THE EVENING NEWS.

Thursday, - - September 21, 1871.

From the Overland Monthly.

THE DISAPPEARANCE OF ROBERT FAIRWAY.

I.

[CONTINUED.]

The game chosen was the simple one known as "freeze-out," each taking one hundred beans. So skillful were the players that the night waned and morning began, and the chances were about equal. Still they played until at last Jose, putting up all his stock of chips, staked everything upon his hand. Fairway covered the pile. Jose then exultingly threw down a full hand—three queens and a pair of sevens. His hand was outstretched to take up the deed, when Fairway, with a smile, laid down four tens; and rising from the table, opened the window to let the cool morning air blow in upon their fevered brows. Jose sat like a man in a dream; and it was not until the clang of the iron door of the little safe in the corner of the room recalled him to the realization of the fact that the title of his lands had passed from him, and the evidence had been locked up by the owner, that he raised his head. Fairway walked to the mantel-piece, poured out a glass of wine, drank it off before he spoke, and then said: "Jose Alva, yesterday you called me a coward ow I wanted to prevent what has ju all happened. To-day I am richeah in your wealth, and have grown promise my riches. I have just mader touch to myself that I will live. But another card so long asr anything you shall never want hold myself which I can supply; request you may bound to accede to a still such time as I ever make to me. se of the property, may otherwise dir to occupy it as you you will continue." The Spaniard always have, but, with an attempt to made no rep, seem careless shrugged his shoulders, and, jingling the coin in his pockets, threw on his cloak and hat, and quickly walked down the stairs. Fairway watched him from the window until he entered the Spanish gambling house across the Plaza, and then, throwing himself upon the lounge, dropped asleep.

Robert Fairway was true to his resolution. Gathering about him his newly acquired wealth—for he realized a large sum by the sale of the Rancho—he invested largely in growing real estate in San Francisco. Freed from this cursed infatuation, he applied his mind to his profession. The study of criminal law became with him a passion and in a few years he rose to the highest rank in the practice of that branch of the law. During this portion of his life I was intimate with him, and from a friendly letter dated at the hotel at Placervill, and written to fill in a leisure hour, I gather the main incidents narrated in the following chapter. He was sent for from far and near, and his fees were enormous; but he had the reputation of clearing his clients. He could sway juries by the torrent of his eloquence. In the prime of life, he had attained the highest distinction. Already had his name been spoken of in connection with the highest offices in the gift of the people. Men looked up to him; crowds flocked to hear him; honors poured thick upon him. But one day he disappeared—went out from among the presence of men as though the earth had swallowed him—went out like a flame that is extinguished—and from that hour to this no man has known what became of him. Those who follow this history to its end will be the first to lift the veil of the seemingly inpenetrable mystery that has surrounded his fate.

II.

In May, 1855, a cold blooded murder was committed under circumstances of great atrocity in Placer county, and a Spaniard, known by the sobriquet of Spanish Joe, to whom suspicion attached, had been arrested for the crime. The circumstances attending the murder will be remembered by many as we recall the principal incidents, the crime having caused wide spread comment and interest at that time. The man so foully assassinated had resided for a short time in the neighborhood of Placerville—or, as it was then known, Hangtown—and although peculiar in his habits, was a peaceable, orderly citizen, living alone in a cabin about a mile from the town. Living by himself, as was the custom with many in those auriferous days, he had never been known by any other name than that of Baltimore Dave, he having spoken of the City of Monuments as his native place. Dave was in the habit of coming to town only once a week, to sell his dust and buy his supplies, during other times working his claim, which yielded fair wages. He had little to say, made few acquaintances, and was generally liked for possessing the virtue of minding his own business. His cabin stood in a ravine some distance from the trail, and in an unfrequented part of the gulch.

Dave was missed from his usual work for a week or so, but it excited no remark, as in those day it was no unusual thing for a man to pack up and be off to other places without any notice. But on one Saturday afternoon a white-faced miner rushed into the town, and proclaimed the news that he had called at the cabin to borrow a pan, and had found the body of Dave lying partly under his bunk, having evidently been dead some time. There were no inquests in those days, but a crowd of miners and others repaired to the spot, and, upon investigation, discovered that the poor fellow had been shot as he sat upon the edge of his bunk, smoking his pipe. A thorough search demonstrated the fact that the assassin had fired three shots through the window, every one of which had penetrated his body; but the most horrible feature of the matter was the strong probability that the man had lain there, helpless, dying, and alone for days—no one could tell how long. The reaction against lawlessness had just set in at that time throughout the State; and after giving decent burial to the remains of the unfortunate man, the officers of the law commenced a vigorous search into the mystery surrounding the crime. It was found that the Spaniard spoken of had, on the night of the 3d of May, borrowed from the monte saloon a pistol, which he returned the next day, and the balls found in the woodwork of the cabin corresponded with its bore. It was also ascertained that on that night he had been seen going in the direction of Dave's cabin. A shoemaker also recollected having had brought a pair of boots to him for repairs, shortly after that time, which were thickly incrusted with the peculiar red clay of that neighborhood. The evidence against him being thought sufficient, he was arrested and lodged in jail; from which place he dispatched a note to Robert Fairway, San Francisco.

To be continued.

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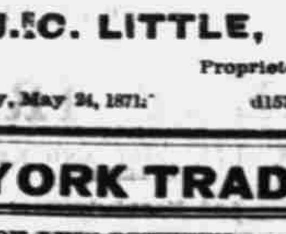

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