MOONSHINE

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LINDY

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BY

J. F. OERTEL

"I have eaten your bread and salt,
I have drunk your water and wine,
The deaths that ye died I have watched beside
And the lives that ye led were mine."

—KIPLING.

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PREFACE

MOONSHINING at one time was a comparatively respectable occupation. In the mountains of the South where, perhaps, it was carried on more than in any other section, it was, one may say, forced on the people rather than chosen.

To haul the grain or fruit raised to market, twenty-five to seventy-five miles away and over such roads as then existed, would have been a losing game and was not to be thought of. It was therefore converted into whiskey or brandy which could be so transported at a profit.

After the Civil War, when the heavy tax was put on the manufacture of liquor, these mountaineers could not understand why they still did not have a right to make their produce into what would pay them to transport, and still less why they should be prohibited from making their own corn or rye into whiskey for their own use.

In doing this they did not consider that they were breaking a law, but rather that they were exercising a right. They had fought the government which now assumed the right to dictate how they should live and what they should do with the produce of their farms. Many did not consider that *they* had surrendered just because Lee and his army had been forced to do so, and felt that they owed no allegiance to the government of the State or the Nation.

Little they knew of what was being done by this government which had been set up against their will. Little they knew of politics and the scheming of political parties. Still less they cared.

They were not in touch with the outside world. About everything they needed—or cared to have—was produced or made in their mountain homes. Wool was carded by hand and made into cloth and blankets; flax was grown, hackled, and spun into thread; most of the furniture was home-made; the blacksmith forged their plows and made the stocks, and

also made their wagons and sleds. They built their houses of logs hewn by hand with a broadax, or lumber sawn at a local mill, and covered them with shingles or "boards" rived from straight grained timber and shaved into shape with a drawing knife. The cattle, hogs, and sheep ranged the woods most of the year in a semi-wild state and were killed at any time when meat was needed. Even the rifles they then used, the long barrel muzzle-loaders, were often locally produced.

Living thus in primative independence what wonder that they resented any interference with their established customs —which, to them, seemed their rights?

Thus it will be seen that while so regarded in law, the moonshiner did not consider himself a criminal, nor that he was really doing anything wrong in converting what he raised into what he could sell or use.

For this reason have I said that the business of moonshining was at one time a comparatively respectable occupation.

Then, too, the mountain moonshiner took pride in making *good* whiskey or brandy and so locally established a reputation for his product.

It will be seen that in all this he was far above the "bootlegger" of the present day, whose only object is to make money, who cares not what poison he sells, or how many lives it costs, so he gets the price charged for that poison. He has no excuse for breaking the law, and the immense profits to be realized is his sole reason for engaging in the occupation and running the risk of detection and fine. With this class of individual it would be vain to expect the semblance of honesty or fair dealing. He is as ready to cheat a customer as to cheat the government and does so at every opportunity.

On the other hand, the moonshiner of old was—for the most part—an honest man, and what might be termed a good citizen of the section where he resided. His dealings with his neighbors were as just as theirs with him, and in selling

his whiskey he was honest enough to furnish a good article and charge no more than a fair price. Truly, the old moonshiner was a character as far superior to the modern "bootlegger" as any honest man is above a sneak-thief or a pickpocket.

Many tales of these people have been written, but for the most part only the most lawless and desperate characters have been depicted.

In justice to some of the friends—real friends—which I once had among them, I am writing the following story.

THE AUTHOR.

Vienna, Va., Feb., 1926.

BIG BILL'S CABIN

MOONSHINE

Chapter I

THE STILL AND ITS OWNERS

Back in the Blue Ridge Mountains of North Carolina, some forty-odd miles from the nearest place which could, by any stretch of imagination, be called a town, Big Buck Creek worked its way through the hills. A typical mountain stream, clear as crystal, gliding through dense thickets, foaming over shoals and falls, or flowing calmly and smoothly and forming deep pools where beautiful speckled trout hid under mossy banks and overhanging boughs, ready to dart out and seize passing minnow or the bait of the angler.

As it pursued its course, now on this side of the narrow valley, now on that, little strips of bottom land appeared, some cleared and under cultivation. At a point known as "the elbow," because of the sharp turn here made by the creek, lay the widest of these bottoms, and perched on the hill above could be seen the cabin of the owner, "Big Bill" Holler.

The cabin was of the "double log" type, or two cabins built near together, joined by a covered way, and had a heavy stone chimney at each end and a small porch on the side overlooking the valley.

One cabin served as kitchen and dining room, the other as parlor, sitting room and sleeping quarters. The connecting passage also was used as a bedroom in summer. The fireplaces were large enough to take a four-foot stick of wood, and fancy andirons, made by the blacksmith, stood like sentinels on the ample hearth. About everything the house contained was home-made. The "four-post" bedsteads were corded across from the rails and on these cords rested the "shuck" or straw mattress in summer to be topped by a feather bed in cold weather. Counterpanes woven in fancy patterns of blue and red, and quilts of patchwork told the skill of the women folk with loom and needle.

Strong chairs of hickory with oak-split seats, and tables with sturdy legs and solid tops, attested the workmanship of the men.

Near the house stood the ash hopper, where lye was leeched from the wood ashes to make soap; there was a small smokehouse and barn in the rear, while from the side ran a well-worn path down the hillside to the spring house where stood the big iron pot, used for boiling clothes—for all the washing was done at the spring instead of "toting" the water to the house—a "battle-board" with paddle for beating the clothes near by, and from the broken limb of a small tree hung the gourd of soft soap.

The few flower beds in the yard were bordered around with white stones, partly for ornament, but mainly to prevent the chickens from scratching away the soil from the roots of the plants. Here bloomed some of the old-fashioned flowers, zenias, marigolds and cockscomb, and a bunch of hollyhocks stood at the end of the porch, while from behind the wattled split paling fence which surrounded the garden nodded the heavy heads of sunflowers, and between could be seen the red foliage of the castor bean, planted "to keep moles away."

Behind the house and barn wound the trail, dignified by the name of "the big road," on its way to the mill and on over the ridges to where it joined "the river road," the main outlet for that section. Perhaps half a mile below the mill was a small store, kept by Brooks Bryson, who, about two years previously had come into that section from Tennessee.

Above "the elbow" the hills closed in and were covered with a dense growth of rhododendron (called "laurel" by the mountain people, while the real laurel is known as "ivy") and in this thicket, where Big Buck ran quiet and deep, came in a small stream which dropped in crystal rivulets from a gap in the rocks above.

At the time my story opens, had one followed up the course of this little stream, he would have come

upon the still-house of "Big Bill" Holler. A very crude affair it was, built of rough logs laid up without "chinking" or "daubing," and covered with rived 3-foot boards which were held in place by "weight poles" laid on each course. No nails were used, even the rough door being put together with pegs and hung on wooden hinges. The still was mounted on a furnace of rock laid in red clay instead of mortar, and had only enough chimney to carry the smoke above the top of the still, where it found its way out as best it could—at side or through a hole in the roof. A barrel, containing the worm, was set beside the furnace into which water from the little stream flowed through a wooden trough.

There were several tubs for the "mash," a few kegs to hold the liquor made and a large trough for the "slop," or still refuse, which was at times fed to cattle or hogs.

A short mile down the creek was the little mill, run by the water of Big Buck, which lazily turned the overshot wheel to grind the corn into meal, or with splash and splutter whirled the little undershot which worked the clumsy "sash-saw" through the logs and turned out such plank or scantling as might be needed in the neighborhood.

The owner and operator of this outfit—John Bannard—put corn in the hopper and went outside of

the mill, where he seated himself on a rock and lighted his pipe. John was a typical mountaineer, tall, sinewy, and sun-browned, with light sandy hair and keen gray eyes. One would have judged him to be about twenty-five years of age—and been fairly correct, though John was a "leetle unsartin" about his age, his parents having both died when he was a boy and left no record of the date of his birth.

John Bannard was far from being a handsome man, but there was an open and frank expression in his face and his gray eyes could sparkle with mirth—or glitter like a dagger's point when his temper was up. He was sturdily built and every movement exhibited muscular power. When he came out of the mill with a two-bushel sack of meal on his shoulder and laid it across the back of a waiting horse it was plain to see that the action cost him no effort.

John sat and smoked, and, having nobody to talk to, supposing no one near, talked aloud to himself.

"Hit's hard ter believe, but ef Bill Holler said hit, *hit's* so. I wish't I'd gone 'long like he wanted me, an' then I'd seen hit too, but I couldn't leave ther mill fur nigh on two weeks. Hit tuk that long fur him ter go an' come. Hit must be nigh on ter 70 mile ter Hick'ry. That's a good hundred an' forty mile t' travel—a long ways ter go t' see hit,

but I wish't I'd gone, fur ef Bill Holler says hit's so —*hit's so.*"

"What's so?" The speaker had come around the corner of the mill unobserved by John and now stood leaning against a tree only a few yards away. There was a marked contrast between the newcomer and the miller. He was what one would call good-looking, with brown eyes and hair, clean shaven, of good figure and fairly well dressed—for that section. Both his speech and manner indicated that he was not a native of that mountain country. "What's so?" he repeated.

John knocked the ashes from his pipe on the rock at his side, and then asked: "Did yer ever see a cirkus, Brooks Bryson? Yer come here from Tennessy, an' I 'lows mabbe you has. I hain't never been nowhar', ner seen nothin', Old man Bill wer' a tellin' me what he seed at John Rob'son's cirkus —down ter Hick'ry, whar he went ter take some licker, an' I war jist sayin' that ef anyone else tol' me sich tales I'd say they was a-lyin', but ef Bill Holler says hit, hit's so, bekase he *never* lies."

Bryson laughed, and the laugh carried with it something like a sneer, which caused John Bannard to look up quickly and his eyes flash at the seeming insult, but Bryson continued: "Yes, I've seen a circus, and some of them have a heap of curious things

—people and animals—from all over the world—and they do all kinds of wonderful tricks. I reckon Bill told you the truth all right."

"I knows he did, fur he never tells nothin' else," retorted Bannard, "howsomever, hit does seem hard ter believe—'bout a man eatin' fire, swallowin' a sword, makin' two rabbits out of one, an' pickin' money out of the air like pickin' chink'pins offen the bushes. I wish't I'd gone with him so I could have seed hit."

"Did he sell all his liquor?" inquired Bryson.

"I 'low he did," replied Bannard. "He never fotch none back. Ther' wer' a power of people camped 'round in ther woods, an' ef any of 'em got a taste of that licker they *shore* wanted mo'."

"Bill better watch out," said Bryson, "some day the revenue officers will come up here and catch him—and to jail he will go."

"I can't see why they should want'er pester us—way up here," replied Bannard; "we didn't have nothin' ter do with makin' that fool law puttin' a tax of 90 cents a gallon on whiskey. That's more'n a gallon is wuth. We don't bother nobody, an' only make a little licker out of what co'n our stock don't need. What else could we do with hit—I'd like ter know? What right has anybody got ter come up here an tell *us* what we must—er must not—do with our co'n an' truck?"

"I don't know about the right," said Bryson, "but they've got the might, and can make it hot for anyone they catch. Some day they are going to get him —and you, too, if you don't mind, for you help him if you are not his actual partner."

"That's none of your bizness," replied Bannard, "ner nobody's. I don't believe ther revenuers will ever come way up here, hit's too fur, an' ef they does they'll have a h—l of a time a findin' whar ther still is. Ther' ain't but three in ther settlement as knows whar hit is, er how ter get to hit."

"There might be others for all you know," said Bryson. "Someone *might* know—or find out—and tell the revenue people about it."

"I don't know who 'round here would be mean an' ornery enough ter do that," retorted Bannard, ner what he'd do hit fur. Who is hit as has got anything agin' Bill Holler? Who is hit as he ain't done a good turn? Didn't he swim Big Buck when hit war bank-full jist ter go help old man Burlison doctor a sick hoss? When Jim Council fell offen ther cliff an' broke his leg, when we-all was deer huntin', didn't Bill take him on his back an' tote him home—nigh on t' five mile through ther woods?

"He's looked out fer old Sally Horton ever since her man died an' kep' her in meat an' meal. Who is hit as would do Bill Holler a mean trick? Thar

ain't nobody in twenty mile of here as I knows on."

"Well," said Bryson, "there might be some money to be made out of it, and when there is money to be had there is always someone to reach out and get it. Besides this, someone *might* have a grudge against Bill—or you—and give you away, even if they have to do what you call a 'mean trick!' Perhaps some people would not think it was mean to report a man for making whiskey when it is against the law."

"That's a cu'rus way ter look at hit," said Bannard. "A mean trick is a mean trick, so fur as I sees, no matter what is behind hit, an' I don't know any meaner one than tryin' t' git a neighbor inter trouble. Anyhow, I don't know of no one in these parts as wouldn't rather fight *fur* Bill then agin' him—er do him a favor 'stead of hurtin' him in any way. I ain't afeard of that."

Bryson did not reply to this but as he turned to go said, "I think I'll go up to Holler's and hear what he has to tell about his trip."

When he was gone John Bannard again lighted his pipe, and again soliloquized: "I don't somehow like that feller, Brooks Bryson, though he never done nothin' ter me. He's got what they calls a eddycashun, but that don't make a good man outen a bad one. He come here from Tennessy and nobody knowed nothin' 'bout him, but Bill Holler liked him an' that war enough fur the balance of us."

John paused as if in thought, and then suddenly slapping his leg he exclaimed: "He's bin goin' up ter Bill's right smart of late; I wonder ef he's after flyin' 'roun Lindy?"

John Bannard had always considered Malinda Holler, Bill's only child, his property. They had grown up together, played together as boy and girl, hunted and fished together, and while he had never spoken of love to her it was mainly because it did not seem necessary. He knew that he did love her and believed that she loved him. Now for the first time it dawned on him that someone else *might* wish to claim what he had considered his.

So long as his fancied right of possession was undisputed he had been content to let matters stand as they were and make no effort to bring them to a focus. Now he had awakened to realize his negligence and the consequences which might follow. "I'll go up ter Bill's this evenin'," he said.

Chapter II

"LINDY" MAKES A PROMISE

As John dusted the meal from his homespun clothes with a pine brush, preparatory to going up to the Holler place, he said to himself: "What a durned fool you've been, John Bannard, jist goin' on as ef you held a mortgage on Lindy Holler, an' never thinkin' as how some cuss mought come along an' cut yer out. Well, when ther road's bin good a right smart piece hit's mighty like ter be bad fur a spell, but a feller has ter travel over hit jist the same. I wonders why Brooks Bryson axed 'bout ther licker Bill tuck ter Hick'ry? What in hell has he got ter do with hit? An' then, what he said 'bout some folks not thinkin' hit a mean trick t' report a man fur stillin'. I wonders ef he'd do hit. I'll have ter watch him a little closer."

Arrived at the Holler house John found "Big Bill" at the wood pile chopping wood for the kitchen fire. Such a thing as a stove was unknown in that section. All the cooking was done on the big crane in the fireplace, or on its broad hearth, in pots, pans, skillets, or "ovens" which stood on three legs and had iron covers whereon to pile hot ashes and coals when top heat was desired.

With this outfit food was prepared in a way which would equal anything from the most modern kitchen. The hominy pot was seldom off of the crane, and being thoroughly cooked, and made from selected corn, beaten in the home-made mortar, this dish had a flavor all its own. Meat was broiled on the live coals, and corn-pone and cakes came from the ovens a beautiful, rich brown. When working before these fireplaces the women usually wore home-made sun-bonnets to protect face and eyes from the heat and glare.

"Howdy, Bill." "Howdy, John," were all the salutations exchanged, and John stood watching the big mountaineer as at each stroke he sank his ax in the log up to the eye.

"Big Bill" well deserved the name. Six feet four inches in height, broad of shoulder and strong of limb. He wore the usual "butternut jeans"—cloth woven on his own loom by his wife and daughter, an old wool hat with downward slope of brim covered his head of tousled brown hair, and his beard, which was cropped short, was of the same color, while a pair of dark brown eyes looked from under shaggy brows.

At first glance Bill would have been called a fierce looking individual, but on closer inspection and acquaintance it would be seen that this designation was

far from correct. His voice was smooth and even rich in tone, his manner was easy and gracious, and the dark eyes shone with a kindly light, having an expression more of sadness than ferocity. He was, in fact, a man of quiet disposition and of few words, but it was said that when really aroused he was "hell-a-mile."

"Got to go milk, John," said Bill, sticking his ax in the end of a log, "come 'long an' hold old Spot's hind leg fur me. She ain't usen ter men—only wimen critters—an' mought hist me one. Jennie's gone over t' Burlison's an' Lindy's gettin' supper. Bin t' supper, John?"

John remembered that he had not. "No," said he, "ain't had none yit. I jist come up ter talk ter yer, Bill; I kin do hit whilst youse is milkin'. Come on."

Once at the cow-pen Bill drove Spot into a fence corner, squatted on the ground by her side, and, piggin in hand, proceeded to milk.

"What is hit, John, anything pesterin' of yer?" inquired Bill. With characteristic bluntness John replied, "Yes, Bill, somethin' is pesterin' me, an' I reckin hit should. Hit's 'bout Lindy."

"Lindy!" exclaimed her father, "what's she bin doin'?"

"She hain't bin doin' nothin' as I knows on," replied John, "hit ain't that, hit's me, I reckin."

"You!" said Bill. "What's youse bin doin'?"

"I hain't bin doin' nothin' neither," said Bannard, "an' I reckin that's what's ther matter."

"What air yer tryin' ter git at?" asked the thoroughly mystified Holler. "You hain't done nothin', an' Lindy hain't! Spit hit out, boy, who has?"

"Hit's jist this, Bill," said John, pulling himself together. "Me an' Lindy has bin raised t'gether, an' somehow hit 'peard ter me we'd allers be so. I never axed her ef she loved me, an' would marry me, ner said anything ter youse about hit—jist bekase hit 'peared ter me like hit had ter be that-away anyhow."

Just at this juncture "Spot" decided to "hist Bill one" which she did so effectively as to send him sprawling on the ground—the half-filled piggin striking Bannard full in the breast, spattering milk over him from head to foot.

Bill picked himself up, and, ignoring the cow, who ran capering off across the lot, stood and regarded Bannard for a moment in silence. Then he walked up to him, placed a big hand on either shoulder, and said, "John Bannard, I've knowd yer ever sence yer wer' born and, as youse knows, I've allers treated yer like as if yer was my own son, which yer seemed ter be after young Bill died. You an' Lindy has bin like brother an' sister, an' I never thought of yer

"BIG BILL"

no other way. Sence Brooks Bryson has bin' comin' ter see Lindy, an' yer never said nothin', I 'lowd as how you didn't care fur her no other way."

Bannard looked dazed. Though he had allowed the suspicion to enter his mind that Bryson *might* be supplanting him he had not really believed it was so. Now the thought that it might be so for the moment overcame him.

Finally he spoke. "Bill, I never had no gal but Lindy, an' never expects ter have no other. Bryson has got a eddycashun, an' I ain't got none t' speak of, but he ain't good 'nough fur Lindy. I ain't nuther, but I means ter have her, an' by ——, he shan't."

"Hold, John," said Holler, "you fergits ther gal. Ain't she got nothin' ter say about hit? I can't go agin' her. Suppose befo' yer flies offen ther handle yer axes her what she 'lows ter do. Lindy ain't no baby, an' kin tell yer. Hit ain't no use fer me ter tell yer that I'd rather have youse than any man I knows fur a son. You knows that. But ther gal, John, ther gal is ther one ter say."

Just then came a call from the house—"Pap, whar is yer? Supper's done ready." "All right," called Holler, "Lindy'll have ter finish milkin' that dog-goned cow. She'll stand still enough fur her, er Jennie. Let's go to the house, have a drink an' some supper."

They walked in silence to the house where the jug of "peach" was produced and each took a moderate drink—as their fathers—probably grandfathers—had done—and then went on to the kitchen where Lindy was putting supper on the table. She gave a start of surprise on seeing Bannard, and exclaimed, "Howdy, John, I ain't seen yer fur a coon's age. Whar yer bin keepin' yerself fur so long?" To this John replied by merely saying, "Hit has bin a long spell, longer t' me then t' youse, I reckin." The girl continued to busy herself about the table, setting an extra place for John, and said no more but seemed to be ill at ease. Both seemed then to feel the weight of what was to come to them in the future.

"Lindy," said Bill, "Spot done histed me a good one, an' throwed what milk ther' was in the piggin all over John. You'll have ter go out an' git ther balance when we's done supper."

Lindy laughed: "Spot ain't got no use fur men, an' mam 'lows she is showin' purty good sense. Some of 'em is all right but Spot don't know no difference."

Lindy was not pretty, nor could she be justly termed handsome. She was tall, perfectly formed and moved with an air of conscious strength. Her brown hair was done up carelessly in a twisted knot on top of her head, and her brown eyes—like her father's—met one's gaze openly and fearlessly. A rather

under-sized nose, with a slight upward tilt, gave her freckled face an expression of independence. She was dressed in the homespun garments of the mountains, and her sunbonnet hung by its strings down her back, having been thrown off as soon as the cooking was done.

No, Lindy was neither pretty nor handsome, but for all that there was about her a certain wild charm of manner and bearing which could not fail to attract attention wherever she might be.

All sat down to the table and for some time ate in silence, which was at last broken by Bannard. "Bryson says as how ther revenuers is goin' t' git you, Bill, an' me, ef we don't quit runnin' ther still."

"Why," said Holler, "we ain't done nothin' but make up what co'n we didn't need fur ther stock. They ain't got no right t' keep us from usin' what we makes, an' we don't bother nobody doin' hit. Why should ther gov'ment want ter pester a man what minds his own bizness an' makes a little licker outen his co'n crap? I don't see. Hit ain't right. We don't bother nobody, then why should they bother us? My granddaddy allers made his licker, an' drunk hit, too, an' so did Pap, so why shouldn't I? I can't see."

"Hit looks that a-way ter me, too," said John, "but 'pears like things is gettin' different from what

they usen ter be. A man hain't got no rights no mo' what the gov'ment don't want ter take away. Hit 'pears ter be all right fur folks what lives in towns an' cities t' have all ther licker they wants, an git hit any way they can, but when we-uns wants ter make a few gallons, er sell some of what we has, then they sends ther revenuers a'ter us. Hit ain't right."

"Hit sure seems that a-way," said Holler. "Ther' hain't no use tryin t' run a gov-ment still with ther tax whar hit is. Down country, whar a man can git as much as two dollars a gallon fur his licker, he can make wages, but up here, nobody is goin' ter pay no sich figger. Hit's too much, an ther' hain't no use in axin' hit.

"I don't believe ther revenuers would come up this fur nohow, even ef they knowd whar ter find our still, which they don't, an' won't. Nobody knows but me, an' you an' Lindy, an' so fur as most of 'em hereabouts is consarned, they don't want ter know."

"Bryson says," replied John, "that when ther's money ter be made by hit somebody allers finds out. Mabbe some feller would tell ther revenuers—ef he knowd."

"Well, he don't," said Holler, "an' ain't gwine ter. Better grind up ther rest of ther co'n at ther mill, an' we'll mash in fust of ther week."

Holler rose from the table as he spoke, and then

observed, "Think I'll go over t' Burlison's after Jennie. Don't furgit Spot, Lindy."

During the operation of clearing away the remnants of supper and washing the dishes, in which John assisted, little was said by either. After all was done they went out on the little porch and took seats in the split-bottom chairs.

For some time they sat in silence, Lindy because she saw that John had something on his mind, and John because he did not know how to begin to say it.

Lindy was the first to speak. "Why haven't yer bin up here fur sich a long spell, exceptin' ter go with Pap t' ther still? I 'lowd yer done furgot me, an' didn't want ter even go fishin' with me no mo'."

"Mostly I've bin takin' keer of Uncle Tom a'ter I quit work at ther mill. Uncle Tom had a misery in his side an' couldn't do nothin' at ther house, so I've had ter do hit all, an' hit has kep' me pow-ful busy," said John, then he continued, "Lindy, gal, you an' me was ris' up t'gether, an' hit seemed ter me like we'd jist allers be that-a-way. I never tol' yer I loved yer, ner axed yer t' marry me, jist 'cause of that, but somethin' ter day made me think I had orter, an' right off. Now I done tol' yer."

John turned toward her as he spoke, but she drew back, just enough to check the movement. "I never

thought 'bout yer that-a-way, John," she said, "an' I don't know now as I could. You've seemed like my brother—more so sence Bill was took. No, I never thought of yer that-a-way."

"Lindy, gal, tell me," and John's voice was deep and solemn, "tell me thar ain't nobody else youse *is* thinkin' of that-a-way?"

The girl hesitated. It now was plain to John that what he had feared was proved to be real. "Bryson," he said, "is hit Bryson, Lindy?"

Lindy, with face averted, and in a low tone at last said, "Brooks axed me terday ter marry him. I hain't said yes, an' I hain't said no. He's bin mighty good ter me, an' talks so fine." "Yes," broke in Bannard fiercely, "that's hit, he talks so fine. He's got a eddycashun, an' I hain't got none what amounts t' much, exceptin' ter read an' write a little. Yes, he's good lookin' an' talks fine, but Lindy, that don't make a man all he had orter be.

"Hit ain't bekase I'm jealous, Lindy, but there's som'thin' 'bout Brooks Bryson as ain't right, an' I don't like. I don' know what hit is, but hit's thar. He ain't good 'nough fur youse. I ain't nuther, I done tol' Bill that, but Lindy; gal, you knows *me* an' jist what I is. Youse don't know much 'bout him.

"I tol' yer Pap I aimed ter have yer, an' I does. I don't know what I mought do ef I wer' pushed,

but jist now all I am axin' is this: afore yer makes up yer mind be sartin yer knows what sort 'er man Brooks Bryson is.

"I has an ide' as how ef yer waits a spell you'll find out. Thar's a yaller streak in that cuss, an' sooner er later hit'll show up."

"Brooks is a gentleman," retorted the girl hotly, "youse don't know nothin' 'bout him neither, an' shan't cuss him out ter me."

"I ain't cussin' him out, Lindy," replied Bannard, "ef I had anything agin' him he'd know hit soon enough. I don't have ter tell yer that. I'm only axin' yer ter go slow, an' give me a chance. Nobody ain't ever goin' ter love yer like I does, Lindy, gal. Ef yer hain't said yes t' Bryson, all I axes is fur yer not ter say hit tell yer finds out mo' 'bout him.

"Thar ain't nothin' ter find out 'bout me. Yer knows hit all, 'ceptin how much I loves yer. I've bin a plum damn fool not to have tol' yer long ago. Now as I has I'm aimin' ter show yer. Tell me, Lindy, gal, do I git ther chance?"

"I done said, John," replied the girl, "as how I'd tell him—yes, or no—t'morrer night. A'ter what you axed me I can't say yes, an' I won't say no. I'll tell Brooks he's got t' wait 'til craps is laid by, so I kin help Pap."

"That's all I wants, Lindy, gal," replied Ban-

nard, "I've bin a durned blind fool, but I've got my eyes open now, an' ef they don't see som'thin' afore craps is laid by hit'll be cu'rus."

"I hears pap an' mam comin'," said Lindy suddenly, "I must run an' finish milkin' Spot, er mam'll have ter do hit."

As she rose John said quickly, "I thanks yer, Lindy, gal; yer won't be sorry fer givin' me ther chance."

Soon after Bill and his wife arrived John took his leave. He was in no mood to talk, even to Bill, whose stand in the matter he regarded as decidedly against him.

"I'll grind that co'n termorrer, Bill," he said, "and we can mash in any time you says. You-all 'll be goin' ter preachin' I reckin, but I'll have t' stay at ther mill and grind up what the folks leaves."

The next day there was to be "preachin' " at the Buck Creek Meetin'-house, quite an event, as the visits of the preacher were few and far between, and about all in the neighborhood attended the gathering.

Chapter III

PREACHIN' ON BUCK CREEK

The preachers who "used" in the back mountain region were mostly of the migratory variety, of limited education and knowledge, who traveled from point to point according to more or less of a schedule, and lived off of the country as they proceeded.

They were equally famous for their capacity for fried chicken and their shrewdness in swapping horses. It took a good man, physically, to best one at the table, and one of keen wit to effect a horse trade that was to his own advantage.

These traveling preachers, in addition to the stock of religious knowledge they were supposed to carry from place to place for the benefit of their various congregations, were also the medium through which all kinds of news was distributed. These items of news were often given out from the "pulpit" even though having no reference to religious worship.

On his last visit to Buck Creek "meetin'-house" Preacher Kip Miles, the supervisor of souls for that section, had made this announcement: "Thar'll be preachin' in this here meetin'-house this day two weeks, the Lord willin'—this day three weeks whether or no." This was the due an ancient form of

giving such notice, and was considered neither peculiar nor irreverent.

That on the first date the Lord had apparently not been "willin'," was well-known to all in spite of the absence of messenger, letter, telegraph, or telephone, for, as a result of copious rains, both the river and creek had been out of banks, and "past fordin'."

This being the case it was, of course, taken for granted that the latter date would be kept, and all in the section who were—for business, pleasure, or religious zeal—inclined to attend, prepared to make the journey.

Some who lived within a few miles went on foot, others on horseback, while the covered wagon, with bed filled with straw, served for the transportation of a number of families, and in these, despite the absence of springs, and the rocks, roots, and gullies of the road, they traveled quite as contentedly as the modern church goer who rolls over level streets in his limousine, and probably went with quite as worthy a motive.

Some made the trip for the purpose of meeting their friends and neighbors and, combining business with pleasure, took a "turn" of grist which was left at Bannard's mill and the meal called for on the return. Many, especially of the women folk, had no other outing and went because it was a change or

relief from the monotony of this isolated life.

Probably there was also the average proportion of those who went—or thought they went—for the good they expected to absorb from Bro. Miles, and the association with brothers and sisters of the same religious persuasion.

The brand of religion adopted by these people was, for the most part, of the Baptist variety, though each section seemed to have its own special form of worship and belief, sometimes even a local designation, depending largely on the preacher and his particular views, in which they were not unlike some of our more populous and enlightened communities.

It was simple in the extreme, in which they were perhaps much better off than we who are obliged to have our souls harrassed and our minds confused by the many complex and conflicting dogmas, beliefs and non-beliefs, held by the manifold sects of the so-called civilized world, each of which claim to control and operate the most direct road to Heaven, yet, between them all, with their various contortions and windings, forming a veritable labyrinth from which escape is well-nigh impossible. In this the unhappy pilgrim and seeker-after-truth only wanders aimlessly about amidst the maze of trails, blazes, and guide-boards.

With our people of the mountains no such diffi-

culty was encountered. The road, as pointed out by the one authority, the preacher, was as plain as "the big road" down the river. The belief, such as it was, there were none to contradict or dispute. It was all as simple as their simple lives, and he who got off of the trail, and into the bushes, had only his own carelessness and indifference to blame.

Buck Creek Meetin'-house was a mere box. There was a small platform at the further end for the preacher, whereon was a chair and a small table, which did duty as reading desk and "pulpit." A row of benches, made of slabs with pegs inserted at each end for legs, stretched down both sides of the room leaving a rather dubious aisle up the center.

Before the preacher came most of the women sat inside, while the men gathered in little knots about the building, smoked, "chawed," swapped horses, and discussed the weather, crops, and other matters of interest.

Preacher Miles dismounted from his horse, hitched him to a "swingin' limb," threw his saddle-bags over his arm, and proceeded to the meetin'-house where his flock awaited him. Miles was a stocky man, of medium height, with sandy hair and beard, and "showed his keep" in every line of face and figure. The beast he bestrode also bore witness to the generous portions of corn, oats, and buckwheat

dealt out to him in his rounds, and to the good judgment of Brother Miles in his last swap.

Before entering he paused a moment to shake hands with the men who occupied the steps, a log, and other points of vantage, and cast a longing eye to one side where two of the brethren were matching wits in a horse trade, then entered and took his place in the "pulpit."

The brothers straggled in behind him, one or two at a time, and took seats on their side of the room, as men and women never sat together, but like the "sheep and the goats" sat one on the right hand, the other on the left.

When the Reverend had extracted from his saddlebags the necessary hymn book and Bible he opened with the following notice: "As I come over the mountain this mornin' I passed by brother Popkin's b'ar pen, an' ther' war a b'ar in hit. I tuck a fence rail an' jobbed his eyes out."

This was important information. The bear was in the pen and he had made it impossible for him to escape. They could go and get him at their leisure.

So it was that the news was carried from place to place by these dispensers of religious food, and consumers of fried chicken, often being the only news heard for weeks, or even months.

Kip was one of the most noted examples of the species. He could read, and his sermons consisted mainly of a string of Bible quotations interspersed with comments on their meaning, which would have brought tears to the eyes of our enlightened and experienced expounders of scripture, though his conclusions may have been as instructive, perhaps as logical and useful, as theirs.

It was, however, in his extempore prayers that Bro. Miles exhibited his talents to the greatest advantage. Here he showed off his ability to strike a bargain, even with the Lord, and demonstrated that he was not a believer in silent supplication. He always began in a low tone, but as he warmed to his subject his voice was raised to a shout which could be heard a mile away, and made the very walls of the log meetin'-house tremble.

His habit was to prefer mild requests for everything he or his hearers might need, or wish for, and make promises of future good conduct, *provided* the same should be forthcoming.

On one occasion, after asking the Lord, in a most patronizing way, to come down and dispense various and sundry gifts and mercies, he added (it might be presumed in order to save the trouble of a second trip), "An', Lord, while you is down here I wish't you'd go an' see ol' man Grady. He's pow'ful bad

off. Jist go down th' big road from my house twel yer cross th' crick, an' take th' fust lef' han' turn. Yer can't miss hit."

Miles was very lavish in promises to the Deity, but they always had a string tied to them. *"Ef* you'll do hit, Lord." He would not commit himself on any other ground.

It was told that on one dark, rainy night, when riding along an exceedingly muddy road, he dropped his old red leather pocket-book which contained all his wealth, consisting of a note for $1.50, a much abused $1.00 bill and 35 cents in silver. Before he could check his horse he had gone some distance from the spot. He returned as near to the place as he could guess, dismounted and searched in the muddy road. Matches, he had none, and must needs feel over every inch of ground with his hands. For some time he groped about in the darkness with no other result than getting hands and feet thoroughly plastered with red clay mud. At last, in despair, he bethought to seek the help of the Almighty, as most of us will do as a last resort.

"Lord," he said, "Please, Marster, he'p me find my pocket-book I done drapped in th' mud. I done tried an' can't. Please, Marster; an' ef you'll he'p me fur t' find hit—I'll—I'll—nev'r mind, Lord; I've got 'er."

In spite of these conditions, which to us appear crude, if not ridiculous, who can say that the simple mountaineer lacked knowledge of the essentials of religion necessary to guide his footsteps toward the Better Land, or that morally he was the inferior of those to whom is distributed more elaborate systems of teaching and theology?

On this occasion the slab benches of the meetin'-house were pretty well filled.

Hymns were sung, as "lined out" by the preacher, for there were no books among the congregation, and even if there had been only a small proportion could have read them.

Brother Miles read from the well-thumbed and travel-worn Bible, explaining each passage as he proceeded, and followed it up with one of his most elaborate prayers, in which he requested everything from good health and good "craps" for his flock, to freedom from the Devil and final attainment of Heaven, making, as usual, many promises of good behavior—for his congregation, their families, and friends—contingent upon receiving what had been asked for.

Then came the telling of "experiences," in which almost everyone had a say, each striving to outdo the others in telling of wonderful things which had come to them. At last old Sister Underdown, who felt

that she must do her part, as well as that she must not be outdone by the others, arose and said: "As I wer' comin' 'long t' meetin', over by Brother Swanson's 'baccy-barn, I heard a pow'ful scratchin' in ther leaves. Hit kep' a-scratchin' *an'* a-scratchin', *an'* scratchin'. I didn't know what hit mought be, but I 'lowed hit wer' a bug—an' I 'lows yit hit wer' a bug."

This sally was accepted for what it was worth, as had been the other tales told, and after singing another hymn the meeting was closed.

The congregation now gathered in small groups, talked over various affairs and matters of interest, and some, who had come from a distance, produced, from wagon-box or saddle bag, lunches of corn bread, fried chicken, cake, and pie, which was rapidly consumed by the families interested, assisted by friends who had none—not the least among them being the able Bro. Miles.

The preacher had numerous invitations to "stop with us-uns," and, selecting the home where he knew he would fare best, departed with that family, and the meeting was over until "this day three weeks, whether or no."

Chapter IV

"HIT MOUGHT BE YES, AN' HIT MOUGHT BE NO"

The following night Bryson came to the Holler home for his answer. His good address and "fine talk" had made an impression on the simple mountain girl. Of that he was aware, and he came wearing his best clothes, and with a confident air, so was hardly prepared for the set-back which awaited him.

Bryson loved the girl, so far as he was capable, but better still he loved the property of "Big Bill" which in due time would pass to his only daughter. He had, a few years before, left his home in the State of Tennessee, and with very good reasons for doing so. A little matter of signing another's name to a paper had hastened his departure, and also caused him to assume the name of Bryson when he came to the Buck Creek country.

It was not uncommon in those days for a man to come over the border line of these states, from one side or the other, and have no questions asked, and Bryson knew that here there was less chance that his identity would be discovered than in any other part of the country.

No rumor concerning him had ever reached the ears of those with whom he now came in contact and, as he had a pleasing manner and some "eddycashun," he had many friends, not the least of these being big-hearted Bill Holler.

Bryson was not long in seeing the advantage he possessed in this friendship and made the most of it, but because he knew the intimate relation which existed between Bannard and Lindy had carried on his courtship most adroitly, so much so indeed that even "Big Bill," and perhaps the girl herself, was not aware of his intentions until the trap was sprung.

Bryson had purposely made his visit when he knew that Bannard could not by any possible chance be in his way, as it was him he most feared, not only in that he knew the girl was fond of him, but because he felt that for some reason John looked on him with suspicion.

When he was told that he must wait for his answer "until ther craps was laid by" he was still confident, and said, "That means yes, of course, when the time comes?"

"Hit don't mean nothin'. Hit mought mean yes, and hit *mought* mean no," was her answer.

"Well," replied Bryson, "that will not be so very long. I'll run up to see you whenever I can, and we can talk over our plans. I am not afraid but that it

will be 'yes' when you make up your mind to give the answer. You have said that you loved me, and I know if that is the case you would not treat me badly. A Holler's word, you know, is as good as his bond. Is not that so?"

"Hit is, Brooks," replied the girl, "but I can't say no mo' now, exceptin' that hit mought be yes, an' hit *mought* be no."

Before leaving he learned that Bannard had been there the night before and at once located the cause of his failure to get the affirmative answer which he was so confident he would receive. It was plain to see that in some way, and for some cause, Bannard had check-mated him, and his crafty nature at once began to think up schemes to counteract the influence.

He knew it would not for a moment do to say anything against John to either the girl or her father. He must pretend friendship with him, but work against him from the outside and in some way bring him into discredit or disgrace. So he reasoned as he walked home that night. It would be easy to get Bannard into trouble over his connection with the still, but how to do this without at the same time implicating "Big Bill" was not an easy question to solve. In any event John must be eliminated. That was plain, even if Holler had also to suffer. The fact that Bill had been his friend, and was the father of

the girl he professed to love, must not stand in the way. After all, if both could be out of his way it would be so much the better. He must play safe, and for the benefit of Brooks Bryson alone.

For some years, at least, this mountain retreat must be his home and place of refuge. He dared not go back to civilization for fear of being recognized and punished for the crime he had committed. So much time had already elapsed without detection or suspicion that apparently he was safe here, and each month and year added to that assurance, and established more firmly his assumed character. Yes, he must win, at any cost to others.

Chapter V

BETRAYED

Two days later, just as the sun was nearing the mountain tops to the west, Bill Holler arrived at the mill with his cart. Several sacks of meal and malt were soon loaded and he drove away. Some twenty minutes later John Bannard put the padlock on his mill door and took a path above the dam which led along the bank of the creek through the laurel, coming out in Bill Holler's bottom, just above the shoals. Here Bill awaited him. The sacks were transferred to a small skiff which they dragged from a clump of bushes and launched on the still waters of the creek. Then they shoved off from the bank and paddled slowly up stream, at the end of the bottom disappearing in the dense laurel which overhung the creek from either bank.

Some distance up a cliff rose from the water's edge, over which flowed the little stream before mentioned. This was passed by and, just at the point where it began to break, the skiff was run alongside a large flat rock and its cargo unloaded. Each man then took a sack on his shoulder and, after climbing up the rocks some twenty feet, proceeded along a ledge

which terminated near the top of the cliff. They then returned for another load and after all was brought to this point made a second portage to the still-house.

It was an ideal situation for a moonshine outfit, inaccessible from above, where the cliff again rose some forty feet, and also from below except by the one trail which all lay over rock where no foot-print was visible.

Even the "slop," or still refuse, used as food for stock, was carried down this trail by those sturdy mountaineers, placed in the boat and so transported to the open bottom, so there were no cattle or hog trails which might be followed to the still. What wonder that they deemed discovery well nigh impossible.

To provide against a possible emergency and give a chance for escape in case they should be discovered and attacked, a rough ladder led up the rocks in the rear to a cleft from which the top might be reached, and this ladder, once thrown down, none would be able to follow.

The water was boiled and the mash made, which was left to ferment the usual period—about four days, depending on the temperature.

One reason why the old moonshine whiskey was often superior to that made at a licensed still was the fact that it was almost always mashed in with

pure hot water, whereas at the stills run regularly, the hot sour slop of one run was used to scald the meal for the next. This constitutes the difference between "sweet mash," and "sour mash." Often in former times certain brands of whiskey were advertised as "sour mash," when this was really no recommendation, the "sweet mash" being the better.

Returning to where the horse was hitched the boat was put in the bushes and they drove slowly back across the bottom. The moon was coming over the mountains and it was quite light.

Little had been said while the work was being done. Now Holler spoke: "Lindy done tol' me, John, what you axed, an' what she promised yer. She's pow'ful sot on Bryson, John, but couldn't help doin' that much fur youse—jist like she would fer her brother, er her pap. Bryson ain't ther man you is, John, but he's a good lookin' feller, talks fine, an' has done tol' Lindy all ther places they'll go when they is married, an' all what ther will be ter see. No, John, he ain't ther man you is, but you knows how wimen critters 'll argify, an' how they likes ter be muched an' tol' they is purty, an' all them kin'er things. Yes, Lindy's pow'ful sot on Bryson, an' 'pears ter me as how ther' ain't much show fur youse.

"I'm sorry, John, but as I done said, ther gal must have her head. Wimen critters is pow'ful like a hog

THE STILLHOUSE

what gits inter a field, ther more you tries ter drive him ter ther hole whar he come in the more he runs t'other way, an' hit takes a mighty sight of doggin' an' beatin' ter make him find hit.

"Lindy air a good gal, John, but all wimen critters is cu'rus an' contrary."

Ignoring all these comments John replied: "You an' me, Bill, is too damn honest. We don't suspicion nobody. I done come t' that way of thinkin' sence I let Brooks Bryson come purt' nigh takin' Lindy 'way from me.

"I'm tellin' of yer that we'd better watch out. Ef Bryson would try ter do that he ain't none too good ter do me, er *you,* any dirty trick."

"Bryson ain't got no call ter do anythin' agin' me," retorted Bill, "an' he ain't goin' ter. As Lindy says, he's a gentleman, an' wouldn't do no mean trick ter nobody."

"I ain't so sure as you is, Bill," said John. "I'll give in as I hain't got no reason fur hit, but I jist can't git hit outen my head ther's som'thin' wrong with that feller, an' ef youse 'll wait you'll see."

When they arrived at the end of the bottom field Bill said, "I ain't goin' ter work Kit t'morrer. I'll jist turn her out." Accordingly, Kit was unhitched from the cart, which was left standing by the bars of the pasture field, and the men walked on to the house.

"Come in, John, and have a little of the old peach an' honey." They entered the kitchen and Bill carefully made the mixture. "Jist like Pap us'ter fix hit," he observed, "hit sure is good. Who's that talkin'?"

They went over to the other room and there found Bryson, who evidently considered it best, now that his position was known, to be as much in evidence as possible. Bill's greeting was cordial enough, but Bannard was not able to disguise his feelings, except to the extent of saying stiffly, "Howdy, Bryson," and soon took his leave.

Very soon, according to mountain custom, the older folks left the room and Bryson and Lindy were alone. Bryson had noticed one thing—that both of the other men had meal on their clothes. With Bannard this was to be expected, but, he asked himself, why Holler also? What had they been doing to get covered with meal?

"Your father must have been helping at the mill," he said. "No, he ain't," quickly responded the girl, "they've bin—" and then realizing what she was about to say, she paused. "They've been where?" queried Bryson. You are not afraid to trust me are you, Lindy?"

"No, Brooks, I ain't afeard t' trust yer," she replied, "but I can't say no mo' bout hit."

"All right, little girl," said Bryson soothingly, "it don't make any difference what they were doing, it is none of my business."

When Bryson left the house he went down the road for a few hundred feet where he climbed the fence and cut across the pasture to the bars from which direction he knew the men had come. Here he found the cart, and saw what he expected—meal in the bottom of the rough bed. The moon was now well up in the sky and he had no difficulty in following the cart track back to the creek where he discovered the skiff, also with meal in its bottom.

When Bryson reached the room in the house where he boarded he wrote a letter. It was addressed to "The U. S. Marshal, Statesville, N. C." This he stamped and inclosed in another envelope addressed simply to "The Postmaster, at Statesville, N. C.," with a note requesting that he forward the letter to correct address. A letter to the Marshal would attract attention, while one to the Postmaster would not.

Bryson was too crafty to sign any name to this missive, or to run the risk of anyone seeing him in a compromising situation. It was merely a request that some officer be sent to that section to watch the miller, John Bannard, who was operating a still at some point up the creek above what was known as

"the elbow." It was further stated that the still was reached by boat, and described the place where it was concealed.

Chapter VI

THE "REVENUER"

Some days later, when Bannard closed the mill and went up to meet Bill at the boat landing, a man came cautiously out of the laurel near by and followed. When they took the boat and went up the creek the man kept nearly abreast of them until they entered the laurel. Here he was forced to pause as it was impossible to go up any farther on that side, but he did not give up. Instead he returned to the shoal, waded the creek, and made his way as best he could up stream on the other side. He worked through the woods above the laurel until some distance beyond the point where the creek entered it, and where he could look over at the cliff and rocks on the opposite bank. Then he sat down and waited. He had been there nearly an hour before his vigil was rewarded by seeing a faint glow among the rocks, and a moment later, in the same spot, there was a shower of sparks that rose above the bushes. "Firing up," he muttered. "Well, I've got you located, John Bannard, and we'll soon twist you out of that hole.

"I wonder who it was that gave him away! Before I go any deeper I think I'll find out."

He retraced his steps down the mountain, again waded the shoal, and after passing the mill, mounted a powerful black horse which had been concealed in a thicket, and rode away.

A few miles down toward where Buck Creek entered the river he rode up to a cabin, a wretched little hovel standing near the road, dismounted and knocked at the door. A voice from within demanded, "Who's thar—an' what-cher want?" "Philips," was the reply. "I want to talk to you, Sam. Are you alone?"

For answer "Sam" climbed out of bed and opened the door, kicked the remnants of fire with his bare foot and threw on a piece of "fat" pine which blazed up brightly. There was nothing in the cabin but a rickety bed, a still more rickety table, and a few roughly made chairs. Philip's eyes searched the interior and then he said, "Sam, you've helped me before. I want your help now." "What's fur me?" he inquired. "It might be as much as five dollars," said Philips, "and some whiskey, if we get any."

"Who is hit youse is a'ter?" asked the man. "I don't know," replied Philips cautiously, "but I've got wind that some fellows are stillin' over on the river, somewhere, and first I want to find out who gave the information, and if it is true. That is where I want you to help. You can go among all these people

without being suspected—I can't. Who is it up above here who can write, and a pretty good hand? I want to know that, and to get some of their writing—especially their names."

"I dunno," replied Sam, "ther' hain't many as kin write at all, an' them as kin ain't no great shakes. How's I gwine ter find out fur youse?"

"That's up to you," said Philips, "just so you bring me some of their writing—I mean from the few who can write well enough to put a letter together—with their names signed if possible, the money is yours. Get on the job tomorrow and come to the cross-roads below here at sundown. If there are not many around who can write, it ought to be easy."

"I'll try hit," said Sam. "Has yer got any licker?" "Yes," said Philips, "I've got a little in my saddle-pockets, but I'm not going to give you much until the job is done. Then you can have all you want."

The whiskey was produced and Sam given a generous dram, after which Philips rode away into the night.

The life of a "revenuer" was anything but pleasant or safe, and only the hardiest men were selected for it. Richmond Philips had the reputation of always getting his man when once he started on the trail, and deserved it.

He made no move without first having made careful plans, and ran no risk if he could avoid it. However, when emergency demanded, he was a courageous fighter and never lost his head or made a false move.

"I'd sure like to know who wrote that letter," he said to himself as he rode along. "It's unusual. These mountain people won't go back on each other, nor can many of them write such a letter. I hope Sam Poole will bring me something to work on. He is lazy, and as no-account as they are made, but he's sharp, and if there is a little money to be had for a thing like this he will go after it, though he won't *work* for anybody. He may know all about this matter now, but if I'd told him who I was after it might have shut his mouth tighter than twenty dollars could prize it open."

The next night Sam Poole was at the cross-roads at the appointed time, and soon Philip rode up. "What luck?" he asked. "Where's my five dollars?" was the answer. "That's all right when you show me anything worth it," said Philips. "What have you got?"

"I done got three recommends," said Sam, "I tol' 'em I were gwine ter ther' settle-ment an' hunt a job, an' I wanted some recommends. They 'lowd I'd never work nohow, but ef I'd git outen ther' country

they'd say a-most anythin' I wanted. I done got one from Tom Taylor, one from Ben Barrier, an' one from ther' Tennessy cuss what keeps ther sto'. I can't read 'em, but I reckin they is all right."

One glance of Philips's practiced eye was enough to convince him that he had what he wanted. However, this he did not betray to Poole. "Well," he said, "if this is the best you could do, here's your five. Maybe I can use some of these, though it is not much to go on and I wish you had managed to get some more."

With all of five dollars and a pint flask of whiskey, Sam departed well satisfied with the result of his day's "work."

As he rode along Philips examined the "recommend" given by Bryson carefully. It read: "To whom it may concern: The bearer, Sam Poole, says he desires to go to work! If you can get him to do any work please inform us, as he has never been known to do any around these parts. Brooks Bryson."

Philips laughed. "The fellow has got a sense of humor," he observed. "Now, why does he want to get one of his neighbors into trouble? That will show up, sooner or later; at any rate I know where to put my hand on the informer if I need to."

Chapter VII

THE FIGHT AND CAPTURE OF THE STILL

Matters at the Holler home went on about as usual—too much so for the peace of mind of John Bannard. Bryson made regular visits and seemed to take it for granted that all was settled, and that his answer in the end would be favorable.

"Big Bill" would assume no other attitude than that "the gal must be ther' one ter decide," and, as much as he thought of Bannard, made no move to influence Lindy in his behalf. Bryson's pleasant manner and "fine talk" had made its impression on Holler and his wife as well as the girl.

The matter had several times been discussed by the men when they were working together but Bannard made no progress as he was forced to admit that he had no real basis for his dislike of Lindy's suitor. "I jist na'cherly suspicions him," was all he could say.

In spite of this situation, of which he was aware, and the confident attitude he assumed, Bryson still feared the influence John had over Lindy, and waited with considerable impatience for some sign that his letter had received attention. There was a rumor that a stranger had been seen riding through the

country but he did not connect this with his letter any more than the "recommend" he had given worthless Sam Poole. Indeed he considered his "recommend" a great joke, and told of it on every occasion with great glee.

Several boat loads of meal had been transferred up the creek and gradually converted into whiskey. The last remaining corn was ground and the men prepared for the final run.

The start was made earlier than usual, and it was not yet dark as they paddled their skiff up the placid waters of the creek. The trip had so often been made that they did not even think of being observed. Then, too, while they made it in a way they deemed secure from observation this was not done because they felt a sense of wrong, but rather that they were protecting their rights.

However, they began to realize the risk they were running, especially Bannard, who seemed to feel that some evil would befall, just as he felt that Bryson was not what he pretended or seemed to be, though he could give no reason for either.

"I heard at ther mill t'day, Bill," said John, "as how ther revenuers come purt' nigh gettin' the Morris boys, over on ther river. They seen 'em jist in time ter git. They lost their still an' 'bout forty gallons. Somehow I'm 'feared they'll come up this-a-

way some time. We don't make nothin' much outen hit, an' a'ter this year we'd better quit."

"Mabbe youse is right," replied Bill. "I don't mind quittin', but I hates ter be *made* ter quit. We sho' got a right ter make a little licker ef we wants ter. What we goin' ter do with our apples this fall? Make 'em up inter apple butter, er cider 'em, an' what would we do with all that truck ef we did?"

"I dunno," replied Bannard, "but somehow I feels like we'd better quit afore trouble comes of hit. I hates ter give up my rights jist as much as youse does, but we kin git along without stillin', an' we'd better quit hit a'ter this run."

They were close to the opening in the laurel and were not aware that from its dense shade peered the watchful eyes of Rich Philips, and that their last words reached his ears.

"Pity," he muttered, "to take those fellows now, when it's their last run, but I've told about it at headquarters, and got the boys here, so we will have to go ahead. I don't like this d—n business and am going to get out of it. These fellows don't really mean any harm and are both good men—a durned sight better than the skunk that told on them. I'd enjoy giving him what he ought to have much more than I will taking these boys to jail. They shall not be hurt, anyhow, if I can help it."

John and Bill soon had their load at the still and made up the fire. While the water was getting hot they sat on the rocks, smoked and talked.

When at last the water boiled they began to make the mash, John carrying it and Bill stirring in the meal.

Suddenly a stick cracked! The sound came from the bushes below them—near the path.

"What's that?" exclaimed Holler. Then, as some other sound caught his ear: "To the cliff, John, quick; get the rifle."

John grabbed the gun and followed Bill in a dash for the darkness and cover of the rocks behind, where the ladder would take them to safety.

He was too late. Half a dozen forms sprang into the light. His one shot, fired at the foremost man, sent him to the ground, but at the same instant a bullet struck him in the shoulder and he reeled backward into the arms of "Big Bill."

"Run, Bill, run," he gasped, "they've done got me, run." As he laid John gently down, he said in a fierce whisper, "I'll never leave yer, John, let 'em come on."

They did, and with a rush. There was only such light as came from the burning logs in the furnace. The gigantic mountaineer was a formidable antagonist, but there were still seven of the attacking party.

"Don't shoot, boys," commanded Philips, "he can't get away. Do you surrender?"

For answer Holler sprang into their midst, and the fray began. It was fearful odds, but he had the strength of a demon. The first man his hands reached was picked from the ground like a child and hurled at the others, sending three of them down, and another received a smashing blow which broke his jaw and put him out of the fight for good.

They were game, those men of Philips', and though smashed and beaten again and again by the furious Holler, continued to come back and close in.

Philips ordered repeatedly, "Don't shoot, boys, don't shoot," but realizing that in the end the mountaineer would best them all if something was not done to break his strength, stepped up behind and dealt him a blow on the head with his heavy revolver which brought him to his knees.

In an instant they were on him, and bore him to the ground. Again and again he threw them off, but they came back with equal persistency and courage.

Meanwhile Bannard, recovering from the first shock of his wound, was dragging himself slowly and painfully towards the struggling men.

"I can't help yer much, Bill," he sobbed, "but I'm comin'." Nearing the fight at this time he rose on

one elbow and hurled a large stone at the back of the man nearest him with all the remaining strength of his powerful arm. It struck him fair between the shoulders and he pitched forward on his face.

Philips saw from whence came this attack, and that one more of his men was out of the fight. He could not strike a wounded man, but to save further crippling of his force the fight must be brought to a close at once, as the frenzied Holler showed no sign of weakening.

Once more he brought the butt of his revolver down on the head of the mountaineer, who had risen to his feet and was throttling one of his opponents.

This time the blow was delivered with such force that Bill sank insensible into the arms of his captors. He was soon securely bound, and then Bannard was brought out into the light, resisting, though feebly, and cursing the —— revenuers with all the breath he had left.

"Youse has killed Bill, you sneakin' hounds," he moaned, "youse has killed Bill, an' I couldn't help him! Ef yer hadn't shot me fust we'd have licked ther whole damned bunch, an' yer knows hit."

"I truly believe you could," said Philips, "just be quiet, will you, you wildcat, and let us see what we can do for you. Bill ain't dead. He'll be all right directly." "Boys," he asked, "how many of you are

hurt, and how bad?" "Tom's got a bullet through his leg," replied one, "Rom is gruntin' with a busted jaw, and the balance is pretty bad beat up, but able to travel. That grizzly came pretty near lickin' the bunch alone, and if the other one had been in the fight we'd been done up for sure, lest we'd used our guns, which you wouldn't let us do. A little more and we'd had to, or there would not have been any of us left even to shoot."

"I couldn't, boys," said Philips, "not against these men. They are too good to kill up, and I made up my mind it should not be done. I sure am sorry a stray bullet got this one."

All this time he was examining Bannard, who silently submitted after being convinced that Bill was not seriously hurt.

"This man has got a ball through his chest," he said, "a little high, and may not have hit a lung, but he's in a bad fix and we must get him out of here at once, as well as the other fellows who are hurt.

"John Bannard," he asked, "is there no way out of this infernal place except by the creek?" "None," replied John weakly, " 'ceptin' up ther rocks, an' that's hellish rough. How'd yer find ther way up?"

"Watched you," replied Philips, "two or three times. Well, if that is the only way—we must carry you down as soon as possible. Boys, split some pine

and make a light. We can never take this man down that ledge in the dark, and we must fix him up a bit before we start."

The pine was split, the fire drawn from under the still and some thrown on it, so that the place was brightly illuminated.

Philips, accustomed to such scenes, having had some army service, quickly rendered what would now be called "first aid," for Bannard as well as his own wounded men.

By this time Holler had regained his senses and, sitting propped up against the side of the house, glared at his captors, but said no word until the men began to move John, and he heard him groan. Then he spoke.

"Ef you fellers has got any heart, turn me a-loose an' let me carry John down. I can do hit better'n any of youse. I ain't goin' ter try t' git away. I wouldn't have fit yer ef yer hadn't shot John fust. Turn me a-loose, I say."

For answer Philips strode to his side, cut the cords which bound him and helped him to arise. This he did a little stiffly and staggered as he walked, but he shook himself, like a horse after rolling on the ground, went over to Bannard and gently took him in his arms. "Come on," he said, and led the way down the narrow path he knew so well.

Torches had been lighted and the party slowly descended the ledge to the boat. "Hit won't hold but three," said Bill. "One of youse can come with me ef yer wants ter. I must git John ter the house." Philips laughed.

"All right, Captain," he said. "I'll go with you and help. The boys know how to get out of here. Get the horses, boys, and come on to the house where we can fix up Tom and Rom."

Bannard was put in the boat in as easy a position as possible and Bill paddled it swiftly down stream to the landing. Here the horse and cart awaited them, which fortunately contained a number of sacks. John was laid on these and Bill drove carefully over the bottom towards the house, Philips walking behind.

Chapter VIII

THE PROMISE BROKEN

Brooks Bryson and Lindy sat on the porch of the Holler home that night while Mrs. Holler, by light of a tallow candle in the room, mended "Big Bill's" coat.

Bryson retained his air of confidence, though the girl still kept him in doubt as to what the answer was to be "when ther craps was laid by."

"Lindy," he said, "when we are married we will go out and see the world, the big cities and all the fine things they contain. This is a pretty country but there is nothing here to live for. This is not living. Here you have nothing but what you eat and a few home-made clothes. You have no pleasures and no society. A girl like you should see more of real life and have all kinds of amusements. You will look so handsome in fine dresses that everyone will envy me the possession of such a wife."

Lindy was silent for some time, and then she said, "I don't know 'bout all that, Brooks, an' I don't know as I wants hit. I knows ther' hain't no purtier country than this, an' I'm 'feard I'd not like ter be whar ther' was so many people ter pester of me. I

kin find my way anywhar in these mountings, but I'd git plum turned round in yer big cities. I hasn't got much here; that's so, but I has 'bout all I needs, an' nobody shouldn't want no mor'n that. Ef I wants close, I kin make mo' any time, an' ther kind I'm usen ter. Why, Brooks, I'd be a plum skeer-crow in some of them riggins like wer in that paper you done show'd me. I'd ruther stay right here whar I has ther woods, an' ther crick, an' ther mountings, whar I kin see ther purty laurel flowers a bloomin' on ther' sides, hear ther whippoorwills a-singin' in the evenin', an' git waked up in ther mornin' by ther robins an' ther catbirds. I loves all them things, Brooks, an' when—*ef*—we is married I wants ter stay whar I belongs."

"All right, little girl, "responded Bryson, seeing that his picture of life out in the big world had not proved so alluring as he expected, "if you want to stay here, why of course, here we will stay. Any place is good enough for me so long as you are there."

"You sure does talk fine," said Lindy, charmed by what, to her, was elegance of speech. "I wish't I could talk that-a-way."

"I'll teach you, my dear," said Bryson, "and then, when you can read well and find out about all there is in the world, perhaps you will want to go and see it."

"Ef larnin' is goin' ter make me sour on all I has,"

said the girl, "I dunno as I wants hit, but mabbe I wouldn't think so ef I knowed as much 'bout ever' thing as you does."

"I am sure you would not," said Bryson, "you would soon learn to like what other women—ladies, I mean—are fond of, dresses and jewelry, society and admiration."

"Mabbe youse is right," replied Lindy, overcome by his superior logic and learning. "You knows so much, an' has bin 'round so much, it's like you knows 'bout all of hit better'n me."

"I know I am right," responded Bryson, much delighted with the progress he was making, "and I am going to show you that all I have said will be so. When we are married I am going to ——"

The sentence was never finished, for just then came faintly to their ears the crack of a rifle, then another, and still louder report. They were from up the creek in the direction of the still.

Lindy started. She knew that her father and John Bannard had gone there that night with the last load of meal, and that there should be no gun fired unless there was trouble. She listened intently, but no further sound broke the stillness of the little valley.

"What was that?" asked Bryson. "I heard somebody shoot," she replied, "didn't youse hear hit?"

"Yes," said he, "but what of it? Some fellows coon hunting, I suppose."

"No hit ain't," she replied quickly, "this ain't ther time ter hunt coons, and nobody here hunts 'em with a rifle. I'm a'feard Pap's in trouble."

Bryson feigned ignorance, and asked, "What trouble could he be in? Where is he?"

"I can't tell yer, Brooks," said the girl, "I hain't never tol' yer nothin' an' I hain't goin' ter now. Don't ax me anythin' mo'!"

"All right," said Bryson, and then he tried to return to their former line of conversation, but the girl was silent. She could think of no reason why shots should be fired over towards, if not at, the still unless her father and John had been detected in their operations and attacked. She could not be easy, nor think of anything else, no matter how hard Bryson tried to divert her mind.

Time wore on, and there was no sign of the men returning until at last, down on the creek bank, she saw the flicker of a light, though why a light she could not even surmise, and soon her sensitive ear caught the sound of wheels down on the bottom road, which she knew was the cart returning, and she listened while it came up the hill and stopped at the bars behind the house.

She was tense with excitement, but began to think

her fears were groundless when Holler appeared, bearing in his arms the apparently dead body of John Bannard, and beside him walked a strange man.

Then she knew—the revenuers had captured her father and John! John was wounded, or dead, and her father was a prisoner of this man!

A flash of resentment and hate swept over her, but the calmness of her father quieted the feeling and brought her to herself.

Holler came carefully up the steps and into the house, where he laid his burden on the bed and turned to his wife and Lindy, who stood pale and wild-eyed waiting to learn what dreadful thing had happened.

"John's hurt," he said simply, "get some hot water and some truck fur bandages. There'll be a couple mo' along soon what'll need doctorin', too."

Lindy had been anxious and nervous while under suspense, now she was all action, and her nerves were steel. She took one hurried glance at Bannard's pallid face, passed her hand over his brow, and, satisfied that he was yet living, flew to the kitchen and a crackling fire was soon under the kettle. Old linen was hunted up, and Mrs. Holler tore it in strips. Bill came in, poured some of the "peach" in a glass, and roused Bannard enough to get him to swallow it.

This revived him somewhat and, when Lindy came

in with the water and cloths, he smiled when she looked in his face and whispered, "All right, Lindy, gal, hit's nothin' much."

It was many miles to where a doctor lived and even if sent for he might be just as far in the other direction. Knowing this the men set about doing what they could themselves. John's shirt was cut away and Philips examined him closely. "I hope," said he, "that the ball went through. If it did, so much the better; if it lodged, or hit a bone and glanced, there will be trouble."

John was turned gently on his side and as Philips bent over him he uttered an exclamation of surprise and pleasure, for there, in the folds of cloth, lay the bullet. "Just went through," he said; "good, only a clean hole to deal with. The water, girl, and the bandages."

Realizing that Philips was more efficient than they, the others left all to him, only helping as they were able.

Bannard was soon made as comfortable as possible, and with another swallow of "peach" yielded to exhaustion and fell asleep.

Bryson had, from the first, tried to assist. Though he had plotted for this, he was stunned for the moment when brought face to face with the result.

However, he soon recovered his poise and tried

to comfort and assure Lindy and Mrs. Holler. He must act the part he had assumed or his carefully made plan would end in failure. One word or look which would show his true feeling, and inward joy at Bannard's downfall, would be fatal, even though his influence over the girl was now stronger than ever, and he felt that he had the situation well in hand.

Up to this time the care of Bannard had been the one thought of all. Now Mrs. Holler noticed that there was blood on Bill's neck, his bushy hair matted and bloody and his face pale and drawn with pain.

"My God, Bill," she exclaimed, "youse is hurt, too, an' yer never said nothin' 'bout hit."

"Hit's nothin', Jennie," he said, with an attempt at a smile, "jist git me the pan an' some water an' I'll fix hit all right. I snagged my head a little an' hit needs washin'."

Philips again came to the front. "Better let me look at it," he said, "maybe I can do better than you."

Examination revealed two long cuts in Holler's scalp, now blood-clotted and badly swollen. Several stitches were taken in each by Philips, using an ordinary needle and thread, and his head was washed and well bandaged.

"How you could fight after getting either one of these I don't see," he remarked while sewing them

up, "you are a wonder for strength and endurance, as well as courage. A man who can stand up and fight *seven,* as you did, is a *real man.* I take off my hat to you, Bill Holler."

Soon after this the other men rode up and were attended as best could be done. Philips decided that the next day the more seriously injured must be taken to where they could have expert medical attention as the bullet fired by John was still in the man's leg, and the broken jaw of the other must be set properly.

It was well past midnight, and all must remain at the Holler house until day. The injured were given the beds and the others took blankets and bunked on the floor of the rooms or porch to gain a little much-needed sleep and rest.

Bryson remained, and whenever he could, had a word with Lindy, continually offering to help in what she was doing. At last all were stowed for the rest of the night and he prepared to take his leave. "Where are you going to sleep, Lindy?" he inquired."

"Sleep!" exclaimed the girl. "Do you think I can sleep after all this, an' with Pap an' John in ther fix they is? I'm not goin' ter sleep. I'll stay up an' watch ther balance of ther night. I couldn't sleep, nohow. What'll they do with Pap, an' John?"

"I am afraid they will take them down to jail," replied Bryson, "there is nothing else these men can

do, and what is done with all those they catch making whiskey."

"My God!" said Lindy, "yer don't think that, does yer? What would come of me an' Mam, an' John's old uncle Tom, ef they tuck both on 'em?"

"I'll take care of you, Lindy, dear," said Bryson quickly, "only you must give me the right to do it. Say 'yes' now, and no matter what comes you will have me to protect you and your mother. You need not wait as you expected to do. All is changed now, and you will need me more than ever. Say 'yes' *now,* and leave the rest to me."

"O, my God!" sobbed the girl, her nerve giving way under the strain of the trouble and perplexity. "What ever is we goin' ter do, Brooks? Hit's too cruel ter take Pap, an' John from us this-a-way. 'Pears like hit's mor'n I kin stan', but I must keep up an' not let Pap an' Mam think I done give in. I jist na'churly must have somebody, Brooks. Youse has bin pow'ful good ter me, an' yer will be, won't yer?"

"I will be, of course," said Bryson. "Is it 'yes,' Lindy?" "Yes," said the girl, simply, "I thinks as how Pap 'll feel better 'bout me ef he has ter go way, an' knows I has you ter look a'ter me, an' Mam. Yes, Brooks, ef Pap has ter go."

Thus it was settled, and Bryson took his departure well satisfied that his scheme had worked so well.

"I have won out," he said to himself. "They can't fail to send both of them up for a year or two. Two charges, making whiskey and resisting arrest, if no worse. It will go hard with both, but harder on Bannard, just as I want it to, because he shot one of the officers. By the time they get out I will have things all going my way. That's all right, B. B., you are a smart one."

Chapter IX

THE WORD OF A MOUNTAINEER

In the morning all were early astir. Mrs. Holler, her eyes red with weeping, showed that she had passed a sleepless night of torture. Lindy, who had spent the remaining hours of darkness by the bedside of her father and Bannard, moved quietly about getting breakfast, her face set and drawn, but with an air of stern determination well worthy of the stock from which she sprung.

After breakfast she returned to the sick room, and was bending over John who still slept heavily, when Philips entered. At first she drew proudly back, but remembering all that he had done for both John and her father, faintly smiled and asked: "Mr. Revenuer, is John much hurted?"

"He's got a pretty bad wound, Miss," said the officer, "but I don't think it is serious, if he has good care, which I am sure you will give him."

Just then Bannard opened his eyes and murmured faintly, "Lindy, gal," "Yes, John," she said, "I'm here an' I ain't goin' ter leave yer."

"Lindy, gal," came again, as his eyes wandered from one to the other, "yer goin' ter give me a

chance, yer knows what yer done said. Bill, I tol' yer ther—an' Bryson ain't good enough, ner me nuther. Run, Bill, thar they is! I can't help yer much, Bill, but I'm comin'."

"A little touch of fever," said Philips, "but that will pass, Miss. Who was it that he was talking about that was not 'good enough,' Bryson?"

"That's what he done said," replied Lindy. "He don't like Brooks fur nothin', but he ain't got nothin' agin' him, an' Brooks is a gentleman."

"Yes, I see," said Philips.

It was plain to him now. This simple, sturdy mountain man had stood in the way of Bryson, and that was why he got him into trouble. "Give a calf enough rope and he'll hang himself," he quoted: "I think this one's rope is long enough to do the job; if not, I'll splice it."

Horses were now saddled and the men got ready to move. Two were ordered to return to the still-house, dump out the mash and any whiskey found, knock a hole in the bottom of the still and bring away the cap and worm.

Holler's wagon was converted into an ambulance for the wounded revenue men and he himself placed straw and blankets in the bed to make them as comfortable as possible on the long, hard trip over the mountain roads.

These details attended to, Philips and Holler went to the house to bring out the man who was unable to walk. Standing by John's bed Bill inquired, "What you-all goin' ter do 'bout us-uns?"

"Why," said Philips, "of course I shall have to take you along. I can't move Bannard, but I'll come back for him as soon as he is able to travel. You know that you are under arrest, and I must take you to Statesville for trial. I'm sorry, Holler; if I'd known you men as I know you now, I'd have quit my job rather than come within ten miles of here. I sure hate to take such men as you to jail, but I must see that you are brought to trial.

"I have let you go free on your word that you would not try to escape, and so you shall be until I turn you over to the Marshal. But I must take you. You see that?"

After a few moments' thought, Bill responded, "You jist na'cherly has ter. Hit's your job. We thinks we has a right ter do as we please with our co'n an' apples an' peaches, but me an' John had 'bout agreed as how as hit wer' agin' ther law, we was goin' ter quit. We hain't bin pestered much with law up here, but ef hit *has* ter come an' pester us, we don't want ter be fitin' hit *all* ther time. Howsomever, youse ain't got nothin' ter do with that. Me an' John 'll have ter stan' trial, an' ef you-all 'll jist tell

us when ter come down t' Statesville, we'll be thar."

"But," said Philips, "I've arrested you and must take you with me."

"I jist *can't* go now," replied the honest mountaineer, "my co'n needs workin', an' ther' ain't nobody ter tend t' ther stock. 'Sides that, while John's laid up, I'll have ter tend ther mill some, er none of ther folks 'round 'll have any bread. Don't you see as how I *can't* go now? I done tol' yer I wer' not goin' ter try ter git away, an' I hain't. Now I'm tellin' of yer that when youse wants us we'll come. Ef my word wer good last night hit's good now."

Bannard, in a weak voice spoke from the bed, "Ef Bill Holler says hit, hit's so. Bill never lied ter nobody."

Philips laughed. "I've had some curious cases to deal with in my time," said he, "but this beats them all. In doing this I will be exceeding my authority, but I am going to take your word for a bond, and let you stay. I'll come up for you, or let you know when you are wanted for trial."

"I've allers heard," said Bill, "as how a revenuer was pow'ful mean an' ornery; mabbe some of 'em is, but youse hain't. I fit you-all, an' in coase would do hit agen, but I'm glad I never hurted none of yer no wus."

When they were ready to leave, Philips entered the house, spoke a few words to Mrs. Holler, and

then to Lindy he said, "Miss, take good care of that man on the bed—you will need him some day, or I miss my guess." Then to Bannard, "Quiet is the word for you, Bannard, and in a few weeks you'll be as good as new. I'll let you know when to come down for trial."

"I'll be thar, mister," said John, "ef I is livin'."

Before mounting his horse Philips stepped up to Holler and extended his hand. "Will you shake hands with a damn revenuer?" he said. Without a moment's hesitation "Big Bill" put out his enormous paw, and gave him such a grip that he winced. It was a novel experience to Rich Philips, and as he swung himself into the saddle a tear glistened in his eye.

"If there is anything Rich Philips can do to make the sentence light for these fellows, or any influence he can bring to bear to get them off, it shall be done," he said half aloud, "and one thing sure, I'm going to spoil the game of Mr. Brooks Bryson. I am going to fix it so that I know what is going on up here from time to time, so if he goes too far I can check him up. I've got that pretty 'recommend' he wrote for Sam, and his letter to us, in the same hand, and if I show them to these people his jig is up. If he gets out with a whole skin he'll be lucky. Either Holler or Bannard would break him in two and throw away the pieces."

Chapter X

"MURDER WILL OUT"

When Rich Philips reported the result of his raid, and that he had not brought his prisoners with him, his chief stared at him in astonishment.

"You don't mean to say, Philips, that after all the trouble you took, and the fight you had, you just let both of those fellows get away?"

"No, I do not," said Philips; "I have not let them get away. They are just as safe as if they were chained and double-locked in a cell. Whenever they are wanted I will have them here. One is flat on his back and can't be moved for weeks. I could not bring him, or stay and watch him, and they have given me their word that they will come when they are wanted."

The chief sneered: "And you believe it, Philips? I thought you too old a hand at the game to swallow such bait. I will hold you responsible, remember that." Later that day he called Philips and said: "I want you to go up to Burke County and get some papers from Sheriff Brittain's office. I'll tell you what I want, and you can look through his files and get it, if it's there."

The following day Philips departed for Burke and on his arrival set to work on the files of the sheriff's office to, if possible, get out what was desired. As is usually the case in a county court house the records and papers were not in such a condition that any one could be readily located, and he searched all day without result. Again the next day he returned to his task, and at the suggestion of a clerk, looked over some bundles of papers which had been tied up and thrown aside as useless. There were all kinds of notices and circulars, amongst them some with pictures of persons "wanted" by the authorities in different places. Several of these he examined and at last held one in his hand which he gazed at intently, and muttered, "Where have I seen that face?" And then exclaimed, "By all the gods and fiends, it's Bryson!' He's shaved now, but it's him, or I'm a blind man."

The picture was of a rather handsome man with a dark mustache, and the circular read:

$500.00 REWARD

will be paid for the arrest and delivery of Beverly B. Burton, whose picture appears above. Wanted for forgery and embezzlement; 5 feet 8 inches in height; weight, about 165 lbs. Dark hair and eyes, and when he left wore mustache with slight upward turn at the ends. Pleasing personality and a

good mixer. Has good teeth which he shows all across when he smiles. If located, or arrested, communicate with,

WILLIAM TRAVIS,
Sheriff, ——— Co., Tenn.

April 24, 1881.

The date was a little over two years back, about the time when Bryson had made his appearance on Buck Creek.

"Did they ever catch this man?" Philips inquired of the clerk. "Never that I heard of," was the reply. "I understood he was seen in South Carolina a few weeks afterwards, but was never apprehended. He was a slick one. Forged the name of his employer to some big checks, padded the books and skipped. He got away all right, and they'll never get him now."

"Probably not," said Philips, "but I'd like to keep this circular." "All right," said the clerk, "it was posted for about six months, and then stuck in there. It's no good to us now."

Philips pocketed the paper, continued his search, and at last obtained the information he sought.

That night he wrote the sheriff of ——— Co., Tenn., the following letter:

Morganton, N. C., June 14, 1883.

Dear Sir:

Referring to your poster sent out April 24, 1881, offering $500.00 reward for Beverly B. Burton, wanted in your county

for forgery and embezzlement, I believe I can put my hands on your man. If he has not at this date been apprehended, communicate with Richmond Philips, Statesville. N. C., and forward all available information and means of identification, especially specimens of his writing, and *signature*.

(Signed) RICHMOND PHILIPS.

William Travis, Sheriff, ——— Co., Tenn.

Some days after his return to Iredell County, Philips received this reply:

——— Co., Tenn., June 20, 1883.

Dear Sir:

In reply to yours of 14th, relative to Beverly B. Burton, I have to inform you that no trace of him has ever been found. He was heard of in South Carolina some weeks after he disappeared, and it is thought went to Texas.

I am afraid you are on a blind trail, but enclose his latest photograph and some of his writing. I may add that he was quite an expert with the pen, and able to change his style of writing, but in one thing he never varied—that was in the formation of the capital B, which was three times repeated in his name. You will observe this in all the specimens sent.

Yours, etc.,

WILLIAM TRAVIS, Sheriff.

Richmond Philips,
Statesville, N. C.

P. S. The reward stands should you be fortunate enough to nab your man.

Philips produced the "recommend" Bryson had given to Sam Poole, and placed it alongside the documents sent. The writing was in some respects dif-

ferent, but as the sheriff had stated, the initials were the same in each instance. Comparison of the photographs and picture on the poster was also convincing. Brooks Bryson was without doubt the Beverly B. Burton wanted. "I've got him," said Philips; "I'll soon be going up after Holler and Bannard. When I come back Burton comes with me, and he can stay in jail here until they come after him, or I get time to take him over there."

Chapter XI

IN THE SHADOW OF DEATH

The Holler home was now a dismal place. "Big Bill" went about his work in a listless way, with aching head and aching heart. Mrs. Holler, always quiet and unobtrusive, moved mechanically, and with tears streaming down her cheeks performed her usual duties. There was with her no loud lamentation, no complaint, or expression of resentment. She was crushed in spirit, and despairing, to think that her Bill would have to be tried like a common criminal, and probably be sent to prison.

John Bannard lay muttering in delirium, and upon Lindy most of the responsibility devolved. Though her youth and splendid physical condition enabled her to bear the strain with surprising fortitude, anxiety for John almost overcame her.

The news of the fight and arrest had been in some way carried to the few nearer neighbors, and soon they began to arrive, some to offer what assistance they could render, others, as is usually the case at such times, to ask questions to satisfy a morbid curiosity.

Lindy stood by John's bedside and listened to his

mutterings. Every word tore her heart with remorse, for there was but the one theme, gone over and over again.

"I knowd hit, Lindy, gal. I knowd you'd give me a chance, me as has loved yer all yer life.—Look out Bill!—He ain't good enough for my Lindy, Bill—Thar's a yaller streak somewhars, an' hit'll show. ———Bill, I can't do much ter help yer, but I'm comin'."

Young Alex Denton had entered the room and stood by her side. "John's pow'ful bad off, hain't he?" he said. "Wish't I could help yer some, Lindy."

"John is worse," said the girl in despair. "My God! I'm 'feard he'll die. Go ketch our Kit, Alex, an' ride fast as yer can fur ther doctor. Don't come back without him ef yer has ter ride all over ther county."

"I'll fotch 'im, Lindy," said the boy, "I'd do a-most anythin' fur youse, an' fur him." Then he turned and ran from the house, and in a few moments Lindy heard the sound of Kit's feet as Alex put her in a lope and urged her over the stony road.

"My God," she prayed, "don't take John like yer took brother Bill. I can't git along without him."

Word had been sent to John's old uncle, with whom he lived, and he came in and stood by the bedside. For a long time his grief was silent, then he broke

forth fiercely—"Ther d—n dirty revenuers, t' murder my boy this-a-way, him as never done nobody no harm; an' never give him no chance." "Chance?" echoed John. "She said she'd give me a chance, an' she'll do hit. Bill Holler's gal won't lie, an' ef Bill said hit, hit's so."

"What does he mean?" asked the old man. Lindy could bear no more, and taking him by the arm led him sobbing from the room.

All through the long day the girl watched beside the bed, prayed, and waited for the arrival of the doctor. This was often the way, even in the most urgent and desperate cases. The doctor could not be everywhere he was needed at the same time, and generally many miles had to be ridden after the call came. It was nearly dark when he and Alex rode up.

"I done got 'im," said the boy, "but I had ter ride purt' nigh all over ther county ter find 'im."

The doctor's opinion of John's condition was not reassuring. "He's in a bad way now," he said, "but we must pull him through. D—n those revenue devils. But you say one of them fixed him up as best he could, and if he had not had that attention he'd have been a goner."

All night long the faithful country doctor remained by the bedside. He persuaded Lindy to take some rest, and, from sheer exhaustion, she slept a

few hours, but was back on her post just as day was breaking.

Bryson had come up the night before, shortly after dark, but as he was unable to entice Lindy from the sick room he did not remain long, leaving with a feeling that even yet John Bannard stood like a rock in his path. Secretly he wished John might die, but outwardly he must profess sympathy, and show a disposition to help in the present crisis so far as he could.

By morning John's fever had somewhat abated and the doctor pronounced his general condition improved, but cautioned the family that they must watch him carefully and, leaving medicine to be given at stated intervals, he mounted his horse and set out to visit a patient some fifteen miles distant.

"I'll be back by here sometime this evening, or tonight," he said, "and by then I hope to find him much better."

So, after a hard day and a sleepless and anxious night, did this old hero go at the call of duty. Of all those who, at the sounding of the last trump, are adjudged to deserve a crown of glory, surely the mountain country doctor should be given first place. He answers the call of suffering humanity without murmur or excuse. No night is too dark, cold, or wet for him to go to the relief of the most humble

and poor of his patients. Over rough and muddy roads and mountain trails, fording dangerous streams and braving storm and tempest, goes the mountain doctor, to, in his humble way, bring hope to fainting hearts, relief to the suffering, speak words of comfort and cheer, or close the eyes of the dead, and all this for a pittance, or often, nothing. All honor to this hero of heroes—the country doctor of the mountains.

Holler ran the mill part of the morning and worked courageously in the field most of the afternoon. "I must git things in shape, ef I has ter go 'way," he said. On reaching the house he looked into Lindy's anxious face and inquired, "How's John?" "He ain't no better as I kin see," she replied, "exceptin' he's quit a-talkin' 'bout all sorts of things. Pap," she continued, "when—when you has ter go 'way, what's me an' Mam goin' ter do?"

Bill hesitated, and stood regarding her with bloodshot eyes, as if half dazed by her question. She went on, "Pap, Brooks says as how he'll take keer of us-uns then—but—but I'll have ter marry him so he'll have ther right ter do hit. I don't see no other way, Pap, an'—I done tol' Brooks I would—afore yer go."

Holler started, and drew his hand across his eyes, as if to clear his brain. Then he said slowly, "Lindy,

I hain't got nothin' ter say agin hit. Ef I has ter be took away from youse, an John, too, hit *mought* be best, an' youse is ther one ter settle hit, not me. One thing I wants ter tell yer. Don't say nothin' ter John 'bout hit twel he's strong ernough ter stand hit—er—hit'll kill him. John thinks a power o' youse an' was hopin' you'd wait a spell. Don't say nothin' ter John, ner let Bryson do hit nuther."

Thus between two fires, and shaken by conflicting emotions, Lindy covered her face with her hands and burst into tears.

When the doctor arrived late that evening his report was favorable. He pronounced the patient much better, and about out of danger, and went on his way with the promise to "come by in a day or so."

Bryson came up in the evening and Mrs. Holler was allowed to take Lindy's place, "fur a spell, while I sees Brooks."

"I done tol' Pap, Brooks," she said.

"What did he say?" inquired Bryson, eagerly.

"He 'lowed hit mought be best ef him an' John *has* ter go 'way," she replied. "Why not now, Lindy?" he inquired. "Why wait until the officers come for them? That will be a sad time for a wedding."

"Sad!" said the girl, "yes, hit will be sad, but I 'lows hit ain't goin' ter be no wus'n hit is now. Hit *couldn't* be no wus. No, Brooks, I'm goin' ter stick

by Pap an' John tel they has ter go, er tel I *knows* they has ter go."

Bryson was disappointed, and considerably vexed. He did not relish that John was considered in the case at all and made up his mind to take still further steps to eliminate him.

Chapter XII

THE "YALLER STREAK"

So the days wore on. John improved but slowly at first, but his iron constitution asserted itself, and when once on the mend he gained rapidly and was soon able to go home and attend to some matters at the mill.

Bill worked doggedly on the farm and Lindy did her full share. "I'm jist bound ter help Pap," she told Bryson, "tel ther craps is in. When I tol' yer 'yes' without waitin' tel then hit was bekase I 'lowed ther revenuers was gwine ter take Pap an' John next day, an' I war all shook up."

The short summer waned and autumn came on; fodder and hay were saved, corn was gathered and shucked, and still no summons came for the men to appear at court.

Bryson came up rather earlier than usual one evening. "I've found out when the officers will come for your father and Bannard," he said. Court is to be held the first week in October, and they will have to be there before that time. We must be married before they come. It would not do to wait until they were here and everything stirred up. You know you

said you would consent as soon as you knew when they were going. Now you know and there is no reason for delay. We will not say anything to your father, and just give him a surprise when we are ready, though you can tell your mother."

Poor Lindy! She knew not how to resist the adroit moves and seemingly unanswerable arguments of her lover, so with many misgivings consented to his plan.

Nothing had been said to John of Lindy's decision and he, in his trusting innocence, had not for a long time even reminded her of her promise to give him a "chance" before the final word was spoken.

Now John must be told, yet she dreaded the ordeal and continued to put off doing so. The matter, however, was decided for her in a way she did not anticipate.

Bryson stopped at the mill one evening, where John sat smoking his pipe as on a former occasion. He soon managed to guide the conversation around to the subject of the arrest, and promise to appear when wanted.

"If I were you, Bannard," he said, "I would just get out until this thing blew over. If you go to court you will sure be convicted and sent to prison for a year or more. You was not the one who made the promise to go, and I don't see why you should stand up to what Holler promised for you. If he is fool

enough to put his foot in the trap that is no reason why you should. If I were you I'd skip, and let them whistle for you until they were tired."

John had risen from his seat while this was being said. His face flushed and his eyes glittered.

"Brooks Bryson," he said, "I done tol' Bill you had a yaller streak; I believed hit then; now I knows hit. Ef yer word wouldn't be good fur nothin', mine is. I done tol' Bill, too, as how youse wasn't good 'nough fur his gal, an' this proves hit. I hopes Lindy won't have nothin' mo' ter do with yer, fur yer ain't fitten ter 'sociate with her."

Bryson laughed. "Since you talk that way," he said, "I might as well tell you that Lindy has promised to marry me before the first of October, though we have not said anything about it yet to anyone."

"You lie!" retorted Bannard. "She promised to wait until the craps was all in befo' she even give you an answer—yes er no."

"Well," said Bryson, turning away, "ask her. I tried to do you a good turn, and save your bacon, and this is what I get for it. Go and ask her. You will have to take her word for it if you won't take mine."

"I will ask her, an' right now," said Bannard hotly, "an' ef you has lied, as I believes you has, I'll twist yer d—n neck like I would a chicken's."

He shut off the water from the wheel, sprung the lock on the door and strode rapidly up the road, his heart filled with anger and resentment, and with the full determination to return and carry out his threat, for he did not, for a moment, believe that he had been told the truth.

When he reached the house he sought out the girl and came at once to the point. She saw that he was angry, and paled before his searching gaze.

"Bryson," he began, "done tol' me a lie. A d—n mean lie. He said as how youse had promised ter marry him afore the fust of nex' month.

"I done tol' him I knowd hit war a lie, an' he 'lowed I'd better ax youse. I jist wants yer word on that, an' I'll 'ten ter ther rest."

John had, of course, expected indignant denial, but saw at once that this was not to be his answer. Anger gave place to astonishment and grief as he stood waiting for her to speak.

"I thought as how youse an' Pap was goin' away right off," she said feebly, "ther war nobody ter look out fer me an' Mam."

"Then hit's *so,* Lindy, gal," said John slowly, and with evident distress, "an' yer ain't give me ther chance yer done promised?"

"John, John," sobbed the bewildered girl, "hit 'peard like as thar warn't nothin' else ter do, Pap a goin' ter jail, an' youse a-dyin'."

John turned away, utterly crushed, and walked slowly through the bars and down the road. He could not bring himself to realize the fact that the girl in whom he had put such implicit trust had betrayed that trust and not given the "chance" she had promised.

However, in this he did not in his heart condemn her, nor feel resentment towards her for the treatment he had received.

"Bryson," he growled, "hit's that d—n cur-dog Bryson, with his fine talk an' purty face as has done hit. Pore gal! Howsomever, I done said as how he shouldn't have her, an' by G—d, he shan't."

Just at the foot of the hill he met Bill coming up with a load of corn. He walked to the side of the wagon, and, laying his hand on Bill's, said, "Bill, Lindy done tol' me she's goin' ter marry Bryson, an' afore ther fust of ther month. Youse didn't know hit?"

"No," said Holler, "I knowd she'd done tol' him she'd marry him afore we-uns has ter go ter co't, but never heard nothin' 'bout ther fust of ther month. I have ben aimin' ter say som'thin' ter youse 'bout hit, but John, I jist couldn't. I knowd how hard you'd take hit. I couldn't do nothin', John. As I done tol' yer, hit's ther gal as must say. Bryson mought be like youse says, yaller an' ornery, but when

a gal takes a notion t' a feller hit don't 'pear ter matter how mean an' ornery he is. She jist holds on like er bull pup ter a hog's year, even ef he drags her in ther dirt, an' messes her all up. Hit's cu'rus, John, but hit's so. A'ter they's bin drug 'round a spell the'r holt mought *tear* out, but they never turn aloose."

"I had an ide', Bill," said Bannard, as how ef Lindy had mo' time ter study 'bout hit she'd see as Bryson, with all them fine ways o' his'n, warn't ther man fur her, but ther ornery cuss never give her no time. When youse war all bruck up, an' me nigh 'bout dead, Lindy warn't in no shape ter stand agin' him, an' he knowd hit; but right then he pestered of her inter makin' ther promise. Hit was a mean, low-down trick, Bill, fur him ter do hit that-a-way. Po' gal, she ain't ter blame, an' by G—d! ef nothin' else comes up ter stop him from a-takin' of her, I'll do hit."

"John, John," said Holler, "ef youse killed Bryson, er even run him outen ther country, hit wouldn't do youse no good."

"I knows that, Bill," said he quickly, "I knows that; but hit'd save ther gal from him, an' that's what I wants mor'n anythin' else."

"But," replied Bill, "Lindy thinks a power o' youse, John, an' hit 'd hurt her ef yer done hit. Losin' him would be one hurt, an' losin' youse another hurt, an'

a bigger one, too, kase, John, Lindy loves yer now forty times better'n she do Bryson."

"Then why in hell does she stick ter him this-a-way, an' kick me?" asked Bannard.

"Hit's jist kase she's done said she'd marry him, John, an' like I done tol' yer, wimen critters is all hard headed an' cur'us. Hit's all right, an' a fine thing when they is on ther right side of ther fence, John, but when they hain't hit's hell, John, hit's jist HELL. I wish't I could change ther gal, boy, I sure does, but I knows as how ef I tried ter prize her holt loose she'd hang on tighter 'n ever. Hit's a hard an' nasty dose, boy, but I'm a'feard hit's got ter be took."

"I dunno 'bout that, Bill," said Bannard sternly, "I hain't made up my mind yit. I'll have ter go off an' study a spell. I done tol' Lindy I didn't know what I mought do ef I war pushed, an' I don't."

With that John walked slowly down the road towards the mill.

Chapter XIII

THE PRIZE SCARECROW

EARLY one morning, several days after the events recorded, Richmond Philips again rode up to the shack of Sam Poole and hailed.

Sam soon appeared at the door, and when he saw who was his visitor he flew into a rage, began to curse and abuse the officer and call him every vile name his memory had retained.

"You —— —— revenuer," he roared, "ef I'd knowd you-all was aimin' ter git Bill Holler an' John Bannard in trouble I'd seen you-all, an' yer d—n five dollars in hell afore I'd hep'd yer. Git away f'um here, yer ornery cuss, an' don't yer come a pesterin' of me no mo' er I'll take ol' Betsy an' fill yer hide full o' squirrel shot."

Philips sat upon his horse calmly, an amused expression on his face, while Sam poured out upon him the vials of his wrath. When he had raved until his breath was short, and his stock of adjectives began to run low, Philips cut him off.

"You don't know what you are cussin' about, Sam. Just let up and I'll tell you something. Come near, so I won't have to talk so loud, though if there

had been anybody within half a mile you would have had them here by this time."

Sam sullenly left the door, where he had been standing while flaying the officer, came over to within a few feet of him and said, "Now what'yer got ter say? Say hit quick, an' git."

"You'll be sorry for what you've said, Sam, when you know what I am doing," said Philips. "When I hired you to get those 'recommends' it was not to help me get your friends in trouble. That had already been done. It was to find out who did it. I found out, and now I am going after him."

"Youse knows who hit war," asked Sam, "an' is gwine ter git him?" "I sure am," said Philips, "and while I've got to take Holler and Bannard back with me to stand trial, I don't believe it will go very hard with them, not if I can help it, at any rate. Now that I am ready to handle the other man I thought I'd tell you about it. I heard that you was cussin' me for everything you could think of and wanted you to know just how things were going. Who did you ever tell what you did for me?"

"I never tol' nobody," said Sam, "I'm lazy, an' no 'count, but I hain't no sich fool as ter tell 'bout hit. Ef ther fellers here'bout thunk I'd give Bill an' John away they'd take my hide offen me an' peg hit out ter dry. Mister Philips," he continued, "who is hit you-all is gwine ter git?"

"Can't tell you now, Sam," replied the officer, "but you'll know soon enough. Come to think of it, I believe I'll take you along to see what is done. I know it will amuse you, and you may be useful, but only on one condition, until I give you leave to speak you must keep that big mouth of yours shut. If you think you can do that, jump up behind, and we'll go."

Sam did not delay to dress. His outfit consisted of merely pants and shirt, and his head was embellished, rather than covered, by a tattered wool hat, from the holes in which tufts of sandy hair protruded, like tussocks in the marsh. The baggy trousers were held up by a piece of hickory bark, drawn over one shoulder, and no mortal could have told their original color, nor that of his shirt, while below the frayed ends of the legs appeared nearly a foot of lean shin, and feet which had not known a shoe since the past winter, red, scarred, and briar scratched.

"You sure are a prize scarecrow," commented Philips, as he surveyed him, "but get up. We must be going."

He removed his left foot from the stirrup and Sam, inserting a scaly toe, swung lightly up behind. At a turn of the rein, and a word from Philips, the powerful black cantered easily down the road with his double burden.

About an hour later they rode up to Bryson's store

and drew rein. "Bryson about?" asked Philips, of a man who sat on a box outside the door.

"No, he hain't," responded the individual. "Who be youse? Whar yer from? What yer doin' with Sam, an' what yer want with Bryson?"

"Too many questions," said Philips, "and I've no time to answer any of them. Where's Bryson?"

"Hit's none of yer damn biznez as I knows on," said the man. "Ef youse kain't ans'er none of my questions I hain't gwine ter ans'er none of yourn."

"Well, if that is the way you look at it," said Philips, "I don't mind swapin' one for the other. My name is Richmond; I've brought Sam along for company, and to show me the road, and I want to see Bryson on some business he wrote me about some time back. He asked me to come up here."

"He axed yer ter come, did he?" said the man, now dropping his tone of suspicion. "Then I reckin youse has come ter be at ther weddin'?"

"Exactly," said Philips, "and the wedding he said was to be at Bill Holler's or some such name. Is that right?"

"I reckin' that's hit," said the man, "an' sence thar's whar youse is goin' ter I don't mind a tellin' of yer thet Mr. Bryson's done gone up thar this mornin' an' lef' me ter look a'ter ther sto'. I reckin you-all 'll find him thar. I reckin you-all is f'um Ten-

nessy, an' know'd Mr. Bryson afo' he come here."

"Yes," said Philips, "I know all about him before he came here," and smiled at the grim joke. "Well, we must be going on," he continued, "Sam wants to stop at the mill and see a friend of his, John Bannard."

"They does say," volunteered the man on the box, "as how Bannard is pow'ful put out. He done tried ter git Bill's gal, but Mr. Bryson wer' too slick fur him. John got 'rested fer makin' licker, an' ther gal kicked him. John war shot when ther revenuers cotch him an' Bill, an' come purt' nigh goin' up ther crick, but he's all right now.

"They does say as how him an' Bill put up a nasty fight, an' would a-licked ther durned revenuers ef they hadn't shot John fust off. Howsomever, John shot one of 'em, an' Bill beat 'em up scand'lous afore they busted his haid an' knocked him plum out.

"Mr. Bryson had done tol' John Bannard ther revenuers 'd git him ef he didn't quit a-stillin', but he never paid no 'tenshun t' hit, an' 'lowd ther revenuers 'd never find ther still which wer' up Buck in ther laurel.

"John an' Bill is cal'latin' ter go down ter Statesville an' stan' trial, but they hain't sent fur 'em yit. Mr. Bryson says as how *ef* they goes hit'll be ter

stay, as they'll jail 'em sho' fur a pa'cel of years. Pity, too, fur them is good fellers."

"Thank you," said Philips, "we must get along," and rode away, leaving the loquacious individual who returned to his occupation of cutting notches in the side of the box with a huge pocket knife.

Chapter XIV

"I'VE GOT MY GUN"

John Bannard sat on his rock outside the mill door and thought over the situation which now confronted him. He was sorely perplexed, and conflicting emotions swayed his mind from side to side like the swing of the pendulum of a clock. All the summer he had watched Bryson's actions for evidence of the "yaller streak" which he was sure existed in the man, which he had been confident of finding, and on which he had based his hopes that Lindy would be brought to see him as he really was and give the decided answer "no."

Now he had demonstrated that his opinion had been correct, yet this had come too late, and was to have no effect.

For all this the one thought was still uppermost in his mind. Brooks Bryson must *not* have his Lindy. He *should* not. This he had said again and again, but how best to act to prevent it was a question he could not yet answer.

If Bill would only say it should not be, it would not, in spite of the stubborn disposition he attributed to all "wimen critters," he felt sure of that; but

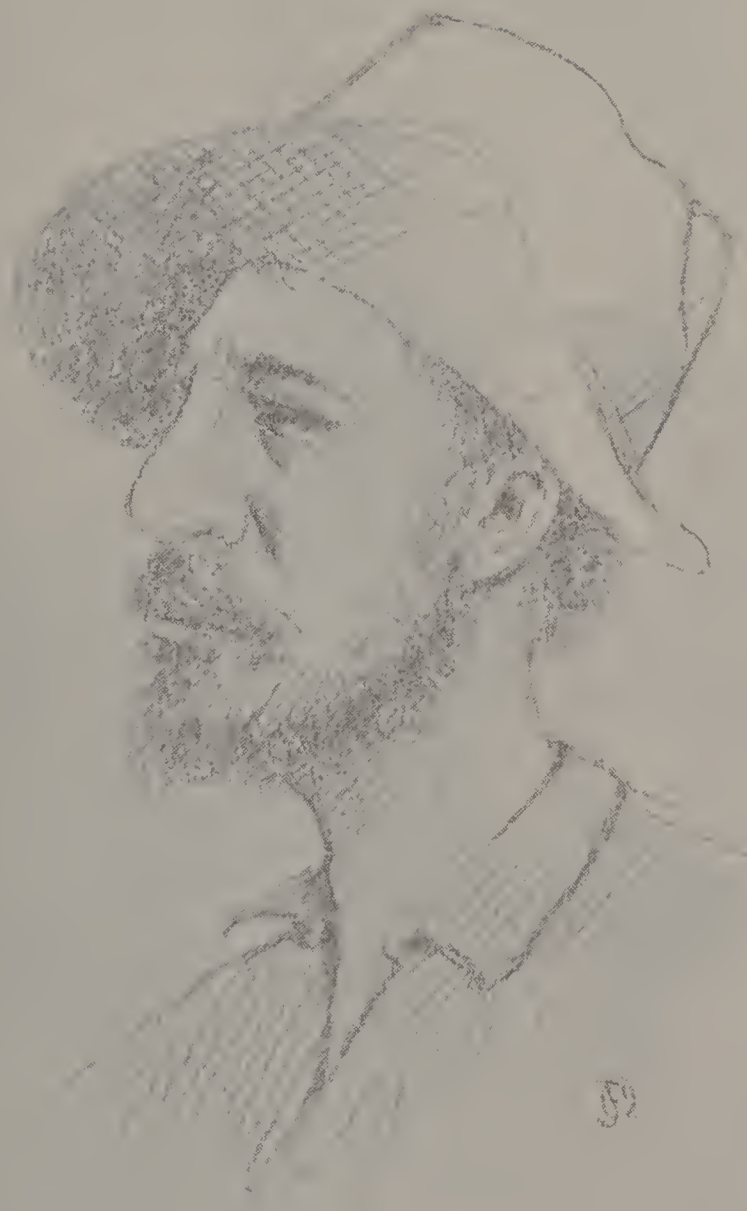
Bill was too good-hearted and kind to force the girl to give up what it seemed she had set her heart on doing, even though he thought she was mistaken, and might some day regret it.

No, Bill would not interfere. If anything was to be done it was up to him—John Bannard. What should it be? He was ready to sacrifice himself in any way, but Bill said that if he did so it would break Lindy's heart—just what he wanted to avoid.

The wedding was to be tomorrow, and time was short. He must decide on some plan of action at once. Bryson would be nothing in his hands in a physical encounter, so he must give him some sort of a chance for his life, even though he had not been accorded it, and knew that Bryson would not hesitate to take any advantage of him that would gain his ends.

His decision was made. He would take his rifle and give Bryson the chance to do the same, if he would take it. Each would have but the one shot. Let that one shot decide who was to live or die.

He went into the mill, took up his gun and examined it carefully. It had been loaded for some time and might not go off, or hang fire, and had best be fired and reloaded. It was the usual type used at that time, a long-barrel muzzle loader, with silver bead and forked rear sight, over which was arched a



JOHN BANNARD

shade of dull tin, double or hair-triggered, and used the ordinary "G. D." or "waterproof" cap.

John walked to the door and, selecting a spot on the big oak which stood across the road, threw the gun to his shoulder and touched the trigger. There was a slight crack, for those guns were lightly charged, and made little noise, and the bark flew from the spot he had selected.

Gun in hand Bannard walked over to inspect the tree and see the result of his shot. "Plum in ther middle," he remarked, "ef that 'd bin a button on Bryson's coat, I'd 've got him." He returned to the mill, wiped the barrel clean with a wad of tow, and carefully recharged it, saw that the powder had come up in the tube and then set it aside.

John felt better now that he had decided on what he would do, and went about his work as if nothing unusual were to occur. He filled the hopper with corn and opened the gate which allowed water to flow on the big wheel, examined the meal as it came from the stones, then once more lighted his pipe and went outside.

He was surprised to see that some one had come, not with a "turn" of grist, but with "the prize scarecrow," for there was Philips on his splendid black, and in place of a sack of corn was the vagabond—Sam Poole.

John, for the moment, said no word, but it flashed across his mind that of course Philips had come to take him away, and that what he had contemplated could not be accomplished. Could not? It must be. He would not go until it was; he would appeal to the officer for just one day's time.

The voice of Philips roused him from his reverie. "Well, Bannard, you stare at us like you might see a ghost. Is it me you are afraid of, or does what I've got behind me make the cold shivers run up your back? What's the matter, man? It is not because you are afraid of me, for I happen to know you are not afraid of anything. What is it?"

John pulled himself together and laughed. "No, Philips, I hain't afeard—hit ain't that. 'Light, won't yer? I reckin youse has come fur me an' Bill. What's Sam bin a-doin'?"

"Sam has not been doing anything," laughed Philips. "Did you ever know him to do anything? I thought his reputation for innocent idleness was pretty well established. No, I just brought Sam for company, and to give him, as a friend of yours, the privilege of qualifying as a witness to some things which are going to happen."

"I don't somehow understand yer," said the mystified Bannard.

"That's not so strange," said Philips, "but you

will pretty soon, for I've got a surprise for you and, from what I know, it will be a pleasant one."

"Hain't me an' Bill got ter go?" asked John.

"I am sorry to say you have," said Philips. "That is not it, and I am not going to *tell* you what it is at all, but I'm going to *show* you. Shut off your water and come with me."

"Whar's yer goin' ter take me?" asked Bannard. "Does yer want me ter go 'thout gettin' any other clo's, fixin' nothin' so hit 'll not drap ter pieces whilst I'm gone, ner sayin' nothin' ter nobody?"

"Nothing of the kind," replied Philips. "You will have a chance for all that as we won't start for Statesville until morning. I am going up to Holler's, right away, and want you to go with me. That's all."

Bannard stiffened up and scowled. "I don't want ter go thar," he said in a determined tone, "an' I hain't goin,' nuther."

"I know you don't," said Philips, "and I know why you don't, but you must. You are now my prisoner and must go if I say so. I'll give you my word that you'll not be sorry. I took your word once, now take mine."

Bannard stood irresolute. Was he to be deprived of the chance of carrying out the plan he had made? He could not tell the officer for he would then prevent him, and that he must not permit anything to do.

At last he said, "Mr. Revenuer, youse has toted fair with us-uns. In coase I'm goin' with yer, but I wants ter ax yer one mo' favor, hit's this: Will yer turn me a-loose when ther sun's 'bout hour high? I'll come back by dark, er mabbe sooner—ef I kin."

"All right," said Philips, "you can have that time, and more if you think you want it then."

John shut off the water, closed the mill door, and, throwing his rifle over his shoulder, preceded the horse up the road towards the Holler place.

Bannard was puzzled. What was the officer going to do, and why must he go with him? He still feared that something would happen to prevent him from meeting Bryson that evening as he went home, and forcing his hand, one way or another. "Well," he said, "I've got my gun, an' ef ther wust comes an' I jist *has* ter do som'thin'—I knows how ter use hit."

When they arrived at the bars Philips rode up alongside of Bannard and said in a low tone, "I brought Sam along on condition that he keep his mouth shut. I am going to require the same thing of you. Whatever happens, let me do the talking, and say nothing unless I give you leave to do so. Do you agree?"

John nodded. He was now more puzzled than ever as to what Philips intended to do. He would obey orders, BUT nothing must stop him from meet-

ing Bryson; nothing must keep him from saving his Lindy from the clutches of this man whom he felt would bring her only misery and disgrace.

"Yes," he said to himself, "hit's all right 'bout ther talk. I hain't goin' ter talk. I don't *want* ter talk, but I've got my gun."

Arriving at the house they found all at home but "Big Bill." Two of the neighboring women were with Mrs. Holler in the kitchen, "bakin' up truck fur ther weddin'." When she beheld the officer she put her gingham apron over her face and burst into a flood of tears and lamentations. "Oh, Lordy, Oh, Lordy," she wailed. "He's come fur Bill, he's come fur Bill."

"Yes, Mrs. Holler," said Philips, "I've come for Bill, and I've got to take him, but from what I know he will not be away for so very long. Don't worry about it now. Where is Bill?"

"Down in ther bottom," she replied, and continued to sob and wail, while her friends tried in vain to comfort and quiet her.

Hearing the commotion, Bryson and Lindy came in from the other house. When she saw Philips and John her face paled, more really from the sight of Bannard than the officer. Of course, the time had come when her father and John must go down for trial, she understood that, and it was bad enough,

but it came suddenly over her that she was about to lose John forever—John who had been as a brother all her life—John who loved her as perhaps none other did, or ever would—John whom she had promised a "chance" and then in a moment of despair and weakness had broken her word and cast him aside. Ever since the fatal day when she had been forced to own this to him had her conscience smitten her. The soft words and many promises of her handsome lover had not availed to alleviate the pangs of remorse she felt. Only because she did not know the way back did she persist in following the course she had chosen.

Now was the climax, and the time when her strength and fortitude were to be tried to the limit. She endeavored to balance what Bryson tried to persuade her she would gain against what she was sure she was going to lose, and show that he was right, but the down-weight seemed to be greatly on the other end of the scales. Silent and dazed she stood until Bryson took her hand and led her away.

Chapter XV

THE END OF THE ROPE

"I'll go fur Bill," said Bannard, and with his rifle still on his shoulder he took the path leading down by the old spring-house to the bottom field.

As he passed the spring he took down the gourd, which hung on top of a broken bush, and dipping it full of the crystal water, took a long, deep draught. "Don't know when I'll git no mo' like hit," he observed; "they tells me as how down country water hain't much 'count, an' gives a feller ther ager, an' sich. What in hell folks wants ter live ther' fur beats my time."

Bannard found Bill hard at work down near the creek. "Howdy, Bill"—"Howdy, John." Each stood looking the other in the eye. Neither knew how to speak. At last Bannard broke the silence:

"Philips done come fur us-uns, Bill. He's up t' ther house, an' says as how he wants yer right off." Bill did not reply, and he continued: "We don't have ter go twel mornin', but he wants yer now. What in ther Devil he's gwine ter do, I dunno, but hit's som'thin'. He done brung Sam Poole behind him on his hoss, an' he says ter me, says he: 'I brung

Sam ter see what we'r' doin' on condition as he keeps his big mouth shet, an' I wants youse ter do ther same. Don't say nothin' lesten I gives yer leave.' Now what yer make outen that?"

"Hit air cu'rus," said Bill, "let's go see what he's up ter. Mabbe he hain't got ter take us."

"Yes, he do have ter," said John, "he done tol' me that. Hit sure beats my time what he's up ter."

As they started towards the house Bill asked, "John, what fur is yer a-totin' yer gun? I hain't seed yer tote a gun fur five year, lesten youse was goin' huntin'. What yer goin' ter do with hit?" And he eyed John suspiciously.

"I didn't know but I mought need hit," replied Bannard. "I don't know yit, but what I mought need hit."

"John," said Bill solemnly, "I done tol' yer that ef yer did anythin' ter Bryson hit'd hurt youse, an' hurt Lindy. Yer ain't goin' ter do that, John?"

Bannard faced him squarely. "An' I done tol' her, an' I done tol' youse as how I didn't know what I mought do ef I wer' driv ter hit," he retorted hotly. "Youse is her Pap, an' won't do nothin' ter keep her from thet damn yaller sneak, so, hit's up ter me, Bill.

"I done swore he'll never have her, ef I has ter kill him. I'll give him er chance, ef he'll take hit,

an' ef not, an' he won't git outen here an' leave Lindy 'lone—I'll put him whar he cain't pester her, ner nobody. That's all I has ter say, Bill."

"I cain't let yer do hit, John. I cain't let yer," said Bill. "Lindy's done tuk her pick, an' I cain't go agin' her. I *won't* let yer do no sich fool thing ef I kin he'p hit, an yer knows I kin. Gimme ther gun, John. Ef youse don't I'll take hit, an' yer knows I kin do that, easy."

They were near the spring, where a few moments before Philips had come for a drink. Bill's last words showed him the turn matters had taken.

As Bannard backed slowly away, prepared to resist being disarmed at any cost, Philips stepped quickly in between the men, and held up his hand.

"Easy men, easy," he said. "John Bannard, I don't blame you a bit for what you want to do, but you won't have to. Come on to the house with me, and if, in an hour, you think you want to come back here and start in where you have quit, I'll come back with you, and see the fun."

Sullenly the men obeyed him, and all went up the hill in silence.

When they reached the house Philips called all together in the main room. "I've something to tell you all," said he.

All took seats but Bannard. He stood by the

door, gun in hand, and prepared for any emergency which might arise. He had considerable confidence in Philips, but more in his gun, on which his grip never, for a moment, relaxed, nor did his eyes waver from Bryson's face, which now wore a look of surprise, as indeed did those of each of the others.

Rich Philips took a bundle of papers from his pocket, laid them on the table at his side, unfolded one and began:

"Last spring our department received a letter, which I will read to you: 'If you want to catch some moonshiners, send a man up on Buck Creek to look around. Let him go to Bannard's mill, and watch the miller. The still is somewheres up the creek above what is known as "the elbow," and is reached by a boat which will be found tied just above the shoal in a clump of bushes.'

"When this was received I was detailed to take up the case, and as you all know, did so; but I had some curiosity as to who the informant was, and set about finding out. I knew nobody for miles around but Sam Poole, so to Sam I went. I told him nothing of the letter, but that I wanted him to go around the section and get me some specimens of writing from those who could write fairly well. Sam adopted the plan of asking for a recommendation, saying that he was going away to look for a job which all considered

such a good joke that they gave him what he asked for without question. He got several, all of which I have, but this is the only one we need consider." Opening another paper he read Bryson's "recommend."

"When I put this beside the other letter I saw that the same hand had written both, though an attempt to disguise the writing in the letter had been made.

"The letter was written by Brooks Bryson!"

Everyone jumped to his feet, and Lindy screamed: "Brooks! Brooks! Tell him he lies. I knows yer didn't do hit. Tell him he lies, Brooks."

Bryson was pale, but he did not entirely lose his nerve. "I did *not* write it," he said. "Why should I enter complaint against one who I hoped would become my father-in-law? I certainly did not write it, and there is no proof that I did. This man is a revenue officer, not a handwriting expert."

Philips laughed. "Of course I expected you to deny it," he said, "but Bryson, you would not dare to submit those letters to a handwriting expert, and you know it. However, we will lay that aside for the present. It don't amount to a great deal anyway."

Bannard fingered his gun, and his eyes glittered, but he said no word. Holler, too, was silent, remembering the admonition of Philips to John and Sam.

Philips continued calmly: "I have here some other papers. One is dated April 24, 1881, and is a poster sent out at that time calling for the arrest of a forger and embezzler, one Beverly B. Burton."

Bryson sprang to his feet, and his hand went to his hip, but he found himself looking into the unwavering muzzle of John Bannard's rifle, and made no move to escape or draw a gun.

There was tense silence for a few seconds. Then Philips arose and went on: "Beverly B. Burton, alias Brooks Bryson, here is still another paper. It is a warrant for your arrest."

"You can't do it," screamed Bryson, "you have no right to arrest me. You are only a revenue officer, and not a state official."

"A Deputy Sheriff, also," said Philips. "I attended to that," and, turning suddenly, he snapped a pair of handcuffs on Bryson's wrists.

Then he smiled and said, "Sam, you and Bannard may talk now, if you have anything to say."

Poole flew into a rage and began to abuse Bryson, or Burton, in terms which made his "cussin' out" of Philips seem like a Sunday school lesson, but Philips checked him. "No more, Sam," he said, "in here. Go out to the barn and finish your sermon."

Bannard, who had stood through it all with gun raised, hammer at a full cock and finger at the trigger,

said only, "I know'd hit," and turned from the culprit in disgust, while "Big Bill" said nothing, as at that time Lindy came on the stage and took the part of leading lady.

In most stories, under such conditions, perhaps also in real life, the heroine would be "carried fainting from the room" or in tears plead for her lover, so soon to have been her husband. Lindy Holler did neither of these things.

Drawing herself up to her full height she faced the man, and looked him straight in the eye. Burton raised his shackled hands before his face, as if to ward off a blow, and sank back into his chair.

Lindy turned from him. "John," she said, "John," in the tone which women the world over when distress prompts them to seek the protection of the stronger sex, ever use. "John!" and John Bannard set his rifle against the wall, put his arm about the now sobbing girl, saying softly, "Lindy, gal, my Lindy!" and they passed out of the room together into the sunlight—real sunlight for both.

Chapter XVI

THE TRIAL

It is not necessary to recount the events which transpired at the Holler home during the rest of the day and night, except to note that arrangements were made for John's old uncle, Tom, to stay with Mrs. Holler and Lindy, and Burlison was engaged to attend the mill while the men were absent.

John went back to the mill in the afternoon and finished his grinding, and, as Philips wished to make an early start the following morning, appeared just as day was breaking, clad in his best suit of homespun, and mounted on his shaggy little mountain horse.

Holler was to ride "Kit" and a mount was provided for Burton. He was placed in the saddle, a piece of trace chain was passed around his body and made fast to the horn, and the bridle put in his manacled hands.

Lindy was not to be seen, having remained in the other part of the house while the others ate the breakfast she had prepared.

"Don't le'me see him, John," she had begged. "I don't want ter see him no mo'."

When all were ready to depart John and Bill went into the house to bid farewell to the "wimen critters." Mrs. Holler was weeping bitterly, but Lindy's eyes were dry, as she said simply, "Good-bye, Pap," and, "Good-bye, John, I knows you-all 'll come back ter'rectly; we-uns 'll be a-lookin' fer yer."

Philips rode in front with his prisoner, while the other two "prisoners" came together behind.

When they passed Sam Poole's shanty he was ready for them and, there being no women folk in the party Philips allowed him to use his vocabulary to its limit. This he did to his evident satisfaction, and continued his volley of abuse so long as the object of his wrath was within ear-shot.

The ride of the day was uneventful. Bill and John conversed but little, and there was no extended conversation between Philips and his charge.

Burton was sullen and defiant. He had failed in his scheme, and was at the end of his rope. Philips was responsible for that failure, and he hated him. Every word and every look showed this, yet he was now powerless to help himself, and the man who rode so calmly at his side was his master.

The party put up for the night at a house on the banks of the Yadkin river, and the next morning rode into Statesville, where Burton was lodged in jail.

"Boys," said Philips, "now we are rid of that animal, let's get some dinner, and rest a bit. You can stay at the house where I board tonight. Tomorrow I will have to turn you over to the Marshal. I've spoken to him about you, and to the Judge, too, and believe you will get a square deal. Besides this, I have in mind a lawyer who I think will take your case."

"What fur does we-uns want a lawyer?" inquired Holler. "Ther' hain't nothin' ter say 'ceptin' as we was stillin', an' fit yer when yer com' an' cotch us. I don't see as how a lawyer 'd make anythin' out'en hit, ef we has one."

"That is because you don't know how lawyers work," said Philips, "there are several kinds of lawyers. Some of them only take a case for the money there is in it for them, others do so because they believe in their side, and those do everything they can to win out. You just let me see to that. If the man I spoke of decides to take up for you, you can have your horses saddled for the ride home."

"All right, ef yer thinks that-a-way," said Bill, "an' we sure thanks yer, but I don't see what good hit'll do."

Neither Bill nor John cared to sleep that night, though they did get a few hours rest. Their quiet life had been rudely stirred by the events of the sum-

mer, and the next day was to be the closing act of the drama.

Neither had any conception of a court, having never even been to the county court-house town when court was in session, but they stood in awe of the great man who was to sit in judgment on their case, wondered what he would be like, and what he would say.

"What yer 'low he'll do t' us-uns, Bill," said John, "Does yer reckin he'll jail us, an' fur how long?"

"I 'low he'll jail us all right, John, he can't do nothin' else. We was cotch a-stillin' an that's what they does ter them as is cotch, but how many years he mought give us, I dunno."

"God A'mighty!" ejaculated Bannard, "but hit's tough."

So they passed the night, and in the morning Philips "turned them over to the Marshal" with this comment:

"These are the two boys from up on Buck that I told you about, 'Big Bill' Holler and John Bannard. I don't have to tell you which one is Bill, and the other one is John. See?"

The Marshal laughed. "You described them to me all right, Rich, and I'm prepared to believe the rest of the story you told me. I told you that you would not find them when you went after them, but

if I'd seen them first I would not have said it. Come on, boys, they are calling court."

Bill and John were ushered into the court-room, a dingy, dirty place with floor covered with saw-dust to take up the streams of tobacco juice which were being continually spurted on it by the spectators, and court officials as well.

They were given a seat, and the first case was called. Witnesses were sworn in and gave testimony for and against the defendant, who pleaded "not guilty" to the charge. The lawyers wrangled, read from their books, and bullied the witnesses in the usual fashion.

After listening for some time to the conflicting testimony, and statements of the lawyers, John whispered to Bill, "Did yer ever hear ther like, Bill? All of them fellers is lyin'."

At last the case of "The U. S. vs. William Holler and John Bannard, charged with operating a still without license and resisting arrest" was called.

"Are the defendants in court?" inquired the Judge. "They are, your Honor," said the Marshal. "Who appears for them?" the Judge inquired.

Col. G. N. Folk, a well-known lawyer of the state, rose to his feet. "Your Honor," said he, "I have not been engaged by these defendants to appear for them, but I know their story and wish to do so if I may so be appointed by the Court."

"Certainly, Colonel Folk., said the Judge. "Do you wish to proceed with the case now, or do you ask a continuance?"

"I wish to proceed, your Honor. I do not care to call any witnesses, and will enter the plea of 'not guilty' to the indictment."

Bill and John looked at each other in amazement. Here was a man telling the Judge that they were "not guilty," when they were!

Bill rose to his feet. "Jedge," said he, "I don't know much 'bout how you-all does in co't, but ter save yer trouble, I wants ter say as how that feller with ther black whiskers, as has jist said we-uns was 'not guilty' is a-lyin'. Philips, thar, he knows we had er still, an' fit him an' his crowd. Jist ax Philips."

As Bill took his seat a laugh rippled around the room which was promptly suppressed.

Folk, far from being disconcerted by Bill's sally, and denial of his plea, merely nodded to Philips, smiled and said nothing.

Philips took the stand and told the story of the raid and fight, omitting none of the details.

"This is the evidence we have," said the District Attorney, "take the witness, Colonel Folk."

"Mr. Philips," said Folk, "you have told us the facts of the raid, and fight, all of which we admit.

Now go on and tell the court the rest of the story."

As Philips had already talked over the case with the Colonel he knew what points he desired him to bring out, and told the story well, led up to what was most desired by the questions of the lawyer. The character of the men, their simple home life, their honesty, integrity, and truthfulness, all was brought forward in the most effective manner.

It was plain to see that interest had been awakened, both in the Judge and spectators, for there was absolute silence during the whole time that Philips was on the stand.

When he had finished Folk merely said, "Defendants rest their case," and the District Attorney made his argument very briefly, asserting that there was little to say, as the men had clearly been proved guilty of the charge.

Then Folk rose. It was known that he seldom lost a case, and it was also well known that he never took one unless thoroughly convinced of the innocence of his client, and the justice of his cause. Unless he felt sure of this no sum was large enough to retain him.

For this reason all wondered how he could defend these men, who had owned their guilt in open court, and anxiously waited for him to begin his argument.

Folk walked slowly up and down in front of the Judge's stand, his hands behind his back and his piercing black eyes roaming about the room, then, suddenly facing the judge, began.

Chapter XVII

JUSTICE

"Your Honor, I offered to defend these men for the sole reason that I desired to assist you in meting out to them the *justice* which they deserve.

"In entering the plea of 'not guilty' I did not intend to infer that they had not broken the law, but that they were really not guilty of intentional wrong. Our laws, your Honor, as I take it, were made to *prevent* crime and wrong doing, not to foster it. If the strict enforcement of these laws is to result in making criminals out of honest men and good citizens, like these before you today, and imposing on them unnecessary hardship and injustice, then are we, the framers and administrators of these laws, the criminals, and should be dealt with accordingly.

"And the penalties attached to these laws. What are they for? What is their object? Is it merely to impose a financial hardship, or inflict bodily harm, or is it to teach a lesson and show men that so long as these laws are on our books they should be obeyed?

"It is argued that the people make the laws by which they are to be governed, and should therefore

the more be bound by them. This I deny. The people, your Honor, do not make the laws. True, they are made by those chosen to represent them, but how much, think you, the average American citizen knows what his so-called representative is about, or by what influences he is swayed, when these laws are framed?

"There are various reasons for the laws which we have. Some are designed to give protection to our persons, some to protect our property, and others to produce a revenue for the maintenance of the government of the town, county, state, or nation. This latter, your Honor, is the very worthy object of the law which these men are alleged to have violated.

"There is no law against the *making* of liquor.* Anyone may make it, *provided* he assures the government the tax which it has put on the sale by placing it in the custody of the government until such tax is paid.

"For generations these sturdy mountain people have been accustomed to use their surplus corn and fruit in this way, and to them it has seemed a hardship and injustice to force them to abandon their little stills and let their grain and fruit, which it would not pay to haul to a market, go to waste.

"They have merely changed the form of their product, and can not understand why this should

* This was long before our present law, which forbids manufacture or sale of intoxicants.—Editor.

brand them as criminals, to be hunted down, chained, and imprisoned.

"Is this law to be so administered as to create bitterness and discontent, to make criminals out of honest men, put a stigma on their names and bring disgrace upon their little homes? Such cannot be its object! Such MUST not be its effect!

"You have heard the story as told by the officer who made the raid and arrest. I ask, is there nothing in this story which appeals to your sense of justice and right, and touches your heart with a spirit of leniency toward these men who, in spite of the fact that they broke the law by making a few gallons of whiskey, and defending themselves when attacked, have demonstrated by their actions that they meant no wrong, and by their strict adherence to their promise, and truthfulness in all their statements, have put us all to shame?

"And now, your Honor, I am going to change the plea made of 'not guilty' (from a technical point only) and enter that of guilty as indicted, and ask the Court in imposing sentence to accept the personal bonds of these men and allow them to return to their mountain home with the knowledge that justice, real justice, *can* be meted out by our courts, and the impression that the government is not the hard and unyielding task-master they have been led to believe.

"I hope that you will agree with me that such action will be in the interest of justice, both to the government and the defendants."

As Folk concluded and walked calmly to his seat there were cheers from many of the spectators which the Judge did not attempt to suppress.

When the District Attorney had formally accepted the change of plea the defendants were told to arise, and the Judge thus addressed them:

"William Holler and John Bannard, your counsel has agreed to the plea of guilty, and according to the letter of the law I am obliged to impose on you the sentence prescribed, which is—confinement at hard labor in the penitentiary for the term of two years. However, I have been very much touched by the story told of your lives, and the integrity and noble character which it is evident you possess. The country needs men such as you are, men of simple life, men of uprightness and honesty, men who will not lie even to save themselves, who will fight when they deem it necessary, who are in very truth good citizens and the backbone of the Republic.

"As your counsel has said, the penalty of the law is to teach a lesson and prevent a repetition of the offense. This lesson, you have already learned, and no possible end could be gained by shutting you up in prison for the time the law says you should be.

"Taking this view of the case I am going to accede to the request of your counsel, suspend sentence and take your personal bonds for good behavior during the period.

"I wish to say further that, from what I already know of you, I consider such bonds from you as good as if backed by all the finances of the state of North Carolina."

The mountaineers did not know what to do, so they simply stood still and did nothing. They could not understand how it was possible for them to be free when they had been judged guilty and sentenced as they expected to be.

Holler was the first to recover himself, and find his voice. "Jedge," he said, "does yer mean as we-uns kin go home, an' not have ter go ter jail?"

"That is a fact," said the Judge kindly, "and I hope you will profit by the lesson you have had and have more respect for the law in the future, even if it seems to you a bad law."

"Thank yer, Jedge," said Holler. "We-uns didn't know much 'bout ther law, ner keer, bein' up thar in ther mountings whar ther didn't seem ter be no need fur hit; but, Jedge, ef this is hit, we-uns 'll not fool with hit no mo', ef we knows."

"Thank the Colonel, boys," said the Judge, "he is the one you owe most to."

Colonel Folk and Philips at that moment came forward and extended their hands in congratulation. "Mister," said Holler, "I fergits what they calls yer, ther Jedge 'lows as how we owes most ter youse. We hain't got much, mister, but whatsomever hit is me an' John 'll pay hit."

Folk laughed, and still holding Bill's enormous paw, said, "What you owe me was paid mostly in advance, and it's one of the biggest fees I ever received. You have given me more confidence in my fellow man than I ever before possessed. It is a lesson I shall not soon forget, and will help me on my way through this world of strife, lies, and injustice. I am glad to have been able to be of service to you. My name is George Folk, from Caldwell. If you ever need me again I am at your service, but you will not, for anything like this. Good-by."

Bill and John did not exactly understand this, and all they could do was to wring the Colonel's hand until the tears came in his eyes, and say, "We sure thanks yer, mister. We sure thanks yer."

Legal formalities complied with, Philip again took them in charge and they left the court-house, followed by cheers and congratulations.

Chapter XVIII

HOMEWARD

"Mr. Philips," said Bannard, "ther Colonel done said as how we-uns didn't owe him nothin', but we sure owes a heap ter youse, fur youse not only holp us-uns out'en this scrape, but youse done smoked that d—n pole-cat Bryson out'en his hole, an we's shet of him fur good. That's wuth a heap, hit is."

"Never mind, boys," said Philips, "I'm going to start for Tennessee with him tomorrow and collect my $500.00. I telegraphed the sheriff I had him, and he replied, 'Bring him along and the money's yours.' Then I'm going to quit the revenue business and go back on the farm. I have got enough of that job. I've got no hankering after hunting down such fellows as you."

"I'm sho' glad youse has quit ther revenue," said Bill. "Youse is all right, Philips, but somehow I hain't got no use fur a revenuer. I jist na'cherly feels that-a-way."

"I don't blame you," said Philips, "I haven't got much use for one myself, and that's why I have decided to quit. You men will want to start home in

the morning, I suppose. We will have some dinner and then knock around town a little."

"We kin go now any time we wants ter?" inquired Bill.

"Of course you can," replied Philips, "but you don't want to leave before morning?"

"Me an' John 'lowed we'd saddle up soon as we got ther critters fed an' had a snack. Ther' ain't no way ter let the gals an' Uncle Tom know we-uns ain't got ter go ter jail, 'ceptin' ter go an' tell 'em. We'd better git along, an' be home fur breakfast tomorrer."

This decided the matter. The "critters" were fed, the men had dinner, which they ate in evident haste, and mounting their horses, set out for their distant home.

"Come up and stop with us-uns a spell sometime," said "Big Bill," as he shook Philips' hand at parting. We won't have no mo' stills fer yer ter find, an' I hopes no mo' pole-cats fer yer ter smoke out, but we'd be pow'ful glad ter see yer a-most any time."

"I'll sure come up some time," said Rich Philips, and he meant it.

They rode in silence until out of the village, glad indeed that they had really started on the road homeward. They still could not comprehend just why they had been liberated.

"Bill," said Bannard, "what yer reckin that lawyer feller meant by sain' he done got his pay fur what he done?"

"I dunno, John," said Bill, "hit beats my time. I allers 'lowd as how them sort of fellers, lawyers an' jedges an' sich like, war mean as hell, an' wouldn't give a po' man no chance, ner do nothin' fur nobody 'ceptin they was paid. When that ther' triflin' Ed. Hawkins wer 'rested an' tuk ter Bakersville, an' tried fur stealin' of a shoat, he got off, but them lawyers up thar charged him a heap, much as twenty dollars, I heard, an' he had ter leave his old hoss as s'curity twel he scratched 'round an' got hit.

"Them fellers wer' pow'ful good ter us. I'm sho' sorry we-uns got inter ther trubble, but we learned a heap, an' picked up some friends. That revenuer feller, Philips, sho' holp us a heap, an' a'ter we'd fit him, too. Hit beats my time."

"I 'low hit mought er bin' 'kase we didn't try ter git away, an' never lied ter none of 'em," observed John, "but that ain't nothin' fur ter fuss over. A-most anybody 'd a-done that-a-way."

So, as they rode towards home they discussed what they had been through, and speculated on the why and wherefore. They could not see that it was their own honest way of dealing and truthfulness that had won the friends who came to their aid in the hour of

need. "Anybody had o'rter done that," was the only way they could see it.

Night came, but they rode on, stopping only long enough to allow the horses to be well-fed and have some rest, and to get a meal for themselves.

The horses were good walkers, the only gait for mountain travel, and the miles were counted off at the rate of nearly four every hour.

As they came nearer the end of their journey, and into the home country, thoughts of what they had been through gave place to what was now ahead.

The Past must ever give place to the Present, the Present to the Future.

In spite of all that they had been through and the long night ride, they now felt as fresh and strong as boys, and looked no longer backward, but forward to the homes, and loved ones, who awaited them among their beloved hills.

Naturally conversation turned to these things as they crossed the last ford of the river and came into the lower part of Buck Creek Valley.

"Hear ol' Buck!" said John, "don't she make a purty fuss? Hit 'll sho' sound good ter hear the old mill runnin' agin'. Seems like we's bin gone a mighty long spell, an' hit ain't but three days!"

"Hit do seem long," said Bill, "an I s'picions as how hit seemed a mighty sight longer ter Jennie, an'

Lindy, an' ol' man Tom, fur they ain't know'd nothin' what war doin', an' 'lowes we-uns is in jail."

After a moment's pause Bill continued, "John, boy, I wants ter ax yer pardon. I bin thinkin' 'bout ther way I done 'bout Lindy. I jist na'cherly couldn't go agin' ther gal, John, an' Bryson war sich a inticin' cuss, but I war wrong, John, an' youse war right. I know'd all 'long as how ther gal sot a heap o' store by youse, but Bryson—."

"Yes, I knows," interrupted Bannard. "I ain't a blamin' of yer now, though yer com' purt' nigh makin' a mess of hit. I'd done said as Bryson shouldn't have ther gal, an' ef Philips hadn't come an' nabbed him, he wouldn't of got her nohow."

"John, youse wouldn't a shot him?" said Bill.

"You knows what I done said," replied Bannard, "an' I had my gun, didn't I?"

The eastern sky was brightening, and the mountain tops caught the first rays of the rising sun, as they came over the ridge above the mill.

Here they could look down on the peaceful valley, their little world, where, nestled their humble homes. They both were thrilled at the sight, and Bill, in his delight, waved his hands above his head and uttered a stentorian "HE——E——YI," and the hills, as if to welcome him home, took up the sound and echoed and re-echoed—"Yi——Yi——Yi."

Chapter XIV

AFTER THE STRUGGLE, PEACE

A sorrowful day it was for the Holler family and old "Uncle Tom" when their loved ones had departed, perhaps not to return for years, though they hoped for the best, without knowing why.

It was doubly so for Lindy as she went about her work. The events of the last day had been a shock from which even youth and strength would require time to recover.

She had been cruelly wronged and deceived, yet in her heart there lingered no spark of love for the handsome Bryson, nor even pity for his sudden and ignominious fall. His former crime might have been forgiven, had it been known, but *treachery,* never. The sternness of her mountain nature could make for him no excuse, nor have other than contempt for his dastardly action in betraying her father and John Bannard.

"John," now it was "John," and she knew it had always been "John," even when dazzled by the better appearance and polished manner of Brooks Bryson.

"Good God! If John would only come back!" Now that she had awakened to realize her true feelings he

was gone, never to return, or perhaps only after the lapse of weary years! She felt now, more than ever before, that she had not treated John right in any way after Brooks Bryson came between them. John, who had been at her side, ready and willing to gratify her every wish, ever since she could remember. John, whose first thought had always been of his "Lindy, gal," and who would have laid down his life for her. And now John was gone, and the world was empty, her little world, with which, until the coming of the serpent, she had been content.

Her soul was torn with resentment and remorse—resentment against the one who had come into her life to disturb its quiet course—remorse that she had been weak enough to yield to his blandishments, and so bring sorrow on herself and John. Every way she turned there was something which brought John to her mind.

Even when she went to milk "Spot" she thought of the night when the refractory beast had "histed Bill one," and kicked the very piggin she held in her hand against John's breast and covered him with milk. Then she had laughed. She could not laugh now. She wondered if she would ever laugh again!

So passed the day, and night came, only to bring other ghosts to torture. Sleep refused to come at her bidding, and she arose the next morning pale and

listless—to worry through another weary day. Would *all* days now be like this? she asked herself. If they were to be, how could she endure it?

For the sake of the others she must rouse herself from this state of mind and steel her heart to bear with fortitude the trouble which, in a measure, she had brought upon herself. "Mam" and poor old "Uncle Tom" needed to be comforted and encouraged, and for their sake must she subdue her feelings, and let no outward sign appear to indicate the tempest within her heart.

With this resolve she arose on the fourth day, feeling better and calmer for having made it.

Day was breaking. She walked out on the little porch and watched the sunlight tip the mountain peaks with gold, and the mists drift down the valley in streams of fleecy white.

Why should she, amidst all this beauty, be so forsaken and miserable?

Overcome with emotion she threw herself on her knees and, raising her tear-stained face to the light now streaming over the hills, prayed just the simple words: "Oh, God A'mighty, bring 'em back, bring 'em back!"

And then, as if in answer to the prayer, came from over the ridge a sound that made her spring to her feet and lean forward with intense attention: "HE ——E——YI!"

As the echoes took up and repeated her father's call, and she realized that he was indeed coming—and John—she ran into the house calling, "Mam! Mam! They's comin', I done heard Pap yell," then across the yard, cleared the bars at a bound, and sped down the road like a young doe.

After giving vent to his feelings in the lusty whoop, Bill put Kit in a lope, and with John close behind, swept down past the mill and on up the slope toward his house.

As they came around a turn in the road to where they could see some distance ahead, Lindy appeared, racing towards them, hands outstretched in welcome, and her face beaming with intense excitement and joy.

"Pap," she cried, "you-all's done come, sho' 'nough. God done brung yer like I ax'd Him ter."

Both men dismounted, and the girl, after greeting her father, turned to John, and held out both hands.

John Bannard took them in his, and gazing into her face in almost adoration, said, "Lindy, gal, I'll never leave yer no mo'," and together they followed Bill to the house, where "Mam" and "Uncle Tom" awaited them.

Mrs. Holler threw her arms about Bill, and sobbed out her joy, while Uncle Tom, as Lindy expressed it, "made a pow'ful fuss over his boy."

" 'Peard like you-all 'd never come back no mo'," he said, "I done give yer out."

There was happiness in the Holler home that day, happiness such as mortals seldom feel, for it bides not with us for long, and even when most intense, may at any time be obscured, or snatched away, as clouds pass over the sun and shut out his light and warmth.

As the sun was sinking behind the western peaks, John and Lindy sat on the little porch together and watched the dying day. The mountain sides were resplendent in the gorgeous tints of autumn, backed by the deep green of laurel and pine.

All was still save for the faint babble of the waters of Buck, and an occasional whistle of a partridge calling in his mate for the night.

They felt the spell, these two who had passed through trial of soul and body, and were now come to peace and contentment, the spell of their beloved mountains which stood before them in all their beauty and grandeur.

Here was all that made life for them, all they knew, all they wished for. Here undisturbed by the noisy strife of men, the fierce competition of struggling masses in the cities and towns, the wrangling of political parties, and religious sects; here in the shadow of the grand piles of nature, reared by the

hand of The Supreme Architect of the Universe. Here they could live the simple life they loved.

And so they sat in silence, watching the changing lights and shadows on distant peak and hillside.

At last, Lindy, nestling close on John's shoulder, said softly, "Ain't hit purty, John?" And, John Bannard replied, "Hit sho—o' is, Lindy, gal."