

From the Overland Monthly.
THE DISAPPEARANCE OF ROBERT FAIRWAY.

(CONTINUED.)

In due time Fairway received the letter, and the bar of Placer was somewhat surprised to receive the announcement that this Spanish gambler was to be defended by the ablest criminal lawyer on the coast. It was notorious that Spanish Joe had no money save what little he could win at cards; and why Fairway should enter upon this case was a matter of much speculation and discussion. However, he came. The clerk of the Carey House greeted him with an obsequious bow as he registered his name; the landlord, in person, showed him to the best room in the hotel; judges and lawyers greeted him cordially. But he scarcely seemed himself. His usual genial manner was overcast with a look of sadness, and his face was paler than usual. Hastily excusing himself, he requested that his horse—a valuable animal which he had ridden over from Auburn—should be taken good care of, and, in company with the Sheriff, started for the jail to see his client. When he was alone the Spaniard was the first to break the silence.

"Fairway," said he, "you once said that you would grant any request of mine. You must have my life."

"Yes, Jose Alvido," he replied. "I remember, and I am here."

A long conversation ensued between the two in the course of which Alvido freely admitted his guilt. Said he: "When you left me, a homeless pauper, in San Diego, I did not complain; what you had, you won fairly. I murmured not. I had left me my health and strength, and my knowledge of cards. Upon the latter I relied to retrieve my fortunes. You were wiser than I, but no matter. Delphinia"—and as he mentioned her name, an almost demoniac light glittered in his eyes—"Delphinia soon found out that I was ruined. She taunted me with it; and when I spoke of my intentions for the future, she brutally told me that she had long anticipated this end; and aroused me to fury by her talk. In my rage I struck her, and she left me."

One week after, she was the acknowledged mistress of an American gambler, and haunted her suite at me from the rooms over the faro bank. The man who bought her was the man I killed. I left then and came into the mines, where I have dragged out an existence by rough gambling. I knew your prosperity, but never troubled you. I had almost got over all thoughts of what I had been until one Saturday night this man Dave Kraver came into the saloon where I was sitting. I did not recognize him. He has his own tongue to thank for that. He never was a man to talk much; but this night he got a letter from home, and loosened his tongue. He went on to tell the boys what a good mother he had, and how he had been the black sheep, and how he had come out here and learned to deal faro, and about his going to the lower country, and then—curses him!—he told about how he had fooled a rich 'greaser' and got his wife—for he thought she was his wife, and she never told him any better—and how long they had carried on and the 'greaser' was as blind as a new-born puppy. I kind of suspected it, though; and I knew enough to make me fly up the way I did the day we rode over the old rancho, if you remember. Well, he went on, and told all about it, and how he had sworn off gambling and turned honest miner, until all the blood in my body was on fire. That was Friday night; and the next day I borrowed the pistol, walked out to his cabin, and shot him like the dog he was. You made me what I am, Fairway; you must get me out of this scrape. You've done worse things than this; and this you must do."

Fairway acknowledged the difficulty of the case, frankly telling him that he had no hope, but promised faithfully that all that man could do should be done. Delay was his only chance; to get the trial over the term was the only possible outlet to ultimate escape; and to this end he bent all his energies. Meanwhile public opinion was growing more and more determined that an example should be made. The miners held meetings, and quiet threats and distant murmurs of a Vigilance Committee were heard among them. But Fairway put all the powers of his mind into the case. He searched with eager eye every particle of the evidence; he found defects in the indictment, he prepared affidavits, and worked with an untiring zeal that made people think that Spanish Joe must have had stored away untold piles of gold. When the court sat, and the prisoner was arraigned, such a showing was made in his behalf that the Judge ordered the continuance, and the prisoner was remanded to jail.

It was well on in the afternoon when she was done, and Fairway went to the hotel, ordered his horse to be saddled, paid his bill, and went to the jail to pay a parting visit to the man for whom he had labored so hard, and thus far successfully. He had been so frequent a visitor to the jail that the Sheriff would go up with him and usually look him in when he went to stay any time, returning at the appointed hour to release him. This time Fairway remarked as they left the hotel:

To be continued.

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