

house, your arm around the waist of a Mexican girl?"

"Heavens and earth! The faulanga hall was open to the street—it might almost have been in it for as private was concerned—and this was the manner in which I had been put on free exhibition to Blanco while on her way that evening, from the hotel to the Chinese Camp 'opera house.'"

"And for that reason you did not recognize me in the box at the theatre?"

"It is not my business on the stage to recognize any one in the audience. People do not pay their money to see an actress nod and smile at her friends."

"How did you hear of the charge against me?"

"It was the talk at the hotel table, in that camp where we played. There I first learned of my uncle's whereabouts and his condition."

"What did they say of me?"

"In substance, that your life and actions were suspicious; that you 'loafed' a good deal, as they expressed it, always had plenty of money, and that no one knew how you came by it. I think, however, I should not have judged you so quickly as I did had I not seen you in the dance house."

"Why did that set you against me?"

"That's a strange question for you to ask. Perhaps it was because of jealousy—perhaps contempt."

"I was silent. She continued: 'Never mind that now. My fault is the greater. I want to see it all, and you must help me. Did not my manner toward you at the store the other day excite more prejudice than ever against you among the miners?'"

"I think it did."

"I thought so," said she. "I began to see and feel it very soon. Well, it shows a woman's power for good or ill—in this case for ill—and men call us the weaker sex. What caused the quarrel between you and my uncle?"

"He intruded himself on ground belonging to me and Broome."

"I gather from my uncle's rambling, delirious talk that he imagines the ground in question not to be yours legally. Is that so?"

"Yes."

"Then why did you oppose him?"

"Because I thought the circumstances justified it. It is ground for which no legal provision is yet made for holdings."

"Then how can you hold it?"

"The same law by which your recently dismissed friends from yonder hollow acted," was her answer.

"You would make a good lawyer," I said.

"I think I should. But have you not placed yourself in an awkward position?"

"Yes, either I have or fate has for me."

"How do you think my fault has been in this matter?" she continued.

"I don't know that there is any. I think, had you known the temper of Bull Bar, you would not unreasonably have brought the cutting against me to the boiling point by judging me as you did at the store, before so many people. That, on your part, was caused by ignorance. I think, though, that you might first have sought me out and heard my story before judging me," I said.

"I should have done so. It was a great mistake. Any more?" she asked.

"Well, you may have made a similar misjudgment in another direction, as to seeing me as you did in the dance house."

"Indeed! I think I understand. You were simply enjoying a man's privileges in this very free country."

"That's your way of putting it?"

"Yes, that is your way of putting it!"

"I was silent. She continued: 'These we reverse the case, and you had seen me in that place, whirling in the arms of a brawny miner?'"

"It's not a supposable case," I answered.

"Thank you. In other words, you would say that 'he would visit such a place?'"

"I say so, then I suppose you will ask me why should a gentleman visit such a place?"

"Yes," said she. "That was my intention. On second thought I take the question back. I may want possibly to have some of the same or other some of the privileges of you gentlemen."

"We were silent for some minutes."

"Why did you not inquire of Broome with regard to the affair?" I asked.

"I had reasons—perhaps right, perhaps wrong—for not doing so. I know that as your partner, and an interested party, his sympathies would be in your behalf. I wanted to find out for myself, and place myself under as little obligation as possible to any one in doing what I had to do. Perhaps, in that, I made a mistake."

"You mean," she said, "that you had been guided by Broome's might not have been misled as you were regarding me?"

"Guided is rather a strong word. Still, I think now my judgment in the matter would have been better than mine," she replied.

"This phase of the subject was not agreeable to me. I avoided further mention of it; but that dreadful dance house picture of myself before Blanco now took full possession of me. I could not help talking of it."

"As we are talking very plainly to each other tonight, may I ask of you exactly your judgment of me from seeing me at the faulanga?"

"My judgment regarding it is one thing; my emotion may be quite another. As to judgment or judging you in the matter, I own I am not able to do it. You are a man living among men, influenced possibly by other men. You live in the man's kingdom and in that kingdom are laws, customs, usages, privileges, perhaps temperaments, which don't appertain to us women. You may have walked with the Mexican girl for the mere pleasure of the moment; you may, again, be her lover; you may like those low revels and persist in them; you may drop in for a moment's curiosity and amusement and satisfied perhaps disgusted, soon come off again. How do I know?"

"I think your last conjecture the right one," I said somewhat eagerly.

"I hope it is," she answered, adding, "for your own sake."

"For my sake alone?"

"For the sake of all or any one whose happiness depends on your wisdom," she replied.

"Does yours now depend at all on that welfare?" I asked.

"Do you mean to ask if I love you still? In my act to-night one of love or hate?" was her reply.

"Perhaps you might have no done for any man."

"She paused and then said slowly: 'Since you are so kind as to suggest the idea, well, perhaps I might.'"

"I was neither comforted nor satisfied. Talk of handling edged tools! The Land of Promise, so near at one moment, receded at the next."

"Fardon me, Blanca," I said. "I should not have made such a remark."

"I don't see why you should not. What you suggest may be among the possible. How do I know?" she replied.

"Miry ground this, I thought, and I'm sinking in it all the time."

"Then I spoke 'like a man,' and I speak foolishly. 'Perhaps you'd have done the same for Mr. Broome?'"

"Perhaps so," she said calmly, adding as a clincher: "Very likely."

"I went down over ears in the quagmire of despair and jealousy."

"John Holder," she exclaimed in a few moments, "this is no time for us two to be

talking in this fashion: and besides, John," she said, "with a shade of playfulness, 'if we do you in your present attitude toward me, will get the worst of it. Mr. Broome is an old friend of mine. I esteem him highly and value his association, for he is a remarkable man, and one from whom I have learned a great deal. What we have now to do is to get Uncle Pratt well and you out of this trouble.'"

"I replied: 'If you mean by 'we' any set of men, Broome in my behalf, let me say right here, then I don't want it and won't accept it.' The word 'we' was a fresh brand in the flame."

"John, you are talking foolishly," she said. "I like all other men, but one that I've known, you can't abide from a woman a word in favor of another of your own sex."

"But you, I thought, and that's Broome. We were now near Pratt's cabin. She stopped, laying her hand on my arm."

"John," she said, earnestly, and her voice trembled. "Your danger in connection with this affair isn't all over yet. Unless my uncle recovers, or confides your story, you are in great danger. His delirious utterances are supposed to hear on you, and as heard by talebearers and meddlers they are continually going out and keeping suspicion alive in the minds of the miners. You are in a very bad way, and unless you get some help that may come to you—for you may need it all."

"I will not accept any aid from Broome, if I can avoid it. I hate your man so brilliant that they are always towering over me."

"We had reached Pratt's cabin. 'Oh, John,' was all she said. 'Good-night.' She

extended her hand. I took it cordily. So we parted, I hearing her say as she went, 'I'm in the thought that I had repaid her kindness will—well, what name is there to the act and was for womanly but premeditated insanity!'"

CHAPTER XXIX.
TARDY REPENTANCE.

Of course, so soon as I regretted bitterly my manner at parting toward Blanca, and spent a large portion of the night in imaginary interviews with her, in which I acted more rationally and smoothly over all my roughness. I resolved to see her as early as possible on the next day, and to explain which or in which, despite all our effort or inclination, we must either gaze or participate.

Broome arrived early that morning. I knew that a surprise was in store for him, and wondered how he would take it. I knew that he had been disappointed at not finding Blanca at Maryville, and least of all expected to find her at Bull Bar. He showed no signs of chagrin, however. This was characteristic of him. I saw that he was that care, vexation, trouble of any sort or from any cause, were all lost to be fought off and beaten and did not question me.

Blanca's presence I said nothing. He visited Pratt and fine out for himself. Concerning my capture and the events of the night I told him in the briefest possible terms. He manifested no interest, and simply, 'I got away.' That left a large field for conjecture. He saw that I preferred to remain reticent and did not question me.

Uncertain as were our social relations toward each other we had reached that fortunate condition where each knew to a hair's breadth where the other desired to stop at self-relations, and acted accordingly.

Soon after breakfast he went over to Pratt's. Despite my misery I was half amused at a thought thus suggested. He returned in about half an hour, sat down, and pored his nails carefully, and finally remarked: "This world is all a floating globe; but, nevertheless, a very interesting one. I wonder which way the cat will jump next. At the same time, how monotonous it would be if the cat jumped thence way every time."

I could not help laughing in spite of all. "Yes," he said, as in reply to a remark of mine, "I agree with you, Broome. Out of the saddle trouble we will find flowers of recreation, if not of resignation."

I wondered for whom he meant the term 'resignation.' The man had sometimes two and even three meanings for some of his sentences, which it might take days, even weeks, to make out.

"How is Pratt?" I asked.

"The ordinary beef-eating mind of Bull Bar," he replied, "the professional pill-popper, who practices the solemn scientific over the head, has no better. To one like myself, a few degrees higher than they in the plane of intelligent animal development, he will eventually meet and recover the small fragment of mind vouchsafed him by—well, the Infinite: 'Oh, woman, in her hours of ease, etc.'"

"I will go with you and give ball for your appearance," said Broome, "if you will."

"No," I said. "I'm going to jail."

"I wouldn't do that," he replied. "First, there isn't the least necessity for it. Second, it will hurt your case. Appearance goes long way here, and to go to jail to put yourself in the position before the community of a man without money and without friends."

"Well," I asked, "what matters do so long as I am innocent?"

"It matters a great deal," he answered, "from the point of view that the law deals out here—or elsewhere. 'Plato sin with you,' you know, and the lance of justice harnesses brooks. Carry it in rags, a pigmy's staff, and both places it! How William R. did write for posterity, with a big 'P'! Come, Holder, don't make what's hard say harder than it needs be."

It was not so easy now to resist him as I had imagined. There was a shade of tenderness and feeling in his tones, and in his look also. Some Holder had come over him. What to me was indefinable. But I would go to jail.

"Hold on," he said, "I've got to put the matter to you, then, in another light," he said. "This arrest of yours is aimed at me, and I'm backed up by some party behind Pratt, influenced by some motive other than that of mere friendship for me. The parties are not the same as those who sit him up here to hunt for the 'Bank.' Suppose they manage to get you in prison, where you'll be kept until they've got the 'Bank' keepers out of the way. Next, they'll probably turn their batteries on me, and you'll be a witness against me on the Bar as an abettor in the assassination and a crime by legal process in some way. This leaves the 'Bank' as their enemy. Their tool here now is possibly Pratt. The only thing in their calculations is this: The 'Bank' is nearly worked out. Still, it may be a feeder to some even richer vein. Anyway, I want to see this thing out. As a matter of simple justice, ought you not to help me in the best way you can?"

"Very well. One of these 'best ways' lies in not going to jail when you can get ball for your appearance, and to keep a respectable showing for our side."

"It's like going to jail as you say on this," I replied. "It's been a hell to me for weeks."

"You needn't stay on the bar," he answered. "Stay anywhere you like. Travel round and amuse yourself as you like till the trial comes."

"As I leave you here with Blanca Seton, I thought."

"We might ramble round together," he said, "after a pause. 'Hold on,' he said, 'I'm in the thought that I had repaid her kindness will—well, what name is there to the act and was for womanly but premeditated insanity!'"

"I'm in the thought that I had repaid her kindness will—well, what name is there to the act and was for womanly but premeditated insanity!'"

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business to-night; taking the whole camp. Now, Jacques is the pilot ready."

"Let them have their fun. We'll never get through here if we don't," said the deputy to me in a low voice.

We halted our horses in the full glare of lights from two saloons fronting each other. The sidewalks were full of amused lookers-on. The mock photographers went through a great amount of ceremony in getting the process chemicals ready and adjusting the instrument. Then arose a discussion among them as to the pose of our horses. One insisted that a better effect could be obtained if the animals should be backed up to the instrument while we were reversed on our sides so as to face it. The deputy's horse was placed in such position. The chief photographer hooded himself in an old blanket and took the regular position fronting the glass, watch in hand.

So our pictures were taken, and at the close of the performance some charcoal scribbles on the negatives were presented to us with the remark that the "New Heli Daguerreotype" company were "brilliant" through the exhausting effect of the chemicals necessary to be used in taking equestrian pictures and that both of the "Flash" and "Saber" of the "Rocky saloons" had fixed the price for that evening in consideration of the occasion at "a dollar the hour." The deputy said: "This meant the treating of the crowd by the deputy, a matter well known to him in advance."

As we rode away the photographers had brought their instruments to bear on the store of a wretched-looking dealer, "making the establishment."

"Half of these men, said the deputy, 'have fainter consciences in the state. I've thought they'd dare cut up so there! No! No! They're just like boys let out of school too soon.'"

CHAPTER XXX.
SILENT WITNESSES.

Broome came out the next day and gave the required ball for my appearance. I preferred to remain in volunteering toward Blanca, as the county court then convened.

"On thing trouble me no way much," I said to Broome; "I can't give my story concerning this matter without revealing in open court the secret of the 'Bank'—a matter which I don't intend to do."

"You must tell the whole story, and give in court rich specimens of the quartet to prove it. That, in fact, was your strongest defense. A miner's jury will think such a claim worth defending, while a lawyer's law. Let them swoop down on our ground. As I've told you before, the cream of that particular crowd is in the county jail, and we can hold on to a hundred feet or so anyway. I've put up notices claiming such amount of ground. The rest will, of course, take up all the ground outcroppings they can find far and near. There'll be a tremendous excitement for it. But the masses know nothing of this sort of mining. It will baffles them. They'll lose patience and give up. They'll be a reaction. Five-stories will abandon and give up their claims. The remainder will, however, and eventually develop this species of mining, which will become extensively followed. But that will take time—years. So tell all about it. Don't let trouble you in the least."

My trial came on, and the case being called I appeared without my lawyer to conduct the defense. The judge assigned one, a young member of the bar, for that purpose.

I said I desired to conduct my own defense, and was allowed so to do. My counsel was not at all pleased thereat. Having heard something of our resources he had seen prospective some remuneration if he conducted the case successfully, as well as a possibility of establishing a reputation for a good criminal lawyer.

I said I desired to tell my story as well as have another tell it for me, and I didn't want a lawyer to tell any new stories for me or put any shades of color on mine which did not belong there. Could I prove my assertions? No. There were no witnesses to my story, and I had no evidence against me. The evidence against me was all circumstantial. In other words, certain events, as interpreted by certain individuals, were regarded as proofs that John Holder had tried to kill Pratt. Because John Holder and Jeddiah Pratt had a quarrel last week, John Holder might have tried to kill Pratt the next evening. Pratt was missed, with blood on his clothing, it is inferred that Pratt's blood, drawn in unity. Because John Holder was the first to find Pratt on the mountain, it is inferred that John Holder knew of the affair more than he told, and because he knew more than he told, it is inferred that he must have tried to kill Pratt.

All these "might-have-beens" were ably interpreted to the jury as "must-have-beens" by the district attorney, who, naturally, threatened me with the gallows if I did not strongly assert on the fact that there were neither notices nor tools on the ground, and that I claimed the whole mountain as a great deal more ground than I could legally hold. These were Pratt's ravings which had been reported to him. True, these were not legal evidence, but he used them as arguments against me, taking the chance that the jury might be stupid enough to receive them as such, or that they might forget, even if reminded, that Pratt's words, not backed up by proof, were no more evidence than mine would be. He pictured me as dogging Pratt day by day, or my interfering and meddling in this "best, hard-working man's business" and dwelt on my "sneaking about" in the bushes, the "sneaking shot," and the lot of the "innocent, honest victim." To cover up the affair and divert suspicion, assume the guilt of the Good Samaritan, pretended to find Pratt and bring him home.

Lately, he adverted to my habits as "suspicious," working little and loafing much, about frequently, on what business no one knew, but that he was forming by him and innuendo, that I might be or must be both things being by him made to mean about the same thing engaged in some disreputable business.

It is the best of Luck that all facts alleged

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