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## THE BANK OF CALIFORNIA

BY PRENTICE MULFORD.

(CONTINUED.)

By noon he had left off the drudging ascent and descent of the mountain to the river to wash his prospects. He was occupied entirely with the "float quartz," was thickly encrusted about as if he had rolled from the vein, knocking the fragments to pieces. He had found gold. Uttering a joyous "Whoop!" he put a chunk of the quartz in his bag, and then another and another. His feelings and mine at that time were certainly in strong contrast to each other.

He crawled up gradually toward the shelf on which lay the "Bank." It inclined somewhat toward the river and then jumped off abruptly, making a perpendicular face four or five feet in height. Pratt could now see that the quartz had rolled from this shelf, and that the vein must be somewhere at or near its top.

"It's up there," I heard him mutter, "and mighty rich, too!"

I heard him scrambling up the wall of rock, assisting himself by roots and bushes growing in the crevices. I heard him pant. All beside was still—the stillness of the California summer noon day—nothing of life in sight save a black buzzard wheeling above, his shadow floating along the ground.

Pratt had gained the top of the shelf. He made his way directly toward the face of the precipice. He burst through the chapparal, and I was disclosed to him, seated on a rock, about ten feet from the vein.

"Hello!" was his involuntary exclamation: "Why here?"

"Yes, I'm here," I replied.

"Well, well!" He was evidently at a loss what next to say or do. "A hot day, isn't it?"

"Pretty hot," I remarked. I thought it was would be soon in every sense, and the shadow of a laugh came over me as I thought of "failing weather" at such a juncture.

Mr. Pratt sat himself also down upon a rock, drew a rusty red bandana, mopped with it his face and partly bald head, and said: "Where?" Then he poked the ground

before him with the end of his hammer, and I poked Mother Earth before me with a stick.

It was clear to me that Mr. Pratt intended to stay here and wait for my going. It was clear to me that I should remain—though I did not like so to do. The situation was somewhat akin to that which had occurred when calling on the same lady sometimes find themselves—and of all work sitting your man out ranks among the hardest. Both of us recognized silence as the factor most efficacious for the removal of his adversary.

Only while Mr. Pratt hoped that the dullness of his company might remove me, I had no hope that my taciturnity would remove Mr. Pratt from the vicinity of the golden mistress he knew was near.

So we sat one full hour, and the longest hour of my life. Pratt made the first move. He commenced examining the rock near the solid mountain formation. Near by he advanced toward the place where Brooner had scooped the worked portion of the vein with a layer of cut brush. He was in the act of removing this when I called out: "Don't touch that brush!"

"Why not?" said Pratt, looking back.

"Never mind why not. Don't touch it," I said, advancing toward him, feeling as if on my way to the scaffold.

Well, young man, do you own this mountain?" he said.

"I own that brush, that's all," was my reply.

The brush was ranged against the white streak of rock for not more than ten or twelve feet. Pratt passed it. His eye fell on one end of the vein—untouched there by the pick. He commenced chipping it with his hammer.

"You must let that rock alone," I said, going toward him.

Pratt was now up and doing. The war had commenced.

"Oh, come!" he exclaimed, "don't you fool around me any more. You must be off your head. This mountain's as much mine as yours."

"That's my claim," I said. "Let it alone."

Momentary wonder showed itself in Pratt's eyes that any one else should know of gold in this form.

"Your claim," said he, "up here? What sort of diggings do you call these anyway?"

"Perhaps you know as well as I. But that's my right by right of discovery."

"Where's your notice?"

The written notice on the ground was then requested to be shown. He had none. Brooner had put some up, knowing it would attract attention.

"Where's your tools?" he continued.

Tools left on a claim were regarded as most important proofs of possession. Brooner had hidden away those he used—where I knew not.

"No notice, no tools and no work done, and you call this a claim?" said Pratt derisively.

Clearly as to the mining rights of the period Pratt had the best of me. I felt the moral weakness of the situation. Pratt seemed also to know his own strength and my weakness in this respect. Meantime he had taken out his six-shooter and cocked it. He stood facing me, and had the "drop" on me. I was powerless. "Now, young man," said he, "I give you while I count ten to get off this ground, and if you don't I'll put a ball through you. D'ye hear? Get! Vamo! One—two—three—As he spoke he made a step backward. It was all a jumble of rocks

As he spoke, he made a step backward, and fallen here about. He missed his footing, stumbled over behind a huge boulder, his right arm, with finger on the trigger, involuntarily jerked upward, and the pistol was discharged.

I stood in the same spot, how many minutes I know not, expecting half hoping to see Pratt reappear. All was silent. Full of dread I approached the spot where he had fallen. I stood on the rock and looked over it. There lay Pratt, the pistol dropped from his hand, and the blood oozing from a wound in the right temple.

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## CHAPTER XI.

LIFE.

I had now a dead man on my hands and didn't know what to do with him. Pratt bore on me mentally with as great a weight, dead, as he had while living. He would be soon missed and sought for by his partner. Hillyear would find his prospect holes. This would bring the search in the neighborhood of the claim. If I told my story of the manner in which he met his death, I should be hardly evicted. Then it would lead indirectly to the discovery of the "Bank." In whatever way I looked I saw perplexity.

But something must be done. The day was waning. I covered the body with brush and returned home.

Nearing it, I saw Hillyear standing at his cabin door, cooking supper. They built their fire out for sake of comfort, as drying pan was propped up so as to receive the heat from a bed of glowing coals, and in it was their evening's baking of bread. He was looking from time to time up the river with that air of expectancy which accompanies the act of waiting for some one who has overstayed the usual time. As I drew near he halted me.

"Seen anything of Pratt?"

"What was I to say? I had seen the last of him. I felt already like a murderer, because, circumstantially, I was in the position of one. People talk as if a 'clear conscience' was equal to any sinning. I did not find it so. I saw him about three hours ago going up the river," was my reply.

"Where was he?" asked Hillyear.

"Great heavens! I thought, how much of this game of evasion am I to play?"

Out I said: "He passed the cabin about nine this morning, and went into the chapparal yonder," and I pointed to the spot where I had seen Pratt disappear at the hour I named. Hillyear resumed his cooking, but he was not equal to the making of strength from ordinary food. I held alcohol as a food—an artificial one, and an unhealthy one for steady use.

After supper I trudged down to the store, took it from my own thoughts.

That evening for company. The Bull Bar nucleus for goods and gossip was full as I approached the head. The moon sank entirely behind the dark ridge opposite. I removed the brush from the back of the dead body holding on with a dead life. Almost desperate with horror, I tugged at the brush and broke the back of the branch reaching the last branch covering it. I attempted to remove that. Something seemed to hold it with feeble resistance. I stopped lower, shivering. The brush was clinging in Pratt's right hand. Yet the body lay in corpse-like rigidity. It did not seem, as I looked up and down, as if it were alive. A dead body holding on with a dead life. Almost desperate with horror, I tugged at the brush and broke the back of the branch reaching the last branch covering it. I attempted to remove that. Something seemed to hold it with feeble resistance. I stopped lower, shivering. The brush was clinging in Pratt's right hand. Yet the body lay in corpse-like rigidity. 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