on the back was that of all the packs they had used that evening. Fitch, with starting, wrathful eyes, sprang to one side, glaring at his rival.

"What the devil is this?" he cried.

Crowley shook the card fiercely before the astonished faces of the other players. "What is it? Look at it and tell us yourself what it is." He threw the eight upon the table by the side of the four eights of Fitch's hand. A tense silence fell upon the group.

Every eye was turned sternly upon Fitch, who glanced about as if seeking an ally.

Resented with a Revolver.

"Look here," he said suddenly, advancing upon Crowley. "I don't know what all this means. I didn't see what you did or where you got that card. But, damn you, if you or any other man here means to say there was anything crooked in my play"—

he whipped a hand behind him and a revolver flashed under the lamp. The postmaster rose from his chair and flung himself upon the arm that held the weapon. There was a scuffle and a crashing report. The others threw themselves upon the two. The postmaster, wiry and tough for all his years, had forced the revolver down and held it until Fitch was disarmed. Breathing heavily, the men fell apart once more. There were shouts from the street and the sound of men running.

"I think we'd better adjourn, gentlemen," said the court clerk gravely.

"Not till I settle this thing," cried Fitch, still struggling to reach Crowley.

"It can't be settled here or now," continued the court clerk calmly. "We'll have a crowd on us in a minute." The words seemed to steady Fitch.

"Then, may I ask you to take charge of that money," he asked, "until this affair is cleared up? You shall hear from me, sir," he said, turning to Crowley.

"As soon as you like," said Crowley, leaving the room, with the faithful Taggart at his elbow.

He went over the affair with his follower before they separated. The only question in Crowley's mind was as to the conditions he should name for the meeting.

"He's pretty handy at a mark, isn't he, Joe?"

"Some say the best shot in the State," returned Taggart, "with rifle and revolver. It's no use committing suicide by fighting him that way."

"Well, what then? We'd look pretty fighting with swords, wouldn't we?"

"Now, you hold on a minute," said Taggart with sudden decision. "There ain't much duelling with swords in this country and it would be foolish to try it. But we got something that's pretty near like a sword, and that's a Bowie knife. And if you want precedent for it, why, it's to be had, I guess."

Crowley walked the floor of his little office with short, nervous steps, considering this suggestion. He

did not like it. He was no coward, but the thought revolted him. "Why, that's the way roustabouts fight!" he exclaimed. "Men carve each other to strips."

Taggart shrugged his huge shoulders. "What do you want? You're crazy to fight him, and now you've got your fight. With firearms he'll do you sure. With a knife you'll have the advantage in reach and strength. There's that much to choose between them."

A passing thought arrested the lawyer in his restless pacing of the floor. It occurred to him as he looked at the shaggy head and muscled form of his "dancing bear" that Taggart's manner was neither so friendly nor so aggressive in his support as it might have been. But he did not linger upon hint of a new attitude in his henchman. The duel was the pressing subject.

"All right," he said at length. "Kalves let it be. But I must insist upon terms that shall remove the affair from the class of a mere rough and tumble. We will meet on horses. I want you to take letters for me to Lavigne and Wilson. I shall ask them to act for me. Good night."

There were few inhabitants of the town next day who did not know something of an impending settlement between the rivals for the hand of Ellen Dugray. The shot from the post office called for explanation and the various versions agreed in stating that the lawyers had brought their quarrel to a head. But the plans were carefully guarded and no definite word was in circulation. The time was set by Crowley for a week ahead in order to baffle the curious and avoid possible interference. It was early on a Monday morning that the opponents, attended by their respective seconds, galloped out of town by different roads to meet in a clover field two miles away. Crowley at the start looked about for Taggart, but the giant failed to put in an appearance.

Fitch had made no objection to the unusual terms of the duel. He came ready for the fray mounted on a stocky little roan, nimble of foot and gentle of temper, having decided that it would be important to hold a steady seat. Crowley rode a spirited bay, a mount that a less expert horseman would scarce have ventured with. He made a gallant figure as he swept the horse in a flashing circle about the field and drew rein at his own end.

Prepared for the Struggle.

The opponents prepared for the struggle according to their agreement. Coats were stripped off and each submitted to examination by a second from the other party so that there might be no question of concealed armor or other protection. Then the bowie knives, identical weapons, carefully ground and sharpened, were placed in their hands. The two parties rode slowly toward each other across the field. They halted ten feet apart, and Wilson, drawing to one side with the three other seconds, repeated the instructions.

"At the given word, gentlemen, you will be free to advance at discretion. There will be no pause until one is disabled beyond the possibility of continuing or cries for quarter. In either event the combat will cease. You are absolutely forbidden to strike at your opponent's mount. If either is disabled he will be given an opportunity to regain his saddle before resumption of hostilities."

There was a brief pause while the two men sat quietly, weapons ready, keeping watchful eyes for the first move. Then Wilson drew his horseman still further aside. "Are you ready, gentlemen?" he shouted.

"Ready!" they replied, with raised spurs and tightened reins.

"Forward!" There was a muffled shout, the twinkle of steel in the level rays of the rising sun, a shock of bodies and the slap of leather. Both men missed in the first vicious slash and the charge of Crowley's bay carried him beyond his adversary. He wheeled and came back more slowly. Fitch, digging a spur, urged his roan in to close quarters and the fighters clinched.

There was swift, deadly work in the rush of hate and the blind rage of combat. Each had caught the other about the neck with his free hand and sought to deliver a fatal stab. The knives descended, rose again. The horses, thrown together, stamped and pranced, but held their relative positions. Crimson splashes appeared on the plumes and the two men sat side by side, where his enemy had reached him sharply. They breathed a moment, then urged their mounts forward again with unabated energy and fury. Fitch, pulling in his roan, reached his left arm about his adversary's waist and held him in an impeding grip while he struck in again and again. Crowley caught the shoulder thus offered him and pushed Fitch down, stabbing at the exposed side with all his strength.

The horses, held neck to neck by the pressure of knee and spur, no longer sought to evade contact and stood quietly enough. The men meanwhile wrestled desperately. Fitch, finding that his waist hold was proving too expensive, released it and used his left arm to ward the blows. Crowley showed upon the other to make an opening for a thrust. The strap began to tell and they fought with less vigor, though with none the less determination.

The fight had gone on for nearly ten minutes. The opponents had lost almost all human semblance. Still the knives gave their ruddy faces and still they worked for death—and life. The men were forced to lean against each other across their saddles for support, gasping, heaving, with spasmodic efforts at a decisive blow. Crowley, leaning his weight upon the blade, almost severed Fitch's arm at the shoulder. The other at the same instant lurched forward and buried his weapon to the hilt in Crowley's breast. Nerve and courage could do no more, and the two dropped together, slid from their saddles and fell to the ground. The seconds, dashing forward, drew them from beneath the trampling hoofs.

Water carried in hats was thrown upon the unconscious combatants. One of Fitch's seconds, who had some knowledge of surgery, set about binding the terrible wounds. After some time Fitch opened his eyes. As he turned toward his helpless enemy there was a smile on his battered and disfigured face. Presently he knew, from the remarks of his seconds, that Crowley, too, had returned to consciousness.

"Crowley," he called, weakly. The others fell silent. Both men were crying. "Crowley," whispered Fitch again.

"Yes," answered the other, faintly.

"I—wanted to tell you—that Taggart married Ellen last night. They went over the county line. I was the only one—that saw them go. I—didn't say anything because—because of the—eight of hearts. He—Taggart—put it under my chair."

And Crowley, with grim appreciation, reached out a hand, smiling a little. Under the cloud that hovered close above them both they exchanged a clasp of understanding.

"A Burnt Match," Next Week.

