

From the Cleveland Monthly.
THE DISAPPEARANCE OF ROBERT FAIRWAY.

[CONCLUDED.]
"I will leave my horse tied here in front of the house; and as I suppose I shall have to have a good long talk with the fellow, you need not come up till the moon rises, about half-past eight o'clock, as I intend to ride to Diamond Springs to night, and don't care about starting before it is moonlight."

"So turning the key upon them, the two men were left alone for the last time."

The storm which had been brewing so long, broke that night. As soon as it was dark, a band of over two hundred men, armed to the teeth, marched into the town, and, defying the officers of the law, broke open the jail, took out one of the two men they found therein, and hung him to a tree at the door. This took place about eight o'clock; and while the body of Spanish Joe was swinging in the darkness, the clerk of the hotel saw Robert Fairway, whom he distinctly recognized by a peculiar coat and cap which he wore, mount his horse at the door and gallop away in the direction of Diamond Springs. As he rode off into the darkness of that night, he rode out into oblivion; for he was never seen again.

III.
Last winter, while on a visit to my old home in the East, I formed the acquaintance of a returned Californian, now doing a prosperous business in the city of Chicago. While enjoying the hospitalities of his house, we sat one evening alone together in his cozy parlor, discussing old times in the Golden State, and among other things I happened to mention the strange disappearance of Fairway. I spoke of my knowledge of his early life, and his manner of obtaining possession of the San Joaquin grant. My host turned pale, and swinging his easy chair round in front of me, he placed his hands on my knees and said:

"I know what became of that man. I will tell you what until now has never crossed my lips. It is time this mystery should be cleared up, and you, perhaps, are the one who has most right to know. I was one of that vigilance committee," he continued, "and well remember the scenes of that night. On one way to the jail, if you remember, we took the sheriff in custody, and from him we learned that Fairway was there in company with the Spaniard. He appeared anxious that no harm should come to him; and I, acting as spokesman for the party, gave him the assurance that he should not only escape unharmed, but should be treated with courtesy, and allowed to depart without question. When we broke down the doors of the jail, Fairway, closely buttoned up in the large coat he wore, and with his cap drawn down closely over his head, stood outside of the door of the cell, which was open, and the Spaniard had fallen, as we supposed, in an agony of terror on the floor, and in his shirt sleeves. Remembering my promise, I said to him, 'Mr. Fairway, you will leave here instantly, and turning to the men who stood in silence, I said, 'Let Mr. Fairway, the lawyer, pass.' They opened a way, and he walked quickly through their ranks, and was lost in the darkness. The prisoner continued in his faint, and I tried to restrain the men until he should recover; but what can you do with a mob? Some of the more violent of them, pushing past me, fastened a rope around his neck, and throwing the other end over a projecting limb, the whole crowd grasped it and ran the man up. He struggled a few minutes with convulsive force, and then hung lifeless. A discussion arose as to what disposition should be made of the body, some insisting that it should hang there the next day as a terror to evil-doers; others, myself among the number, desiring to bury it then and there, and so be done with the whole matter. But the crowd was so excited, and the man being the stranger, we dispersed to our homes."

"All night long the vision of that swinging body haunted me. I could neither sleep nor think. I am no coward, and I felt that we had done an act of absolute justice in his death; but the idea of leaving the corpse of any human being hanging to be mutilated by the hawk, was repulsive to my humanity, and at last I could stand it no longer. Just as day was breaking, I took a pick and shovel and repaired to the spot. I didn't look at the thing above me, but I dug a grave at the foot of the tree, and then finished, I cut the rope, which had been tied to a post, and the body fell with a heavy thud to the ground. I approached and to my horror, the distorted features of the corpse, I recognized — not Spanish Joe, the murderer — but Robert Fairway. The truth flashed across my mind in an instant. Joe, hearing us coming, had realized the fate intended for him, and with the instinct of self-preservation, had in an instant changed his position, and with a sudden blow, and, rapidly assuming his outer clothing, had passed for him and escaped. The darkness of the night and the absence of a light in the jail prevented close scrutiny; and the mob and the mob we had hung the wrong man. I stood rooted to the spot, not knowing what to do. I knew — and all this flashed through my mind in an instant, like a white flash — that the discovery of this fatal mistake would subject all concerned to serious trouble. I felt that immediate and effectual concealment was the only possible way to avoid the consequences; and hurriedly pushing the body into the new-made grave, I rapidly filled in the earth above it."

"I left the country soon after, and succeeded in business here, where, as you see, I have prospered. I have often felt the burden of this dreadful secret; and am now relieved to know that there is one other besides myself who knows with certainty what became of Robert Fairway."

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