CONTINUED FROM LAST WEEK.

The colonel smiled indulgently, shrugging his shoulders. Clearly the girl was bent upon pursuing the subject to the earth. "He claims that the Grub-stake levels have been carried beyond the side lines into the Mascot territory. at happens that he made a very strike in the ground where the Grub-stake lode crosses his claim. He thought he had a distinct vein—that it was his ore all right; but when we began drifting from our side we found that our vein made a turn at that point, that it was the Grubstake lode into which he had blundered—that being the prior location. I was in no hurry to get involved in legal controversy; I preferred to go on quietly with the development work until I could be absolutely sure in the premises; and so it happened that Neil got ahead of me in this suit. I think, however, that we shall have little difficulty, when the time comes, in proving to him the error of his ways." There was cool amuse-ment in the smile that just lifted the ends of the blond mustache.

"Do you think he can be honestly mistaken in the matter, this-person?"
Dorothy asked, her cheeks flushing a little with the question, eager interest in her eyes

"Oh, certainly. Why not? So much depends upon the point of view, you know. In Neil's place I should think the same as he does, and make the very same fight, without any question. Business is business. We can't blame a man for taking what he can get."

"Provided he gets it honestly," the young lady supplemented, in a tone of its end lines, has no extra-lateral rights righteous severity.

ently observed.

"Did I? I dare say."

"But that would be a swindle," she persisted. "And if this man thinks he is right—if he is only mistaken—"

"Merciful heavens, Dorothy, you make me tired!" the colonel ejaculated, his patience plainly exhausted. "The way you can harp on one string-it is your mother right over again!"

## CHAPTER V.

Harvey Neil rode over to Tomtown he next morning pursuing his way thence to Orodelphia, the county seat, and the one town of considerable inportance in that part of the country, where he betook himself to his attorney, Donald Bartels. "Brigham has gone back on us," wa

hospitably pushed forward.
"No!"said Bartels, looking very grave "What are your reasons for thinking

"Col. Meredith rode over to see him yesterday. I found that out by acci-dent, and of course my suspicions were aroused at once. To-day I rode over to Tomtown myself, and the first look at the fellow's face told me that I was

Did you put the question to him straight?

"No; where would have been the urally. I thought it more to the purpose to raise my own bid-and did no raise it high enough. I saw that in his face, too, although be was cannily noncommittal. Either he is intending to skip out before the trial or-

"We can have a subpoena issued for him," put in Bartels, thoughtfully. "But if he has gone over to the other side he would be of mighty little use ti us. I believe you will have to raise your bid again, Neil. What did you offer him?"

"A thousand dollars if we win, and his expenses from the time I got him here. I paid him good wages as long as he was working in the Grubstake.

'Yes; but you will have to make the figure a good deal more than that, I imagine, if the colonel is in the market against you. We want him, if it is a but-

"Yes; but the question is, what is he worth to us?"

"Well, with the average jury, he would be worth a good deal. He not only worked the Grubstake long enough to have the lay of the land and all his figures down pat, but he had that conversation with McCready which is worth more to us than all the rest. If we can bring him to swear that Mo-Cready told him he didn't care if they were on Mascot ground-that he owed you one, anyway, and he'd see that the ground was stripped so clean that there would be mighty little left for you by the time the court could stop him—that might be mighty good testihim-that might be mighty good testi-mony for us. In fact, Brigham is our principal witness, of course, and we've got to hold on to him if it is within the range of possibility. You'd better see

the same proposition with an added cipher, I suppose," Neil gloomily re-joined. "The poor old Mascot seems to have been hoodcood from the first to

last. "Oh, I don't know. I am not partieu larly concerned about the results in this case, I can tell you. The decision of the United States supreme court in the Amy-Silversmith case has put a stop to all controversy in respect to an owner's right to follow his lode in its downward course beyond his side lines.



the owner of a claim, where the apex of his vein crosses the side lines and not at all; that is, he cannot go outside his "Oh, of course, provided he gets it honestly," her father agreed, his smile rather sardonic. "Only in these times location cuts no figure. As was held in the world does not always bother itself to ask how he gets it."

They rade along for awhile in silence, the explorations necessary to asbut Dorothy was not yet ready to abandon the subject. "I thought you said it was a regular bunco game," she prestake the consequences. The claim of the Grubstake that its vein makes a turn at the point where it crosses the Mascot, assuming that it would hold water, effectually disposes of any extralateral rights by virtually conceding that the apex of the vein crosses the side line. It only remains for us to prove the continuance of the Mascot vein, which, with the developments you have been making, should be easy enough. Oh, no; if we only get the right kind of a jury, I have no appre-hensions as to the verdict."

"But what possible chance have we to get the right kind of a jury?" returned the young man, dejectedly, regarding the cigar he was nervously turning in his fingers as though the fact that it had gone out was one more his abrupt announcement, as he sank happening in the train of ill luck that wearily into the chair the lawyer had pursued him. "It seems to me that the average jury is simply a pack of

"Too true. But asses may sometimes be led by the nose, you know."

"And sometimes they are up for sale to the highest bidder."

"Oh, as to that, you know the sheriff, and if you think that Meredith is going to touch him with any ordinary fig-

"In the case of Brigham we seem to have evidence that the colonel is capable of extraordinary figures upon oc-

"Well, he can afford to pay a pretty liberal percentage to win, for a fact," Postele importurbably rejoined. "But you carry a check-book as well as he. To tell the truth, though, the jury is not troubling me; I am a good deal more disposed to be doubtful about the judge; although as to him—well, I may be borrowing trouble."

"Why, what's the matter with him?" And the match which he had lighted was allowed to burn Neil's fingers in his surprise. "I thought Duval was all

Well, so he is, probably," returned the lawyer, with some embarrassment. "Only-well, I accidentally discovered the other day that he had been mixed up with the colonel in some mining deals down in Mexico. I don't know what it amounts to; I don't know that he would dare go too far anyway;

"Can't we get a change of venue?" demanded Neil, looking worn and sick. "Oh, I don't think it would do to go as far as that. It would prejudice him against the case; and if he were pre-disposed against us of course he would oppose the motion, and- Oh, no; it would hardly pay us to make such a break as that, all things considered. But I was thinking, if he could be ap-

proached just right-"
"Again the check-book might prove mightier than pen or sword," ex-claimed Neil, bitterly, as he bent to scratch a new match against his boot-sole. He relighted his cigar, smoking for a moment in gloomy silence before he added: "And this is justice in Colo-

rado!" "It is life; not much worse in Colorado than in the rest of these United States, I fancy. As Senator Ingalls puts it, 'Purity in politics is an iridesstanding at once. Find out what the colonel's figure was, and go him one better."

"And nextthing the colonel will be outbidding me again, and I shall be facing to the colonel's figure was, and I shall be facing to be sometimes to the colonel will be outbidding me again, and I shall be facing to the colonel will be outbidding me again, and I shall be facing to the colonel will be outbidding me again, and I shall be facing to the colonel will be outbidding me again, and I shall be facing to the colonel will be outbidding me again, and I shall be facing to the colonel will be outbidding me again, and I shall be facing to the colonel will be outbidding me again, and I shall be facing to the colonel will be outbidding me again, and I shall be facing to the colonel will be outbidding me again. The colonel will be outbidding me again, and I shall be facing to the colonel will be outbidding me again.

before, I doubt if Duval would dare go toe far in any case. He is working for reelection. And our main reliance is on the jury, anyway, and with them you certainly have an equal chance with the other side."

"For which I should be lifting my eves in thanks to heaven and devoting nyself to burnt offerings and sacrifices, I suppose," rejoined Neil, hotty, "By Jove, Bartels, look at it! Can you imagine a greater outrage? Here I give up some of the best years of my life to toiling and moiling in that mine, leboring like a convict, until at last I make a strike. A rich strike; but what has it cost me? Nobody knows who has not tried it, what it takes out of a man to live and work for years like that. He pays the price of success out of his very arteries; he is just so much the poorer in actual life-blood; he has burned out that much of his candle of life, and it is gone, never to be regained He is old and all the wealth of the world will never give him back his squandered youth. It would seem, con-sidering all things, that he should be entitled to his paltry wages; but far from that, every highwayman in the land is at liberty to harass and despoil him, provided only the methods are chosen with reference to the accommo blindness of the law, Meredith walks into my mine and steals my ore; I call upon the courts for redress, and justice, in beautiful impar-tiality, grants Col. Mcredith as well as myself an injunction, shutting me out of my own ore body until an addlepated jury can decide to whom it really If a tramp should come along and steal my coat, I could have him sent up for sixty days, with hardly the deay of an hour; but this high-toned thief can rob me of thousands, and my only redress seems to be to allow judge and jury and witnesses to rob me of thousands more. It is enough to make man swear."

Well, swear, then. It may do you good," laughed the lawyer, but his glance was sympathetic. "It is tough, for a fact, Nell. But you've gone a little too far over to the pessimistic side now. It might be worse."

"That is such a consolation!" clacu lated the young man, savagely. They smoked on in silence for a few moments when in a milder tone he went on to say: "And, by the way-of course it might be worse-

"You don't mean that there is another item of trouble!" ejaculated the lawyer. with a laugh of joking dismay. I don't wonder you are down.

"I should say not. And in this in-stance another fellow is down as well. The superintendent has inflammatory rheumatism, and from the doctor's re port to-day it looks as though there would hardly be a chance in a hundred of his getting upon his legs again in time to be in court when the case is called. His testimony doesn't amount to much, to be sure; but to have it happen goes to prove, as I said before, that the case is hoodooed from first to last."

"We need all the help we can get," rejoined Bartels, gravely. "We can take his deposition de bene esse, of course; but we would have to apply to the courts for leave and give the other side time for cross-examination, you know. It would make delay."

Then, in beaven's name, let us do without him!" exclaimed Neil, with an air of desperation. "I would rather run my chances than drag along this way a day longer than necessary. us know the worst and be done with it."
"Oh, in this case it will be the best.

Never fear, old fellow. Only we want to make as good a fight as we can. Perhaps we can get along without your man, though: I will think it over and decide. Meantime, remember that a man is never undone till he is hanged; and a case is not to be counted lost till it has passed the court of appeals."

CHAPTER VI.

Windy Guich seemed bere and bak-ing in the sultry afternoon su shine as Dorothy Meredith idly looked out upon its one dusty street from her window at the Palace hotel. The Palace, a flimsy, two-storied frame structure, wholly un pretentious except as to name, occupied a position well to the center of place, its back to the creek which disall through the narrow defile in which the camp had located itself. Across the street was a general store, which also served as post office, flanked on either side by saloons, that to the west being joined to an unfinished building of which the sun-browned timbers told of work long since abandoned, the one on the east followed by a small log house set well back from the street, which gave it an air of burrowing into the steep hillside behind. Farther along, as one looked in either direction, were to be seen other stores and saloons, the latter considerably predominating, their lines broken at near intervals by where the homemaking instinct struggled against heavy climatic odds in a sickly showing of geraniums and morning glories. There were a Chinese laundry and a bakery; a rickety frame blacksmith shop flaunting a covering of out-of-date circus posters, and an un-pretentious drug store, developed out of the office of the one physician, who generally attested the healthfulness of the place by sitting all day long before his door, idly occupied with literature which bore no outward resemblance to medical treatises.

The houses were generally of logs, the few of frame for the most part left un-painted, and, like their more primitive neighbors, wearing an air of premature age and decreptude from the dark brown stains which the fierce Colorado sunshipe had wrought on those sides which looked to east and west. Few were of more than a single story in height, although the stores and salcons, as a rule, had reached after more im-

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brought a painfully bedraggled appearance to the dusty place.

behind the shabby Rising abruptly procession of buildings on that side facing the hotel was a mighty hill ter-minating in castellated heights of red sandstone, a mass of color showing in superinduced brilliancy above the faded slopes which appeared dead beyond any hope of resurrection; and the stunted, dull-bued pines, sparsely dotting the expanse, gave scarce more vivid show-ing of life. All up and down this colorstarved surface yawned prospect-holes beyond counting, a few gray dump-piles at intervals telling of deeper work; the smaller number still that had gone so far as to erect shaft-houses showing now for the most part deserted. It is the common background of the mining camp, this disproportionate showing of failure and success; and especially were failure and gaunt-woo most in evidence in Windy Gulch in this summer-time of 1894, for its veins were mostly but rich in silver, the ill-omened metal at this time cast into limbo by the powers that shape the financial policy of the world.

But the camp wore an air of lethargic indifference to all its ills on this warm August afternoon. Its day began early, when the steam whistles of the working mines shrilly cried out for change of "shifts," and up and down the hills on every side the miners, always with tin dinner-pails swinging in their hands, might be seen going to or coming from their labors like straggling processions of overgrown ants. Then women, bareheaded and bare-armed, came out to fetch water from the creek or to stand gossiping at their doors, while with loud cracking of the driver's whip the stage for Orodelphia would wheel up before the post office to have the lean mail-sack heaved on board with mighty show of importance. And after the stage would come a disjointed following of men on horseback and dusty couples in open carts; more often still heavy freight wagons laden with ore and others piled high with fresh lumber exhaling clean, resinous odors; all these cumbrous conveyances with a gay jangling of bells at the horses' heads for the road down the canyon was nar row, and for safety's sake it behooved

that all give warning of their coming All this was in the early morning, for the majority would choose to have the day before them for the long, hard trip to town, making their homeward way when the shadows had begun to lengthen and the air had grown cool. mid-afternoon nothing disturbed sleepy calm of the place save a few children and chickens pottering about in the thick dust of the street, the one brood apparently as listless and void of purpose as the other. Across the way the postmaster, secure in belief that nobody would come bothering him for either mail or merchandise at this hour of the day, smoked in dreamy content, his thin form luxuriously telescoped in a wooden arm-chair, his long legs disposed across an iron wheelbarrow, which was evidently a part of his stock in trade. The saloon man next door was visibly snoring, his mouth a very cavern of escaping sound; while so long a time had elapsed since the doctor had turned a page of his book that it would seem he might well have committed the last to memory. There was a soft, broken murmur from the creek, a drowsy swish of leaves among the cot-tonwoods along its banks, and the stamp-mill at the far end of the place went on in a dull monotone, like devil's tattoo that would never stop; but withal it seemed deadly quiet.

Dorothy Meredith yawned helplessly as she turned from her outlook behind the dusty lace curtains of the Palace hotel parlor to purposeless survey of the large, bare room. She had brought her book here in the hope of finding a cooler place than her room on the floor above; it was cooler, but the atmosthere was that in the stiff arrange ment of the conventional parlor suit of cheap furniture which somehow conveyed the impression that the apart ment was not intended for everyday use ment was not intended for everyday use. Now that she was here, Dorothy found herself instinctively stepping about or trptoe, with a vague sense of intru ion, very soon deciding that even as choice of evils the place would not do. She only halted while fretfully considering whether she should return to her room and take a nap or shake off creep-ing lethargy by going for a walk, de-termining finally to take her chances out of doors, although it seemed well-

nigh like courting sunstroke.

But she loitered by the window n moment longer, now moved to idle curi-osity by the sound of hoof-beats coming down the road, a small mischievous hope stirring in her mind that it might be somebody to pester the postmaster for mail or rouse the saloon-man from his dreams. But the rider had naught to do with either of these, as it soon appeared. He rode straight on to the doctor's office, a man who sat his horse with the easy, alouehing grace of one accustomed to much riding, a young man at sight of whom Dorothy drew back hastily behind her sheltering curtain, her face all a warm, pink

It had been three days since her adventure in the storm, and, indisposed to ride by reason of the lingering lameness of her wrist, she had kept rather closely to her room, until now seeing nothing of Harvey Neil. She caught her breath sharply, the hot flush deep oning upon her cheeks as she saw him sweeping the hotel with a keen glance, guessing that his thought might be of her, and devoutly thankful for the screen of lace which afforded her safe covert to watch him undetected. He had exchanged his miner's clothes for

a well-fitting suit of gray with russet leggings to his knees, wearing a soft gray hat by no means so disreputable in appearance as the one that had framed his head the other day. He had been good-looking then, but he was handsome now as he stood talking with the doctor, his attitude instinct with the unconscious grace of splendid-ly developed strength, as he slightly haned against his horse, with one hand caressing its neck. Something was evidently amiss with one of the animal's hind legs, at which the doctor was look ng, the two men standing for several ements in carnest discussion of the trouble, after which they disappeared

(TO BE CONTINUED.)

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Baint Marks Episcops, Bunday Benoot meets at Episcopal Church every Sunday morning at 10 o'clock. Rev. Wm. Hart, Rector; S. S. Pentr. Super candent

Method: Episcopal Churen—Rdw. Gittins, pastor. Preaching every Sabbath at 11 a.m., and 7:30 p. m. Sunday school at 10 a.m., E. E. Thompson, supt. Class meeting every Sabbath at close of serinon, Levi Faucett, leader. En worth leaque every Sabbath et 20, the continuation of the control of th

Presbyterian Church—Rev. A. S. Foster, pas-tor. Preaching at 11 a. m. and 7:00 p. rr. Sun-day school at 10 a. m. Y. P. S. C. K., 6:16 p. m., Junior Endeavor Society at 3 p. m., Sunday, Prayer meeting on Wednesday evening at 7 Prayer meeting on Wednesday evening at 7

Haptist church—G. N. Annes, pastor. Wor-ship and preaching every Sunday morning and evening at usual hours for church services. Covenant meeting on Saturdaya 17 o'clock pre-ceeding oach first Sunday. Prayer meeting on wednesday evening. Haptist Young Peoples Union meets at 6:30 on Sunday evening. Sun day school at 10 a. m

Christian church—Corner of Sixth and I streets. Preaching at 11 a m and 7, p. m. Sunday school at 10 a.m., Junoir Endeavor at 3 p. m., IV. P. S. C. E. at 6:30 p. m. Prayer meeting every Thursday evening. Ladies Wissionary Auxiliary to C. W. H. E. first Thursday 7:30 P. M. each mouth. Chorsi Union every Friday at 7:30 p. m. The people welcome. Eli Fisher pastor. Resides at the church.

Methodist Episcopal Church South—Rev. J. A. Crutchfield, pastor. Services at il a. m. and 7p. m. on the lst, 2nd and 3rd Sabbath; Sabbath school at 10 a. m. and Epworth League at 6 p. m. every Sabbath at Medford. Services on 4th Sabbath at Soda Springs at 11 a. m. and Neti Creek school house at 3 p. m. A hearty well

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