

OUTLAWS of EDEN

By PETER B. KYNE
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"The result was that early in 1920 I found myself too loose and with about a million dollars in bank. Now, when I was in France I secured a commission. My captain and I got along splendidly together. I got to know this man and to trust him and admire him. In civil life he had been general manager of a large New York stock broker's house. He had about fifty thousand dollars and he wanted to buy a seat on the New York Stock Exchange and go into business for himself. But he didn't have enough money to buy the seat and finance his operations.

"I told him I'd finance him—one hundred thousand in cash against his fifty thousand in cash, his experience and ability, and we would be equal partners. We made money from the day we opened our doors."

"And you say you're not a financier?"

"The lust for money has never overwhelmed me. I find, too, that I love Eden Valley. I'm going to close out my interests in New York and return here in the fall."

"I shall be very lonely while you are away, Nabe."

"And that reminds me that I have sent down to San Francisco for a ring and here it is. It's too big, will have a tack taken in, and if it's too small or you prefer some other style I'll change it." And he slipped on her finger a square emerald worth at least a hundred dollars. It was the first piece of jewelry she had ever owned and her hot tears of emotion baptized it. Her warm lips caressed it in a silent promise she knew would never be broken.

"Suppose we get married in a hurry and make the New York trip a honeymoon," he said.

She shook her head. "Impossible. My dad's estate has been settled. I can't leave here now. I have to work this outfit out of debt, because I can't afford a trousseau until I do. However, dear, you run on to New York, complete your business there, and when you return we'll make those two mergers you spoke of. The two boys now. I've got a lot of those early calves still to brand and I'll have to brand about a thousand late calves in the fall. I don't want to leave any worries behind me when we go on our honeymoon."

"And we'll spend our summers in Eden Valley and our winters outside," he suggested.

She leaned against him a little wearily and held him tight but did not answer.

Somebody once remarked that nothing can be of surpassing interest for a period greater than nine days. For forty-eight hours following the unexpectedly painful and highly dramatic development in his plan to sway public opinion against Nate Tichenor and Lorry Kershaw, Silas Babson suffered acutely, not because he was sorry for what he had done but because the effect had been so wholly unexpected, and pregnant of disaster to him. After having arranged to prevent the exposure of the whole affair in court with probable penitentiary sentences for a couple of dozen hitherto respectable but marginal citizens, he began to view life with a less jaundiced eye, and when, at the expiration of the proverbial nine days, he felt morally certain that "that Eden Valley gang," as he now referred to Nate, Lorry and Babe Tenney, was going to cling to its ancient tradition and have nothing whatsoever to do with legal reprisals, all of his old jauntiness and optimism returned.

He waited two weeks longer and when at the expiration of that period Henry Rookby, looking faintly reminiscent of a potato sprout put forth in a cellar, returned to his labors, Babson left the business of the bank in Mr. Rookby's hands and proceeded to motor forth among the forlorn Valleites and argue them into signing the petition to the county board of supervisors for permission to organize the Forlorn Valley Irrigation District. Having had a surveyor de-limit the areas susceptible to surface irrigation, he knew the identity of every farmer whose signature was necessary for his purpose, so a week's time sufficed to acquire the number of signatures legally necessary, and at the next regular meeting of the board of supervisors, of which Babson was a member, he presented the petition in person and addressed his colleagues at some length and with unusual eloquence on the desirability of favorable action by the board.

The chairman of the board rapped with his gavel. "The pros appear to have their innings," he announced smilingly. "Are there any cons to be heard from?"

A man rose in the rear of the hall, walked up to the railing in front of the dais upon which the board sat, and bowed first to the board and

then to the audience. "Mr. Chairman—gentlemen: My name is John W. Gagan, a member of the San Francisco law firm of Brooks, Gagan and Brooks, and I appear as the legal representative of the three riparian owners along Eden Valley Creek, to wit, Estate of Ranceford Kershaw, deceased, the Bar H Land and Cattle Company, and the Mountain Valley Power Company, the last two companies, as is generally known, being owned in their entirety by Mr. Nathan Tichenor. On behalf of my clients, I desire formally to protest to His honorable board against the formation of the Forlorn Valley Irrigation District and will state my reasons briefly."

Gagan immediately proceeded to do so, pointing to his auditors precisely the picture that Nate Tichenor had painted to him, challenging Lon Morton to gainsay one single legal statement Gagan spoke simply, earnestly arraying his facts in legal sequence.

When he had finished his address Gagan bowed to the board and started to leave the chamber. There was silence until he was half way down the aisle, then a storm of hisses and boos broke around him. Gagan looked back as he reached the door and saw that Silas Babson was on his feet, his hand raised for silence.

"So you're going to refute my statement, eh?" Gagan called back. "Well, before I depart I'll give you and your deluded followers some very good advice, free. The man who acts as his own attorney has a fool for a client."

CHAPTER XII

The board of supervisors granted the petition unanimously and amidst cheers and rejoicings. Babson's speech, in rebuttal to Gagan's proved to be the masterpiece of his career. He read to the meeting the law under which the district proposed to operate—read it right out of the Code of Civil Procedure, too—and propounded the idea of a slick metropolitan lawyer trying to frighten honest and intelligent men with crazy bugaboo of unconstitutional law that was and for some years had been embodied in the code. "If this law was unconstitutional," he yelled, "it's unconstitutional! What have been discovered before the bill was even submitted to the Legislature and if it hadn't been discovered then, the Legislature, a majority of whom are practicing attorneys, would have discovered it, and even if the Legislature had, unbelievably, failed to discover it, the supreme court, whose duty it is to pass upon the constitutionality of our State laws, would long since have discovered it. Pooh-pooh and a couple of what-nots for the mighty Mr. Gagan! We are not to be frightened by men of straw."

The project moved forward without delay. Sixty days from the date of the approval of the petition by the board of supervisors the Forlorn Valley Irrigation District had come into legal existence, by a very substantial majority of the residents in the area to be irrigated. Silas Babson, tired, but happy and triumphant, was its president. Henry Rookby, who owned ten acres in the district, was the secretary, and the Bank of Valley Center was the depository of the funds of the district.

Within two weeks after the district had come into official being, the state water commission obligingly allocated to it the flood waters of Eden Valley creek. A bond issue was got out within a week; within two weeks the State board certification committee had certified the bonds as legal investment for trust companies and savings banks and, by unanimous vote, Silas Babson was given the job of disposing of them to the highest bidder. A New York house wired in a bid of ninety-one, and after devoting a month to the task Babson decided this offer was one point higher than he could secure locally, so the district closed on the offer and, with the receipt of the money, proceeded at once to spend it.

Although Babson took measures to apprise himself of the return of Nate Tichenor to Eden valley, his scouts brought him no news of the latter's arrival, although as a matter of fact Tichenor had returned some four months after his departure. He came in over the mountains to the south in a four-passenger cabin plane and landed in the meadow just below the Kershaw ranch house. Lorry was in his arms before he was half way up to the house.

"Well, I'm all cleaned up in the East," he told her. "How far have you progressed in the settlement of your father's estate?"

"All ready to close as soon as I can find the money to pay the State and Federal estate taxes. They aren't nearly so much as I had feared they would be. The cattle, of course, were appraised at the low price existing on the day of father's death—and

"It Pays To Smile"



NEW YORK . . . Miss Mildred Smith, above, was living quietly in her home town of Wilbur, Wash., population 700, one year ago. . . . Today she is here to pose for artist McClelland Barclay, with her loveliest "Queen of Dental Charm" smile, the title she won over 25,000 other American beauties.

beef is up to nine and a half in the ranch now and should be twelve cents within a year, I'm told by my cattle brokers. And the federal tax appraiser decided the land has been greatly depressed in value by reason of the diversion of the water to Forlorn Valley."

"That's a favor Babson didn't realize he was going to do you. Is everything on the ranch running smoothly? Nothing coming up that Babe Tenney can't attend to?"

"She nodded. "As soon as beef goes to ten cents I'll sell five thousand fat steers, pay the taxes and close the estate."

"Don't hold them over till spring and get eleven cents—maybe I'll loan you the money to pay the taxes. How soon can you marry me?"

"In about three minutes, if we had a license and a preacher handy."

He glanced up at the sun. "Justice, long delayed, maketh the heart sick," he orated. "Likewise marriage—after you've made up your mind. You skip right into the house, climb into your Sunday dress, throw a few articles in your old straw suitcase and meet me here in ten minutes. We've just about got time to get over the mountains and into Reno before dark. In California we have to announce our intention to get married and then wait for three days, in case we decide to change our mind. My mind is made up, so we'll take our trade to Nevada and avoid annoying delays."

"You're a man after my own heart," Lorry cried joyously, and came into his arms. He held her close, his finger under her chin, tip-tilting her sweet face toward him, the while he appraised her hungrily, comparing her with the girls of her age in the world he had known before the homing instinct had brought him back to Eden Valley. He thanked God she wasn't soft, that she had high courage initiative, and the power of instantaneous decision in an emergency; that hers was the old, fierce, unquestioning loyalty that was his own heritage. A man could rely on her always (he told himself), know always exactly where she stood. She was incapable of fits, evasions, or the tears that camouflage little feminine defects. Her code was a masculine one, but of quality rare enough in this decadent generation—the code of a gallant gentleman, plus that of the very finest of her own sex. Yes, she had character, courage, humor, self-reliance, capabilities of extreme self-sacrifice, tenderness, helplessness—an angel with a touch of the devil in her. . . . Well, better a touch of the devil than a trace of the cat.

"Dear little outlaw, I love you so," he murmured, and kissed her a dozen times. "Make it snappy. Time and visibility wait for no pilot."

(CONTINUED NEXT WEEK)

UPPER VALLE CRUCIS NEWS

The children of our community are happy again, as school opened Monday.

Mr. and Mrs. Don Isaacs and son, Billy, of West Virginia, visited home-folks over the week-end.

Mr. Melvin Townsend returned to Shepherds, Va., last week, taking with him Miss Thelma McGuire, who has accepted a position there.

Mrs. Lee Coffey and Mrs. James Brown visited Mrs. Jim Shull last Wednesday.

Mr. and Mrs. Everett Honeycutt of Hickory spent the week-end with home folks in this community.

Mr. Raymond Ecker of Brooklyn, N. Y., Miss Mabel Brown, Mr. Ray Coffey and Miss Snow Brown went to Richmond, Va., last Tuesday. They had an enjoyable trip.

Mrs. John Griffin is visiting her mother, Mrs. Mary Brown.

BLISTER RUST PROJECT COMPLETED FOR SUMMER

Howard K. Clapp, district leader of Blister rust control, has completed his work here for the summer, and in a statement Monday disclosed that his force had covered 11,969 acres of pine and protective zones and removed a total of 6,947 canisters and gooseberries. Mr. Clapp's statement, in part, follows:

"There is still about one month's work to be done in this county before all the pine has been scouted. The work will be started again next spring beginning around the first of April, or as soon as the leaves begin to come out. The cultivated gooseberries and canisters that have not been removed will be removed next year, as a Blister rust control area must be determined before the State has the authority to go forward and remove those that have been left this summer. The cooperation of Watauga people has been fine and I hope that the work we have done this season will be of benefit to the people in the years to come."

The following local men have been assisting Director Clapp in his work during the summer: Claude Farthing, Stanford Berry, Milton Winkler and Oscar Brown.

Anyone desiring information concerning this work may do so by writing to Mr. J. A. Ferree, State Leader, 504 County Courthouse, Asheville, N. C., at any time during the winter months.

Philippines' Forest Lands
There are 40,000,000 acres of forest lands in the Philippine Islands.

YOUR DAUGHTER—Distinguished president of a college for women discusses modern girls and advises shocked and worried fathers and mothers what to do about things they don't approve. An interesting article in the American Weekly, issue which comes with the Baltimore Sunday American, issue of September 23rd. Buy your copy from your favorite newsdealer or newsboy.

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RECORD SET BY CHEVROLET

An average of 22.1 miles per gallon over a 3,000-mile non-stop run is the record claimed by Ted Ellis, a veteran long-distance driver, who piloted a Chevrolet knee-action sedan over a several hundred mile course between Coalinga and Sequoia National Park, in California. The total oil consumption is reported as 2 and one-half quarts.

The route included desert and mountain tracks, deep rutted roads, and a wide range of altitude and temperature between San Joaquin Valley and Sequoia. Each circuit included a speed spurt of four miles on a track laid out in the desert near Coalinga. Ellis was at the wheel for 98 hours, being relieved for short periods from time to time.

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