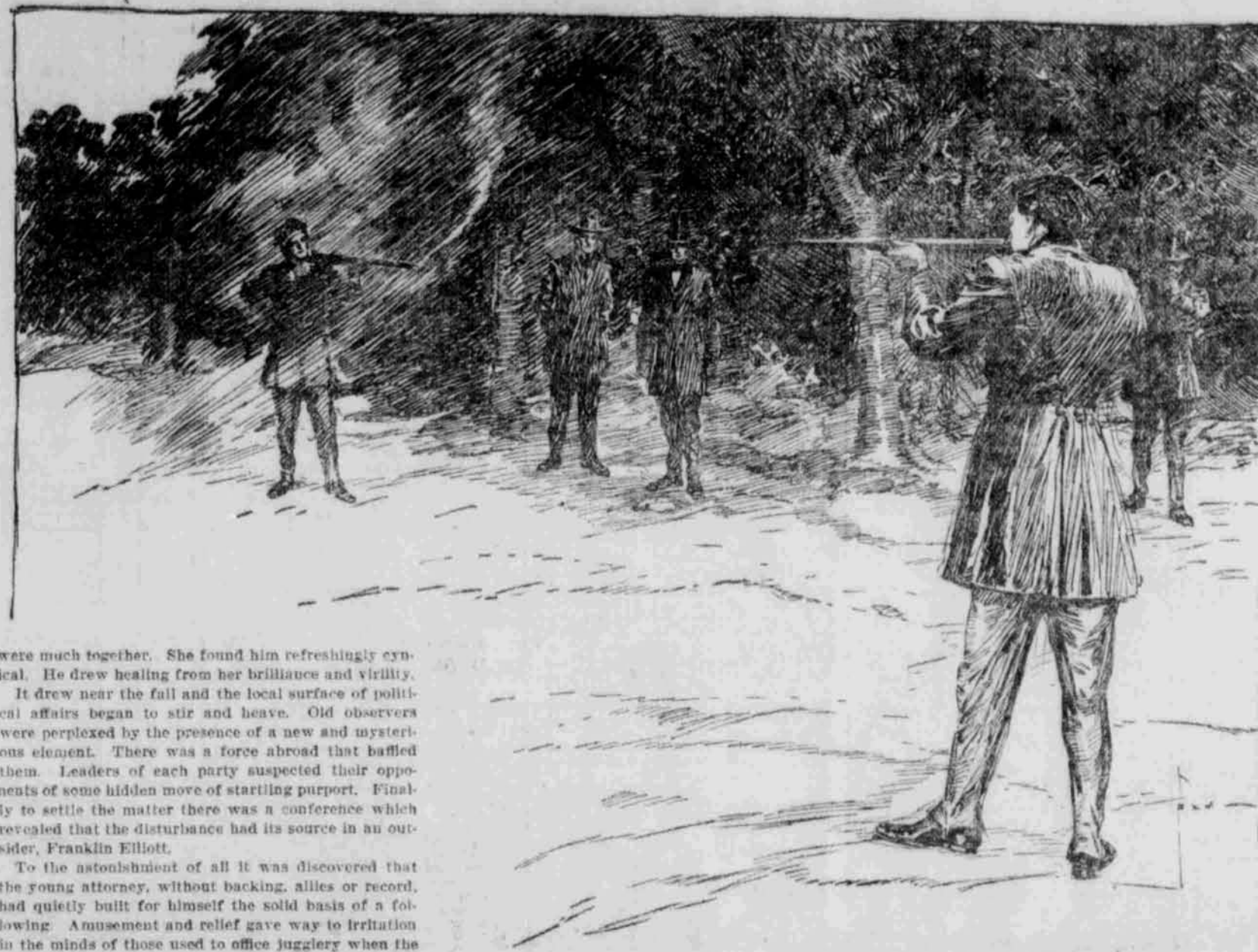




The DAY of the DUEL

FULFILLING AN IDEAL



THE ATTORNEY HELD HIS POSE UNTIL HE COULD SEE THE SPOT OF FOREHEAD THROUGH THE SMOKE, AND PULLED THE TRIGGER.

"COULD wish that my husband might be a man who had striven and won among the giants of the earth, a conqueror, mighty of intellect as of personality, holding in his grip all lesser and weaker mortals. Such is the wooer who must come to me, who must take me by storm, sweeping me from resistance. To such a one I could yield myself, but to no other."

The girl's face glowed with the impetuous fire of her words and Franklin Elliott looked up at her with amazement and something akin to fear. It was a face of marble and dark, flaming beauty, strongly marked, dark, fanned in thick masses of black hair, with heavy eyebrows and thick and full, red lips. For the first time he caught a hint of cruelty in her dominant mouth.

"But, Olive, this is primitive, this is savagery. You speak as a jungle girl might. Conquest is admirable, if you like, but surely there are traits as desirable as those of the tribal chief in these days."

She shrugged her broad, smoothly moulded shoulders. "I am at least sincere," she said. "Look, Franklin, I have asked me three times to be your wife. Let me be frank at last. You say you love me. I cannot help that. I have not such feeling for you. What are you? A country lawyer. You cannot stir me. I find no answering call in you. Why not give up a passion that can mean to you nothing but regret?"

It was his turn to blaze with intensity of feeling. "You cannot help it? This is merely a mad dream of mine, then? Olive, how dare you say the like? Have you not encouraged me, played with me, amused yourself all these dull, summer days at my expense? And finally this is your answer? That I am not such a man as can swing you to his saddle bow and take you against your will?"

"Now you grow hyperbolic," she answered coldly. "I found you full, handsome, impressive. You cannot blame me if I sought what qualities went with your outward traits. I found you gentle, submissive, full of thought, intelligent, but an individual to whom action brought foreign. You never thrilled me, even when I thought that perhaps a force dwelt somewhere behind. You would not move me. But you cannot accuse me of frivolity because I look where I may for the man it is my nature to love."

Blind to the Remission. Elliott watched the lines of passion across the face that had become a delight and a scourge to him. He read nothing of a shallow, sensuous, falsely sensitive mind back of it. He was conscious only of its charm, its overpowering beauty and its unaccountable. He stood up.

"You have at last spoken frankly, Olive, and I suppose I must thank you. You have never told me that was in your thoughts before. I will not annoy you further. But if some day I should be able to disprove all you have said of my unworthiness I claim the right to come back and try again to win the one chance of happiness that lives for me."

He left her and she smiled after him into the darkness. She liked him better than at any time since she had first flirted with him to break the tedium of the little Kentucky town where family misfortunes had reigned.

Franklin Elliott was all that Olive Masters had said of him. He had made some small success in the community which he had chosen deliberately as the field for his labors. He had shown himself eloquent, able, convincing. He had won almost all his cases. He understood men with a sympathetic insight and he knew the law. But he had lacked ambition in the personal sense. He had made for himself a conception of his position that was as fanciful, in hard truth, as the girl's view of life.

He had absorbed vague, ill formulated but inspiring and generous purposes. He desired to be useful to rightful causes. He was, as the girl had discovered, little more than a dreamer. He had never played for his own advancement, ever placing his talent at the service of the issue that appealed to his sense of justice rather than that which would have promoted his material welfare.

And because his motives were vague, scarcely more than instinctive, he felt the lash of Olive's reproaches most keenly. He had no philosophy in reserve with which to meet them. He could only suffer and pity himself. He could see dimly that she had treated him lightly, but he felt that she must be right. In the confusion of his love what he saw most clearly was his own failure. He pledged himself to rise to the level she had indicated.

By some fanciful turn of the wheel that brought Olive Masters to the home of her aunt in the little town Albert Bailey came to stay with his brother, broken in health and fortune, begging only a shelter and food until the sum of his transgressions should call for the final forfeit. The newcomer arrived a week after Elliott had ceased to call at the Masters home and when time hung heavily upon the girl's hands.

She caught sight of him as he paced the lawn next to her own and all her subtlety and cleverness, unimpaired through empty days, were fixed upon him. The explanation of excesses had left him the remnant of his former great strength, but his thin, white face had the more interest and fascination. He noticed her as she stood with studied unconsciousness among the flowers one day and knew a thrill that he had thought impossible to his jaded senses.

Watched Her Amid the Flowers. The recovery of Albert Bailey was laid by his relations, perhaps in greater admiration for the cause than for the effect, to the sovereign properties of the warm, spring blue grass winds. Meanwhile he watched the white robed figure among the flowers each day. He spoke to her finally. After that they

were much together. She found him refreshingly cynical. He drew healing from her brilliance and virility. It drew near the fall and the local surface of political affairs began to stir and heave. Old observers were perplexed by the presence of a new and mysterious element. There was a force abroad that baffled them. Leaders of each party suspected their opponents of some hidden move of startling purport. Finally to settle the matter there was a conference which revealed that the disturbance had its source in an outsider, Franklin Elliott.

To the astonishment of all it was discovered that the young attorney, without backing, allies or record, had quietly built for himself the solid basis of a following. Amusement and relief gave way to irritation in the minds of those used to office juggling when the phenomenon refused to disappear. Some one learned that Elliott was out after election to the Legislature. Whatever his aim, he had suddenly risen to the importance of a factor.

Major Humphries, local member of the Legislature and tender for his party, watched Elliott's progress with uneasiness. He was frequently in conference with his lieutenant, Ambler Stark, as to the political situation. He found little to reassure him. "He's been canvassing among the farmers for the last week," said Stark one day at the hotel. "This man to man talk is his stand."

"Don't I know it?" fumed the Major. "I've listened to the upstart, and I pledge my word, sir, he almost persuaded me. Felt as if I must walk right up and hand him my vote and beg him as a favor to command it. When it comes time for the speeches, Stark, he'll have us by the throat unless we bestir ourselves. What can we reach him with? Is there a woman about?"

Cherchez la Femme! "I've tried that tack," answered Stark, carefully adjusting his feet on the railing. "He's never been mixed up in anything here. They never heard of him in Louisville. I even sent for his record in college."

"He used to see that Masters girl some?" "Yes, he's hard hit there. But he don't get much show now this new found brother of Doc Bailey is around."

"There's a lead, Stark. Look up this Bailey and get friendly with him. We might find him useful. Meanwhile see what Elliott wants. He can't mean to play this lone hand to the end."

It was a week before election. For days the one topic of conversation had been the phenomenal strength displayed by Franklin Elliott. He had been independently nominated for the Legislature. He had shown himself a gifted orator and had torn his opponents to ribbons during two stumping tours of the district. Good material lay to his hand and he had been greeted with the wildest enthusiasm.

In spite of bitter attacks by party speakers and press, he had gained steadily in following and in prestige. Even his enemies were forced to admit his promise and both factions approached him with proposals of alliance. His personally conducted fight was without precedent and to the politically wise argued merely a forcible hold-up. To them it was simply a question of finding what he was after and buying him over. Meanwhile he rejected all overtures and held steadily to his way.

He did not see Olive Masters again until the final day was almost on hand. His victory was practically conceded. He came to her in the early evening and stood on the porch, hat in hand. She did not rise to greet him.

"Well," she said, "it seems that we forget old acquaintances in the rush and hurry of office seeking."

"I think I can truthfully say that I have not forgotten you," she answered, with a curious smile. "If I have stayed away it was only that I might show you I could do something, after all."

"Of course," she said vaguely. "Do you think I have made any progress?" "Progress? Toward what?"

"You once said that the fault in me was an incapacity for action. I have tried to mend it."

"Oh," she responded, as one suddenly enlightened. "Do you still remember that?" The tone made a mock of him. He stood astounded, dumb in the presence of the revelation.

"The greatest error a man ever made was mine when I failed to read your utter heartlessness," he said. She flushed with anger as he turned and walked away without another word. His neglect had played her and she had thought to punish him, then to amuse herself with two admirers at a time. At the gate he met Bailey, whom he jostled in passing without recognition. Bailey came up to the porch.

"Who was that man?" he asked. "That was Franklin Elliott, our new political light, they say. How do you like him?"

"I find him a bore," said Bailey hotly. "Your opinion agrees with mine, then. He made himself most objectionable just before he left."

"What did he do?" "He stopped just short of insult. No," she said, placing a restraining hand upon his arm as he started to rise. "Do not trouble yourself about him. He is not worth it. Have you brought your copy of 'Rene'?"

That should have a calming effect. You know how I dislike bluster and violence and excitement. Albert, shall I ever be able to teach you the true value of repose, control and gentleness?"

During the short time intervening between his visit to Olive and the test of his fledgling flight Elliott was absorbed in a last mighty effort for success. As a result he met the forces placed in the field at the eleventh hour by his opponents and overthrew them. His last meeting was a personal triumph, and never had he appeared to such great advantage. It was clear to the blindest partisan, hidebound in party allegiance, that the seat in the Legislature was lost to both regular tickets. Elliott was hailed on all sides as the coming great man of the State.

On election day Elliott held one corner of the little hotel lobby with the few direct adherents that had drawn about him as the inevitable consequence of the powers of attraction and leadership he had shown. He was calm and confident. Once entered into the struggle, it had drawn him. He saw greater conquests ahead. This was but his introduction to a life of wide activity and usefulness.

In other parts of the lobby were the larger groups representing the two parties. Major Humphries, very dignified, very watchful, outwardly impassive, was the centre of one of the circles. Beside him sat Bailey, whose acquaintance he had accidentally cultivated. Talk ran incessantly about the room, but voices were pitched low. Humphries had pulled his ticket through and was not to be depressed because his own official place was lost. Men did not speak of it in his hearing unless in answer to some remark of his own.

The Major began a confidential conversation with Bailey, who had been drinking freely for the first time since his retirement to the village.

Working the Plot. "It's not so hard to be beaten, sir," Humphries was saying, "but to be beaten by a damned worthless scoundrel is, I admit, very hard. He has bought it, sir, bought it. You'll see. There's some big interest behind him that's been playing this for him. Personally, he lacks the manhood for such a thing."

Bailey, already inflamed against Elliott by the skillful promptings of Stark and by the encounter at the Masters home, listened eagerly. "He's a coward, sir," continued the Major. "A miserable coward. Why, only recently he was heard to boast of having won the affections of a trusting young woman. Boasted of his conquest, sir—a thing he would not have dared to do if she had had male kin."

"He did, eh?" said Bailey. "What woman?" "Miss Masters, sir. One of the finest young women of our town."

Bailey started from his chair. The Major made no effort to detain him. He rushed to Elliott's corner. "Elliott," he cried loudly, "what's this story you're spreading concerning a young woman?"

The young lawyer looked up, recognized Bailey, who had been pointed out to him as Olive's new favorite, and returned his glare with a surprised and scornful glance. Bailey trembled with rage.

"I take pleasure in denouncing you as a liar and an infamous scoundrel, sir," he screamed. Talk had died away about the room. All eyes were turned upon the flushed and hellish Bailey. Elliott's first impulse had been to ignore this unprovoked, wanton and wholly ridiculous attack, but it died before a surge of the new temper he had developed.

"If you would play the bravo, sir, you can have the opportunity," he said between clenched teeth. With the words he sprang forward and struck Bailey, knocking him back against a chair. Bailey regained his feet and drew himself up.

"You will prepare to answer for this," he gasped, and was led by Humphries from the hotel.

Returning from the district that night placed Elliott's election beyond all doubt. He received the news with out elation, retaining his untroubled demeanor and accepting the many congratulations with dignity. In the streets of the town he was made the object of a great demonstration and replied with a speech recalled ever afterward by all who heard it. It was built upon words common enough on such occasions—duty, rectitude, the fulfillment of promises. But the force, grace and fluency of the speaker were far beyond anything of the kind ever before known to his hearers. Before returning to his home he called aside one of his friends—Matthews, another lawyer—and entrusted him with the negotiations for a meeting with Bailey.

Arranging the Meeting. Ambler Stark, acting for Bailey, met Elliott's second next morning. The conditions named by his principal, as the insulted party, were sufficiently savage. Bailey demanded that they should fight with rifles at twenty-five paces. Elliott's second pointed out that such a duel would surely mean death to one, probably to both of the participants. But Stark declared that Bailey's intention was fixed and that there could be no compromise. The arrangements were made accordingly.

Elliott did not allow himself to dwell upon the situation confronting him. He kept himself indifferent. There had come a reaction following his final effort and the winning of the race. The shock he had suffered from the discovery of Olive's unfaithfulness and the destruction of a love that had been a treasured part of his life had hardened to lesser matters.

The fever heat of the election had served to distract him from his bitter thoughts. Now he cared for nothing that might happen, he told himself. He slept soundly on the night before the meeting. One occasion he made to himself, buttoned under his coat as he went to the field were the few letters written him by Olive during the first days of their friendship, when he thought his affection returned.

The newly elected legislator and his second were the first to reach a secluded piece of ground several miles from town and protected by a patch of woods from the highway. All the arrangements had been kept secret and, although it was well known that a duel was to take place, the townspeople had no inkling of the place or time. Bailey, accompanied by his brother, a physician and Ambler Stark, drove up a few minutes later. It was early morning.

Stark and Matthews marked off the ground and the arms of the contestants were examined. Both were of a standard pattern, throwing a heavy bullet. It was agreed that, after an exchange of shots, results and the disposition of the contestants should decide whether or not honor had been satisfied.

Although this was Elliott's first conflict, Bailey had survived several fatal meetings, and he displayed the fact with some ostentation. He handled his weapon cleverly, sighted it, measured the ground with his eye and made casual comments to his second. The young lawyer was quite free from nervousness, but his movements were stiff and betrayed his lack of familiarity with the matter. He still kept his mind free from confusing thoughts and centered his attention on hitting the spot he had selected, the middle of his adversary's forehead.

"Gentlemen," said Stark when both were ready. "I shall stand here a few paces off the line of fire and drop this white handkerchief. You are free to shoot the instant it leaves my hand. On your honors, do not press your triggers prematurely."

Waiting the Signal to Fire. The space was shaded by the trees from the sun, now some distance risen, and there was no advantage as to light. The two men stood facing each other, each with his left foot at the mark and the rifle held toward the ground in both hands. Stark took his position with the handkerchief between finger and thumb, extended at arm's length. Each combatant could see the spot of white without removing his fixed gaze from his opponent.

"Are you ready?" Stark's voice rang out. "Ready!" said the young men simultaneously. Stark waited a breathless, tacking pause for the fraction of a second, then released the handkerchief. It was still fluttering in the air when Bailey's rifle spoke. Elliott whirled part way around, then with compressed lips resumed his position and lowered his cheek against the gunstock.

Bailey had not altered the position of his weapon when Elliott fired. He did not move until the smoke had drifted away. He was unhurt. The physician hurried to Elliott. There was a bullet hole in the side of his coat below his left breast and a stain was spreading. The attorney would not allow him to make an examination.

"It is nothing," he said to Matthews. "I demand another exchange."

Stark carried the word to Bailey, who consented with a smile. The rifles were reloaded. Again the men took the marks. The word was given and repeated. As the handkerchief dropped the two weapons spoke as one. Bailey was seen to stagger, but he recovered himself, thrusting his rifle against the ground and leaning upon it.

"Hard hit," was Stark's comment as the physician approached Bailey. In his turn the duelist waved the proffered aid aside. He had suffered a severe wound above the right ear, but he insisted upon bandaging it himself with a silk neckerchief.

"Let us proceed," he said calmly. "Mr. Bailey demands another shot," was Matthews' message to Elliott.

"He shall have it," answered Elliott, who was deathly pale.

Once more the opponents faced each other with eyes alert and weapons ready. Stark dropped the handkerchief immediately after receiving the two responses. Elliott reserved his fire again. Bailey's shot missed. The attorney held his pose until he could see the spot of forehead through the smoke, and pulled the trigger. With the report Bailey pitched forward, uttering no sound. The physician ran to him and turned him over. He was dead, the bullet having penetrated his brain.

Disappearance of Elliott. Franklin Elliott was never seen in the Kentucky town again, nor did any one who had known him have knowledge of his whereabouts. Feeling was in his favor, supporting him in all phases of the quarrel. The authorities had planned no more. Other affairs of the kind had passed without official notice. But the seat of the newly elected legislator was empty and an election was ordered before the end of the session to fill it. After returning to his home from the scene of the duel he had vanished, leaving most of his possessions.

Five years later it was rumored about the village of Petra, Kan., that a strange hermit had taken up residence in a cave about ten miles from there. He was seen frequently hunting in the woods, but avoided all persons. His relations with the world of men were limited to a single visit each year to Petra, where he bartered skins and game for powder, shot and salt. He interfered with no one, and in the course of time came to be accepted as a fixture.

Two strangers to the vicinity had been hunting near Petra one day about twenty years after the duel. They lost their way and found themselves at nightfall without shelter. At the foot of a rise they stumbled against a door, half set in, half built out of the hillside. Receiving no answer to their knock, they entered cautiously and found a spacious room with the embers of a fire on a rough hearth. When they had stirred this to life they discovered that what they had taken for a bundle of clothes in one corner was the body of a man, recently dead.

In going over the few furnishings of the cave they came upon a tin box containing a few old letters, stained with blood. The letters were all addressed to "Olive," other papers established the identity of the man as Franklin Elliott.

There were a few well thumbed books among the hermit's effects, among them a copy of Massinger. Perhaps it was this fact that led one of the strangers, who gave the body burial to cause an epitaph to be carved on the headstone.

"FRANKLIN ELLIOTT, A WILDSMITH."