

"GUNSIGHT PASS"

By William MacLeod Raine. Copyrighted by Thos. Allen.

He stepped forty-five minutes into an office in which sat two men...

The clerk looked the raw Arizona over from head to foot and back again...

"Name's on the door, ain't it?" he asked superciliously.

"You in charge?" asked Dave evenly.

"I asked you if you was running this office."

"Hell, yes! What're your eyes for?"

The clerk's visitor sniggered. "I've got a train of cattle on the edge of town," explained Dave.

"Name of shipper?" "West Cattle Company and Henry B. West."

"All right. I'll take care of 'em." The clerk turned back to his friend.

"When?" interrupted Dave calmly, but those who knew him might have guessed his voice was a little too gentle.

"I says, 'You're some little kidder.'"

"When?" "When you go in to unload my stock?"

"In the morning." "No, sir. You'll have it done right now, but they won't all be by no'nin if they ain't tended to."

"Guess I'll take a chance on that, since you say it's my responsibility," replied the clerk impudently.

"Not none," announced the man from Arizona. "You'll get busy pronto."

"Say, is this my business or yours?" "Mine and yours both."

"I guess I can run it. If I need any help from you I'll ask for it. Watch me worry about your old cows. I have guys coming in here every day with hurry-up tales about how their cattle won't live unless I get a wiggle on me. I notice they all are able to take a little nourishment next day all right, all right."

Dave caught at the gate of the ranch which was between him and the night clerk. He could not find the combination to open it and therefore vaulted over. He caught the clerk back of the neck by the collar and launched him up and down hard in his chair.

"You're asleep," he explained. "I got to waken you up before you can save plain talk."

The clerk looked up out of a white frightened face. "Say, don't do that. I got heart trouble," he said in a voice dry as a whisper.

"What about that onloadin' proposition?" asked the Arizona.

"I'll see to it right away."

Presently the clerk, with a lantern in his hand, was going across to the railroad tracks in front of Dave.

They found the switch crew in the engine of the cab playing seven-up.

"Got a job for you. Train of cattle out at the junction," the clerk said, swinging to the cab.

The men finished the hand and settled up, but within a few minutes the engine was running out to the freight train.

Day was breaking before Dave tumbled into a cab. He had left a call with the clerk to be wakened at noon. When the bell rang, it seemed to him that he had not been asleep five minutes.

After he had eaten at the stock-

yards hotel he went out to have a look at his stock. He found that on the whole the cattle had stood the trip well. While he was still inspecting them a voice boomed at him a question.

"Well, young fellow, are you satisfied with all the trouble you've made me?"

He turned, to see standing before him the owner of Fifty-Four Quarter Circle brand. The boy's surprise fairly leaped from his eyes.

"Didn't expect to see me here, I reckon," the cattleman went on. "Well, I hopped a train soon as I got your first wire. Spill your story, young man."

Dave told his tale, while the ranchman listened in grim silence. When Sanders had finished, the owner of the stock brought a heavy hand down on his shoulder approvingly.

"You can ship cattle for me long as you've a mind to, boy. You fought for that stock like as if it had been your own. You'll do to take along."

The clerk flushed with boyish pleasure. He had not known whether the cattleman would approve what he had done, and after the long strain of the trip this endorsement of his work was more to him than food or drink.

"They say I'm kinda stubborn. I didn't aim to lie down and let those guys run one over me, sir."

"Tore straight across in money in my pocket. Do you want to go back and ride for the Fifty-Four Quarter Circle?"

"Maybe, after a while, Mr. West. I got business in Denver for a few days."

The cattleman smiled. "Most of my boys have when they hit town, I notice."

"Mine ain't that kind, I reckon. It's more stubbornness," explained Dave.

"All right. When you're finished that business I can use you."

If Dave could have looked into the future he would have known that the days would stretch into months and the months to years before his face would turn toward ranch life again.

CHAPTER XIII. The Law Puzzles Dave.

Dave knew he was stubborn. Not many men would have come on such a wild-goose chase to Denver in the hope of getting back a favorite horse, worth so little in actual cash. But he meant to move to his end intelligently.

If Miller and Doble were in the city they would be hanging out at one of the saloons or at the house. Once or twice Dave dropped in to Chuck Weaver's place, where the sporting men from all over the continent inevitably drifted when in Denver. But he had little to expect.

"One of finding the men he wanted there. These two rats of the underworld would not attempt to fleece keen-eyed professionals. They would prey on the unprofessional."

His knowledge of their habits took him to that part of town below Lawrence Street. While he chatted with his foot on the rail, a glass of beer in front of him, he made inconspicuous inquiries of bartenders.

"Did not take him long to strike the trail." "Two fellows I knew in the cattle country said they were comin' to Denver. Wonder if they did. One of 'em had a fat guy name of Miller—kinda rolly when he walks. Other's small and has a glass eye. Called himself George Doble when I knew him."

"Name in here 'most every day—both of 'em. Waitin' for the Festival of Mountain and Plain to open up. Got some kinda concession. They look to yours truly like—"

The bartender pulled himself up short and polished the top of the bar vigorously. He was a gossipy soul, and more than once his tongue had got him into trouble.

"You was sayin'—"

"—that they're good speakers, the fellow says," amended the bartender, to be on the safe side.

"When I usta know 'em they pony a mighty cute little trick pony—name of Chiquito, seems to me. Ever hear 'em mention it?"

"They was fussin' about that horse today. Seems they got an offer for him and Doble wants to sell. Miller he says no."

"I'll tell 'em a friend asked for 'em. What name?" "Yes, do. Jim Smith."

"The fat old gentleman's liable to drop in any time now. The young man hid his face against the soft, silky nose. Jim Smith, alias David Sanders, for dropping out. He did not care to have Miller know just yet who the kind friend was that had inquired for him."

But just as he was turning away a word held him for a moment. The discretion of the man in the apron was not quite proof against his habit of talk.

"They been quarrellin' a good deal together. I expect the combination is about ready to bust up," he whispered confidentially.

"Quarrellin'? What about?" "Oh, I dunno. They act like they're sore as a bull at each other. Honest, I thought they was goin' to mix it yesterday. I breezed up wit' a bottle an' they cooled off."

"Doble drunk?" "Nope. Fact is, they trimmed a Greeley boob and was rowin' over the spit. Miller he claimed Doble held out on him. I'll bet he did too."

characteristic of him. Dave had just time to dive into a pawnbroker's shop unnoticed.

A black-haired, black-eyed salesman came forward to wait on him. The publisher cast an eye helplessly about him. It fell on a suitcase.

"Seven dollars. Dirt cheap, my friend."

"Got any telescope grips?" The salesman produced one. Dave bought it because he did not know how to escape without.

He carried it with him while he lounged up and down the sidewalk waiting for Miller to come out of the Klondike. When the fat gambler reappeared, the range-rider led in behind him unobserved and followed him down past the Tabernacle House as far as California Street. Here they swung to the left to Fourteenth, where Miller disappeared into a rooming-house.

The amateur detective turned back toward the business section. On the way he dropped glibly the telescope grip into a delivery wagon standing in front of a grocery. He had no use for it, and he had already secured his feat of a white elephant on his hands.

With the aid of a city directory Dave located the livery stable within walking distance of the house where Miller was staying. Inspired perhaps by the nickel detected in his pocket, he had read the cowboy bought a pair of goggles and a "store" collar. In this last, substituted for the handkerchief he usually wore loosely round his throat, the sixth knightly strangled himself for lack of air.

His inquiries at such stables as he found brought no satisfaction. Neither Miller nor the pinto had been seen at any of them.

Later in the evening he met Henry B. West at the St. James Hotel. "How's that business of yours gettin' along, boy?" asked the cattleman with a smile.

"Dope! Know yet. Say, Mr. West, if I had a haw's that's been stole from me, how can I get it back?"

"Some one steal a haw's from you?" Dave told his story. West listened to a finish.

"I know a lawyer here. We'll ask him what to do," the ranchman said. They found the lawyer at the Athletic Club. West stated the case.

"Your remedy is to replevin. If they fight, you'll have to bring witnesses to prove ownership."

"Bring witnesses from Malapi! Why, I can't do that," said Dave, staggered. "I ain't got the money. Why can't I just take the haw's? It's mine."

"The law doesn't know it's yours." "Dave felt much depressed. Of course the chieva would go to Malapi, and of course he would tell them to fight. The law was a darned queer thing. It made the recovery of his property so costly that the crooks who stole it could laugh at the case."

"Up in this altitude it was too cold to camp out without a fire and blankets." "recon we'll keep you, old pal," the young man told his horse. "I've noticed roads mostly lead somewhere."

Dave broke over valleys of swirling snow below his rider. The sun rose and dried the moisture. Dave looked down on a town scattered up and down a gulch.

He met an ore team and asked the driver what town it was. The man looked hesitantly at the snow-capped mountains. "Why, it's Idaho Springs," he said. "Where you come from?"

Dave eased himself in the saddle. "From the Southwest."

"Looks like a ways from home. I reckon you hills ain't so uncurled down there, are they?"

The cowpuncher looked over the mountains. He was among the summits as he came to the top of the day with the wind-blended colors of wild flowers. "W got some down there, that don't fit a lady's bodwar. Say, if I keep myn't where's I'll ride to."

The man with the ore team gave information. It struck Dave that he had run into a blind alley.

"If you're after a job, I reckon you can find one at some of the mines. They're needin' hands," the foreman said. "We're all right. Perhaps this was the best immediate solution of the problem. The puncher nodded farewell and rode down into the town.

Well, Bob, I done got Chiquito back though it sure looked like I wasn't goin' to but you never can tell. Chiquito, seems to me to be a hell of a long road without no bend in it and which you can bet your boots the old alkali is right at that. Well I found the little piebald, and Doble he wrote a note he won't hardly throw a shadow and what can you expect of scallawags like Miller and Doble who don't know how to treat a horse. Well I run Chiquito off right under their noses. I reckon you'll be glad to see him and made my getaway and I reckon I will stay a spell and work here. Well good luck to all the boys till I see them again in the sweet by and by."

P.S. Get this money order cashed old-timer and pay the boys what I borrowed when we hit the trail after the money. Dave hit it out to sudden to settle. Five to Steve and five to Buck. Well so long.

The Puncher went to the post-office to get a money order, and mailed the lot after which he returned to the hotel. He intended to eat dinner and then look for work.

Three or four men were standing on the steps of the hotel talking with the proprietor. Dave's eyes fell on one before the Boniface saw him.

"That's him," the hotel-keeper said in an excited whisper. "A brown-faced man without a coat turned. 'Which is Miller's saddle?' When it was pointed out he said Dave examined it and pretended to disapprove. 'Too heavy. Lead me a'

lighter one, can't you?" "Sure. Here's three or four. Help yourself."

The stranger moved into the stable to attend to his work. Dave clinched, swung to the saddle, and rode to the gate of the corral. Two men were coming in, and by the sound of their voices were quarrelling. They stopped aside to let him pass, one on each side of the gate, so that it was necessary to ride between them.

They recognized the pinto at the same moment Dave did. On the heels of that recognition came another.

Doble ripped out an oath and a shout of warning. "It's Sanders!" A gun flashed as the pony jumped to a gallop. The silent night grew noisy with shots, volleys, the clatter of hoofs. Twice Dave fired answers to the challenges which leaped out of the darkness at the Rockies silhouetted in the night sky. For a moment drew up on the other side to listen for sounds which might tell him whether he would be pursued. One last solitary revolver shot rang out.

The rider grinned. "Think he'll know better than to shoot at me this far."

He broke his revolver, extracted the empty shells and dropped them to the street. Then he rode up the long hill toward Highlands, passed through that suburb of the city, and went along the dark and dusty road to the shadows of the Rockies silhouetted in the night sky. His flight had no definite objective except to put as much distance between himself and Denver as possible. He knew nothing about the geography of Colorado, except that a large part of the Rocky Mountains and a detachable city called Denver lived there. His train trip to it had told him that one of its neighbors was New Mexico, which was in turn adjacent to Arizona. Therefore he meant to get to New Mexico as quickly as Chiquito could quite comfortably travel.

Unfortunately Dave was going west instead of south. Every step of the way was carrying him nearer the roof of the continent, nearer the passes of the front range which lead, by divers valleys and higher mountain ranges, to the snow-capped regions of eternal white.

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Dave gasped. His heart beat fast with a prescience of impending disaster. "Murder," he repeated dully. "You're charged with the murder of George Doble last night in Denver."

The boy stared at him with horror-stricken eyes. "Doble? My God, did I kill him?" He clutched at a railing for support. The hills were sliding queerly up into the sky.

CHAPTER XIV. Ten Years.

All the way back to Denver, while the train ran down through the narrow, crooked canon, Dave's mind dwelt in a penumbra of horror. It was impossible for him to have killed Doble, he kept telling himself. He had fired back into the night without aim. He had not even tried to hit the men who were shooting at him. It must be some ghastly joke.

None the less he knew by the dull ache in his heart that this awful thing had fastened on him and that he would have to pay the penalty. He had killed a man, snuffed out his life, wanted as a result of taking the law into his own hands. The knowledge of what he had done shook him to the soul.

It remained with him in the background of his mind, up to and through his trial. What shook his nerve was the fact that he had taken a life, not the certainty of the punishment that must follow.

"You'd better call to see him at the jail and to the cattleman Dave told the story exactly as it had happened. The owner of the Fifty-Four Quarter Circle walked up and down the cell ruminating his hair."

"Boy, you didn't let 'em on to me what you was scurvin' on pullin' off? I knew you was some bull-headed, but I thought you had a lick of 'em left."

"What I had," said Dave miserably. "Well, what's done's done. No use cryin' over the bust-up. We'd better fix up whatever's left from the smash. First off, we'll get a lawyer, I reckon."

"I gotta 'll' money left—twenty-six dollars," spoke up Dave timidly. "Maybe that's all he'll want."

"You're waitin' for him in the woods. 'I'll last as long as snow-balls in you-know-where if it's like some lawyers I've met up with."

It did not take the lawyer whom West engaged long to decide on the line the defense must take. "We'll show that Miller and Doble were crooks and that they had wronged Sanders. That will count a lot with the jury," he told West. "We'll admit the killing and claim self-defense."

The day before the trial Dave was sitting in his cell cheerlessly reading a newspaper when visitors were allowed at sight. Of Emerson Crawford and Bob Hart he had heard in his throat. Tears brimmed in his eyes. Nobody could have been kinder to him than West had been, but he had been a horse-feller. He had known them many years. The kindness in coming to help his heart gripped their hands, but found himself unable to say anything in reply to their greetings. He was afraid to trust his voice, and he was ashamed of his emotion.

"The boys are for you strong Dave. We all figure you done right. Steve says he wouldn't worry none if you'd got Miller too." Bob breathed on.

"That's no way to talk, son," reproved Crawford. "It's bad enough to be in it without you boys wantin' to get you out. But don't you get downhearted. Dave. We're all in to stand by you to a finish. It ain't as if you'd got a good man. Doble was a mean-hearted scoundrel if ever I met up with one. He's no loss to society. We're goin' to show the jury that too."

They did. By the time Crawford, Hart, and a pair of victims who had been trapped by the sharpers had looked at Miller and Doble, the two wretches had no reputation left with the jury. It was shown that they had robbed the defendant of the horse he had trained and that he had gone to a lawyer and found no legal redress within his means. But Dave was unable to prove self-defense. Miller stuck doggedly to his story. The cowpuncher had fired the first shot. He had continued to fire until he must have seen Doble sink to the ground immediately. Moreover, the testimony of the doctor showed that the fatal shot had taken effect at close range.

Just prior to this time there had been an unusual number of killings in Denver. The newspapers had stirred up a public sentiment for stricter enforcement of law. They had claimed that both judges and juries were too easy on the gunmen who committed these crimes. Now they asked if this cowboy killer was going to be allowed to escape. Dave was tried when this wave of feeling was at its height and he was a victim of it.

The jury found him guilty of murder in the second degree. The judge sentenced him to ten years in the penitentiary.

When Bob Hart came to say goodbye before Dave was removed to Canon City, the young range-rider almost broke down. He was greatly distressed at the mistreatment that had befallen his friend.

"You gonna stay with me, Dave? You know Crawford. He goes through when he starts. Soon as there's a chance we'll hit the Corral, I'll get out. I'll be waitin' for you. That's what I'll do."

Dave nodded. A lump in his throat interfered with speech.

"The ol' man lent me money to buy Chiquito, and I'm gonna keep the pinto till I get out. That'll help pay your lawyer," continued Bob.

"On this money," continued Bob. "The only one that's liable to be sent up is Miller. He'll get a term for his was-standin', I'm a liar. We got a good open-and-shut case against him."

"What's your name?" he demanded. Dave knew at once this man was an officer of the law. He knew, too, the futility of trying to escape under the pseudonym he had written on the register.

"Sanders. Dave Sanders."

"So? Who are you?" "Sheriff of the county."

"What'dawnt me for?" "Murder."

ready we'll be movin' down to the penitentiary. The friends shook hands again.

CHAPTER XV. In Denver.

The warden handed him a ticket back to Denver, and with it a stereotyped little lecture of platitudes. "Your future lies before you to be made r marred by yourself, Sanders. You owe it to the Governor who has granted this parole and to the good friends who have worked so hard for it that you be honest and industrious and temperate. If you do this world will in time forget your past mistakes and give you the right hand of fellowship, as I do now."

The parole man took the fat hand proffered him because he knew the warden was a sincere humanitarian. He meant exactly what he said. Perhaps he could not help the touch of condescension. But patronage, no matter how kindly meant, was one thing this tall, straight convict could not stand. He was quite civil, but the hard, cynical eyes made the warden uncomfortable. Once or twice before he had known prisoners like this, quiet, silent men who were never insolent, but whose eyes told him that the iron had seared their souls.

The voice of the warden dropped briskly to business. "Seen the book-keeper? Everything all right, I suppose."

"Yes, sir."

"Good. Well, wish you luck."

"Thanks."

The convict turned away, grave, unsmiling.

The prison officers' eyes followed him as he went. His function, as he understood it, was to win these men back to fitness for service to the society which had shut them up for their misdeeds. They were not wild beasts. They were human beings who had made a mistake. Sometimes he had been able to influence men strongly, but he felt that it had not been true of this puncher from the cow country.

Sanders walked slowly out of the office and through the door in the wall that led back to life. He was free. Tomorrow was his. All the tomorrows of all the years of his life were before him. At night, in the darkness of his cell, imagination had projected picture after picture of it, vivid, colorful, set to music. But his parole had come too late. He had been in the penitentiary for a year. The shadow of the prison had left its chill, had done something to him that had made him a different David Sanders from the boy who had been in the city.

He would ever learn to meet life eagerly as that other David Sanders had for a thousand years ago.

He followed the road down to the little station, and took a through-train that came puffing out of the Royal Gorge on its way to the plains. Through the crowd at the Denver depot he passed into the city, moving up Seventeenth Street without definite aim or purpose. His parole had come unexpectedly, so that none of his friends could meet him even if they had wanted to do so. He had had of this. He preferred to be alone, especially during these first days of freedom. It was his intention to go back to Malapi, to the country he knew and loved, but he wished to pick up a job in the city for a month or two. He had settled into a frame of mind in which liberty had become a habit.

Early next morning he began his search for work. It carried him to the lumber yard adjoining the railroad yards.

"We need a night watchman," the superintendent said. "Where'd you work last?"

"At Canon City."

The lumberman looked at him quickly, a question in his glance. "Yes, Dave went on doggedly. "In the penitentiary."

"A moment's awkward embarrassment crossed the lumberman's face, but he was not to be deterred. "That were in for?"

"Killing a man."

"Too bad. I'm afraid."

"He had stolen my horse and I was trying to get it back. I had no intention of hitting him, which I freed."

"I'd take you in a minute so far as I'm concerned personally, but our board of directors—afraid they wouldn't like it. That's one trouble in working for a corporation."

Sanders turned away. The superintendent hesitated, then called after him. "If you're against it and need a dollar—"

"Thanks. I don't. I'm looking for work, not charity," the applicant said stiffly.

Wherever he went it was the same. As soon as he mentioned the prison, doors of opportunity closed to him. Nobody wanted to employ a man tarred with that pitch. It did not matter why he had gone, under what provocation he had acted. The thing that damned him was that he had been there. It was a taint, a corrosion.

He could have picked up a job easily enough if he had been willing to do it for a term. But he had made up his mind to tell the truth. In the long run he could not conceal it. Better start with the slate clean.

"I'll get a job it was to unload cans of fruit for a commission house. A man was wanted in a hurry and the employer did not ask any questions. At the end of an hour he was satisfied.

"On this money," continued Bob. "The only one that's liable to be sent up is Miller. He'll get a term for his was-standin', I'm a liar. We got a good open-and-shut case against him."

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lithe man in overalls spoke quietly, his eyes meeting those of the Market Street man with unwavering steadiness.

"What was the trouble?" Dave explained. The merchant made no comment, but when he said the men of Saturday night he said with careful caution, "Sorry, Sanders. The work will be slack next week. I'll have to lay you off."