

# **Tales of Trail and Town**

**by**

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# The Ancestors Of Peter Atherly

## CHAPTER I

It must be admitted that the civilizing processes of Rough and Ready were not marked by any of the ameliorating conditions of other improved camps. After the discovery of the famous "Eureka" lead, there was the usual influx of gamblers and saloon-keepers; but that was accepted as a matter of course. But it was thought hard that, after a church was built and a new school erected, it should suddenly be found necessary to have doors that locked, instead of standing shamelessly open to the criticism and temptation of wayfarers, or that portable property could no longer be left out at night in the old fond reliance on universal brotherhood. The habit of borrowing was stopped with the introduction of more money into the camp, and the establishment of rates of interest; the poorer people either took what they wanted, or as indiscreetly bought on credit. There were better clothes to be seen in its one long straggling street, but those who wore them generally lacked the grim virtue of the old pioneers, and the fairer faces that were to be seen were generally rouged. There was a year or two of this kind of mutation, in which the youthful barbarism of Rough and Ready might have been said to struggle with adult civilized wickedness, and then the name itself disappeared. By an Act of the Legislature the growing town was called "Atherly," after the owner of the Eureka mine,—Peter Atherly,—who had given largess to the town in its "Waterworks" and a "Gin Mill," as the new Atherly Hotel and its gilded bar-rooms were now called. Even at the last moment, however, the new title of "Atherly" hung in the balance. The romantic daughter of the pastor had said that Mr. Atherly should be called "Atherly of Atherly," an aristocratic title so strongly suggestive of an innovation upon democratic principles that it was not until it was discreetly suggested that everybody was still free to call him "Atherly, late of Rough and Ready," that opposition ceased.

Possibly this incident may have first awakened him to the value of his name, and some anxiety as to its origin. Roughly speaking, Atherly's father was only a bucolic emigrant from "Mizzouri," and his mother had done the washing for the camp on her first arrival. The Atherlys had suffered on their overland journey from drought and famine, with the addition of being captured by Indians, who had held them captive for ten months. Indeed, Mr. Atherly, senior, never recovered from the effects of his captivity, and died shortly after Mrs. Atherly had given birth to twins, Peter and Jenny Atherly. This was scant knowledge for Peter in the glorification of his name through his immediate progenitors; but "Atherly of Atherly" still sounded pleasantly, and, as the young lady had said, smacked of old feudal days and honors. It was believed beyond doubt, even in their simple family records,—the flyleaf of a Bible,—that Peter Atherly's great-grandfather was an Englishman who brought over to his Majesty's Virginian possessions his only son, then a boy. It was not established, however, to what class of deportation he

belonged: whether he was suffering exile from religious or judicial conviction, or if he were only one of the article "apprentices" who largely made up the American immigration of those days. Howbeit, "Atherly" was undoubtedly an English name, even suggesting respectable and landed ancestry, and Peter Atherly was proud of it. He looked somewhat askance upon his Irish and German fellow citizens, and talked a good deal about "race." Two things, however, concerned him: he was not in looks certainly like any type of modern Englishman as seen either on the stage in San Francisco, or as an actual tourist in the mining regions, and his accent was undoubtedly Southwestern. He was tall and dark, with deep-set eyes in a singularly immobile countenance; he had an erect but lithe and sinewy figure even for his thirty odd years, and might easily have been taken for any other American except for the single exception that his nose was distinctly Roman, and gave him a distinguished air. There was a suggestion of Abraham Lincoln (and even of Don Quixote) in his tall, melancholy figure and length of limb, but nothing whatever that suggested an Englishman.

It was shortly after the christening of Atherly town that an incident occurred which at first shook, and then the more firmly established, his mild monomania. His widowed mother had been for the last two years an inmate of a private asylum for inebriates, through certain habits contracted while washing for the camp in the first year of her widowhood. This had always been a matter of open sympathy to Rough and Ready; but it was a secret reproach hinted at in Atherly, although it was known that the rich Peter Atherly kept his mother liberally supplied, and that both he and his sister "Jinny" or Jenny Atherly visited her frequently. One day he was telegraphed for, and on going to the asylum found Mrs. Atherly delirious and raving. Through her son's liberality she had bribed an attendant, and was fast succumbing to a private debauch. In the intervals of her delirium she called Peter by name, talked frenziedly and mysteriously of his "high connections"—alluded to himself and his sister as being of the "true breed"—and with a certain vigor of epithet, picked up in the familiarity of the camp during the days when she was known as "Old Ma'am Atherly" or "Aunt Sally," declared that they were "no corn-cracking Hoosiers," "hayseed pikes," nor "northern Yankee scum," and that she should yet live to see them "holding their own lands again and the lands of their forefathers." Quieted at last by opiates, she fell into a more lucid but scarcely less distressing attitude. Recognizing her son again, as well as her own fast failing condition, she sarcastically thanked him for coming to "see her off," congratulated him that he would soon be spared the lie and expense of keeping her here on account of his pride, under the thin pretext of trying to "cure" her. She knew that Sally Atherly of Rough and Ready wasn't considered fit company for "Atherly of Atherly" by his fine new friends. This and much more in a voice mingling maudlin sentiment with bitter resentment, and with an ominous glitter in her bloodshot and glairy eyes. Peter winced with a consciousness of the half-truth of her reproaches, but the curiosity and excitement awakened by the revelations of her frenzy were greater than his remorse. He said quickly:—"You were speaking of father!—of his family—his lands and possessions. Tell me again!"

"Wot are ye givin' us?" she ejaculated in husky suspicion, opening upon him her beady eyes, in which the film of death was already gathering.

"Tell me of father,—my father and his family! his great-grandfather!—the Atherlys, my relations—what you were saying. What do you know about them?"

"THAT'S all ye want'er know—is it? THAT'S what ye'r' comin' to the old washer-woman for—is it?" she burst out with the desperation of disgust. "Well—give it up! Ask me another!"

"But, mother—the old records, you know! The family Bible—what you once told us—me and Jinny!"

Something gurgled in her throat like a chuckle. With the energy of malevolence, she stammered: "There wasn't no records—there wasn't no family Bible! it's all a lie—you hear me! Your Atherly that you're so proud of was just a British bummer who was kicked out'er his family in England and sent to buzz round in Americky. He honey-fogled me—Sally Magregor—out of a better family than his'n, in Kansas, and skyugled me away, but it was a straight out marriage, and I kin prove it. It was in the St. Louis papers, and I've got it stored away safe enough in my trunk! You hear me! I'm shoutin'! But he wasn't no old settler in Mizzouri—he wasn't descended from any settler, either! He was a new man out'er England—fresh caught—and talked down his throat. And he fooled ME—the darter of an old family that was settled on the right bank of the Mizzouri afore Dan'l Boone came to Kentucky—with his new philanderings. Then he broke up, and went all to pieces when we struck Californy, and left ME—Sally Magregor, whose father had niggers of his own—to wash for Rough and Ready! THAT'S your Atherly! Take him! I don't want him—I've done with him! I was done with him long afore—before"—a cough checked her utterance,—before"—She gasped again, but the words seemed to strangle in her throat. Intent only on her words and scarcely heeding her sufferings, Peter was bending over her eagerly, when the doctor rudely pulled him away and lifted her to a sitting posture. But she never spoke again. The strongest restoratives quickly administered only left her in a state of scarcely breathing unconsciousness.

"Is she dying? Can't you bring her to," said the anxious Peter, "if only for a moment, doctor?"

"I'm thinkin'," said the visiting doctor, an old Scotch army surgeon, looking at the rich Mr. Atherly with cool, professional contempt, "that your mother willna do any more washing for me as in the old time, nor give up her life again to support her bairns. And it isna my eentention to bring her back to pain for the purposes of geeneral conversation!"

Nor, indeed, did she ever come back to any purpose, but passed away with her unfinished sentence. And her limbs were scarcely decently composed by the attendants before Peter was rummaging the trunk in her room for the paper she had spoken of. It was in an old work-box—a now faded yellow clipping from a newspaper, lying amidst spoils of cotton thread, buttons, and beeswax, which he even then remembered to have seen upon his mother's lap when she superadded the sewing on of buttons to her washing of the miners' shirts. And his dark and hollow cheek glowed with gratified sentiment as he read the clipping.

"We hear with regret of the death of Philip Atherly, Esq., of Rough and Ready, California. Mr. Atherly will be remembered by some of our readers as the hero of the romantic elopement of Miss Sallie Magregor, daughter of Colonel 'Bob' Magregor, which created such a stir in well-to-do circles some thirty years ago. It was known vaguely that the young couple had 'gone West,'—a then unknown region,—but it seems that after severe trials and tribulations on the frontier with savages, they emigrated early to Oregon, and then, on the outbreak of the gold fever, to California. But it will be a surprise to many to know that it has just transpired that Mr. Atherly was the second son of Sir Ashley Atherly, an English baronet, and by the death of his brother might have succeeded to the property and title."

He remained for some moments looking fixedly at the paper, until the commonplace paragraph imprinted itself upon his brain as no line of sage or poet had ever done, and then he folded it up and put it in his pocket. In his exaltation he felt that even the mother he had never loved was promoted to a certain respect as his father's wife, although he was equally conscious of a new resentment against her for her contemptuous allusions to HIS father, and her evident hopeless inability to comprehend his position. His mother, he feared, was indeed low!—but HE was his father's son! Nevertheless, he gave her a funeral at Atherly, long remembered for its barbaric opulence and display. Thirty carriages, procured from Sacramento at great expense, were freely offered to his friends to join in the astounding pageant. A wonderful casket of iron and silver, brought from San Francisco, held the remains of the ex-washerwoman of Rough and Ready. But a more remarkable innovation was the addition of a royal crown to the other ornamentation of the casket. Peter Atherly's ideas of heraldry were very vague,—Sacramento at that time offered him no opportunity of knowing what were the arms of the Atherlys,—and the introduction of the royal crown seemed to satisfy Peter's mind as to what a crest MIGHT be, while to the ordinary democratic mind it simply suggested that the corpse was English! Political criticism being thus happily averted, Mrs. Atherly's body was laid in the little cemetery, not far away from certain rude wooden crosses which marked the burial-place of wanderers whose very names were unknown, and in due time a marble shaft was erected over it. But when, the next day, the county paper contained, in addition to the column-and-a-half description of the funeral, the more formal announcement of the death of "Mrs. Sallie Atherly, wife of the late Philip Atherly, second son of Sir Ashley Atherly, of England," criticism and comment broke out. The old pioneers of Rough and Ready felt that they had been imposed upon, and that in some vague way the unfortunate woman had made them the victims of a huge practical joke during all these years. That she had grimly enjoyed their ignorance of her position they did not doubt. "Why, I remember onct when I was sorter bullyraggin' her about mixin' up my duds with Doc Simmons's, and sendin' me Whiskey Dick's old rags, she turned round sudden with a kind of screech, and ran out into the brush. I reckoned, at the time, that it was either 'drink' or feelin's, and could hev kicked myself for being sassy to the old woman, but I know now that all this time that air critter—that barrownet's daughter-in-law—was just laughin' herself into fits in the brush! No, sir, she

played this yer camp for all it was worth, year in and out, and we just gave ourselves away like speckled idiots! and now she's lyin' out thar in the bone yard, and keeps on p'intin' the joke, and a-roarin' at us in marble."

Even the later citizens in Atherly felt an equal resentment against her, but from different motives. That her drinking habits and her powerful vocabulary were all the effect of her aristocratic alliance they never doubted. And, although it brought the virtues of their own superior republican sobriety into greater contrast, they felt a scandal at having been tricked into attending this gilded funeral of dissipated rank. Peter Atherly found himself unpopular in his own town. The sober who drank from his free "Waterworks," and the giddy ones who imbibed at his "Gin Mill," equally criticised him. He could not understand it; his peculiar predilections had been accepted before, when they were mere presumptions; why should they not NOW, when they were admitted facts? He was conscious of no change in himself since the funeral! Yet the criticism went on. Presently it took the milder but more contagious form of ridicule. In his own hotel, built with his own money, and in his own presence, he had heard a reckless frequenter of the bar-room decline some proffered refreshment on the ground that "he only drank with his titled relatives." A local humorist, amidst the applause of an admiring crowd at the post-office window, had openly accused the postmaster of withholding letters to him from his only surviving brother, "the Dook of Doncherknow." "The ole dooky never onct missed the mail to let me know wot's goin' on in me childhood's home," remarked the humorist plaintively; "and yer's this dod-blasted gov'ment mule of a postmaster keepin' me letters back!" Letters with pretentious and gilded coats of arms, taken from the decorated inner lining of cigar-boxes, were posted to prominent citizens. The neighboring and unregenerated settlement of Red Dog was more outrageous in its contribution. The Red Dog "Sentinel," in commenting on the death of "Haulbowl Tom," a drunken English man-o'-war's man, said: "It may not be generally known that our regretted fellow citizen, while serving on H. M. S. Boxer, was secretly married to Queen Kikalu of the Friendly Group; but, unlike some of our prosperous neighbors, he never boasted of his royal alliance, and resisted with steady British pluck any invitation to share the throne. Indeed, any allusion to the subject affected him deeply. There are those among us who will remember the beautiful portrait of his royal bride tattooed upon his left arm with the royal crest and the crossed flags of the two nations." Only Peter Atherly and his sister understood the sting inflicted either by accident or design in the latter sentence. Both he and his sister had some singular hieroglyphic branded on their arms,—probably a reminiscence of their life on the plains in their infant Indian captivity. But there was no mistaking the general sentiment. The criticisms of a small town may become ineluctable. Atherly determined to take the first opportunity to leave Rough and Ready. He was rich; his property was secure; there was no reason why he should stay where his family pretensions were a drawback. And a further circumstance determined his resolution.

He was awaiting his sister in his new house on a little crest above the town. She had been at the time of her mother's death, and since, a private boarder in the Sacred Heart Convent at Santa Clara, whence she had been summoned to the funeral, but had returned the next day. Few people had noticed in her brother's

carriage the veiled figure which might have belonged to one of the religious orders; still less did they remember the dark, lank, heavy-browed girl who had sometimes been seen about Rough and Ready. For she had her brother's melancholy, and greater reticence, and had continued of her own free will, long after her girlish pupilage at the convent, to live secluded under its maternal roof without taking orders. A general suspicion that she was either a religious "crank," or considered herself too good to live in a mountain mining town, had not contributed to her brother's popularity. In her abstraction from worldly ambitions she had, naturally, taken no part in her brother's family pretensions. He had given her an independent allowance, and she was supposed to be equally a sharer in his good fortune. Yet she had suddenly declared her intention of returning to Atherly, to consult him on affairs of importance. Peter was both surprised and eager; there was but little affection between them, but, preoccupied with his one idea, he was satisfied that she wanted to talk about the family.

But he was amazed, disappointed, and disconcerted. For Jenny Atherly, the sober recluse of Santa Clara, hidden in her sombre draperies at the funeral, was no longer to be recognized in the fashionable, smartly but somewhat overdressed woman he saw before him. In spite of her large features and the distinguishing Roman nose, like his own, she looked even pretty in her excitement. She had left the convent, she was tired of the life there, she was satisfied that a religious vocation would not suit her. In brief, she intended to enjoy herself like other women. If he really felt a pride in the family he ought to take her out, like other brothers, and "give her a show." He could do it there if he liked, and she would keep house for him. If he didn't want to, she must have enough money to keep her fashionably in San Francisco. But she wanted excitement, and that she WOULD HAVE! She wanted to go to balls, theatres, and entertainments, and she intended to! Her voice grew quite high, and her dark cheek glowed with some new-found emotion.

Astounded as he was, Peter succumbed. It was better that she should indulge her astounding caprice under his roof than elsewhere. It would not do for the sister of an Atherly to provoke scandal. He gave entertainments, picnics, and parties, and "Jinny" Atherly plunged into these mild festivities with the enthusiasm of a schoolgirl. She not only could dance with feverish energy all night, but next day could mount a horse—she was a fearless rider—and lead the most accomplished horsemen. She was a good shot, she walked with the untiring foot of a coyote, she threaded the woods with the instinct of a pioneer. Peter regarded her with a singular mingling of astonishment and fear. Surely she had not learned this at school! These were not the teachings nor the sports of the good sisters! He once dared to interrogate her regarding this change in her habits. "I always FELT like it," she answered quickly, "but I kept it down. I used sometimes to feel that I couldn't stand it any longer, but must rush out and do something," she said passionately; "but," she went on with furtive eyes, and a sudden wild timidity like that of a fawn, "I was afraid! I was afraid IT WAS LIKE MOTHER! It seemed to me to be HER blood that was rising in me, and I kept it down,—I didn't want to be like her,—and I prayed and struggled against it. Did you," she said, suddenly grasping his hand, "ever feel like that?"

But Peter never had. His melancholy faith in his father's race had left no thought of his mother's blood mingling with it. "But," he said gravely, "believing this, why did you change?"

"Because I could hold out no longer. I should have gone crazy. Times I wanted to take some of those meek nuns, some of those white-faced pupils with their blue eyes and wavy flaxen hair, and strangle them. I couldn't strive and pray and struggle any longer THERE, and so I came here to let myself out! I suppose when I get married—and I ought to, with my money—it may change me! You don't suppose," she said, with a return of her wild-animal-like timidity, "it is anything that was in FATHER, in those ATHERLYS,—do you?"

But Peter had no idea of anything but virtue in the Atherly blood; he had heard that the upper class of Europeans were fond of field sports and of hunting; it was odd that his sister should inherit this propensity and not he. He regarded her more kindly for this evidence of race. "You think of getting married?" he said more gently, yet with a certain brotherly doubt that any man could like her enough, even with her money. "Is there any one here would—suit you?" he added diplomatically.

"No—I hate them all!" she burst out. "There isn't one I don't despise for his sickening, foppish, womanish airs."

Nevertheless, it was quite evident that some of the men were attracted by her singular originality and a certain good comradeship in her ways. And it was on one of their riding excursions that Peter noticed that she was singled out by a good-looking, blond-haired young lawyer of the town for his especial attentions. As the cavalcade straggled in climbing the mountain, the young fellow rode close to her saddle-bow, and as the distance lengthened between the other stragglers, they at last were quite alone. When the trail became more densely wooded, Peter quite lost sight of them. But when, a few moments later, having lost the trail himself, they again appeared in the distance before him, he was so amazed that he unconsciously halted. For the two horses were walking side by side, and the stranger's arm was round his sister's waist.

Had Peter any sense of humor he might have smiled at this weakness in his Amazonian sister, but he saw only the serious, practical side of the situation, with, of course, its inevitable relation to his one controlling idea. The young man was in good practice, and would have made an eligible husband to any one else. But was he fit to mate with an Atherly? What would those as yet unknown and powerful relatives say to it? At the same time he could not help knowing that "Jinny," in the eccentricities of her virgin spinsterhood, might be equally objectionable to them, as she certainly was a severe trial to him here. If she were off his hands he might be able to prosecute his search for his relatives with more freedom. After all, there were mesalliances in all families, and being a woman she was not in the direct line. Instead, therefore, of spurring forward to join them, he lingered a little until they passed out of sight, and until he was joined by a companion from behind. Him, too, he purposely delayed. They were walking slowly, breathing their mustangs, when his companion suddenly uttered a cry of alarm, and sprang from his horse. For on the trail before them lay the young lawyer quite unconscious, with his riderless steed nipping the young leaves of the

underbrush. He was evidently stunned by a fall, although across his face was a livid welt which might have been caused by collision with the small elastic limb of a sapling, or a blow from a riding-whip; happily the last idea was only in Peter's mind. As they lifted him up he came slowly to consciousness. He was bewildered and dazed at first, but as he began to speak the color came back freshly to his face. He could not conceive, he stammered, what had happened. He was riding with Miss Atherly, and he supposed his horse had slipped upon some withered pine needles and thrown him! A spasm of pain crossed his face suddenly, and he lifted his hand to the top of his head. Was he hurt THERE? No, but perhaps his hair, which was flowing and curly, had caught in the branches—like Absalom's! He tried to smile, and even begged them to assist him to his horse that he might follow his fair companion, who would be wondering where he was; but Peter, satisfied that he had received no serious injury, hurriedly enjoined him to stay, while he himself would follow his sister. Putting spurs to his horse, he succeeded, in spite of the slippery trail, in overtaking her near the summit. At the sound of his horse's hoofs she wheeled quickly, came dashing furiously towards him, and only pulled up at the sound of his voice. But she had not time to change her first attitude and expression, which was something which perplexed and alarmed him. Her long lithe figure was half crouching, half clinging to the horse's back, her loosened hair flying over her shoulders, her dark eyes gleaming with an odd nymph-like mischief. Her white teeth flashed as she recognized him, but her laugh was still mocking and uncanny. He took refuge in indignation.

"What has happened?" he said sharply.

"The fool tried to kiss me!" she said simply. "And I—I—let out at him—like mother!"

Nevertheless, she gave him one of those shy, timid glances he had noticed before, and began coiling something around her fingers, with a suggestion of coy embarrassment, indescribably inconsistent with her previous masculine independence.

"You might have killed him," said Peter angrily.

"Perhaps I might! OUGHT I have killed him, Peter?" she said anxiously, yet with the same winning, timid smile. If she had not been his sister, he would have thought her quite handsome.

"As it is," he said impetuously, "you have made a frightful scandal here."

"HE won't say anything about it—will he?" she inquired shyly, still twisting the something around her finger.

Peter did not reply; perhaps the young lawyer really loved her and would keep her secret! But he was vexed, and there was something maniacal in her twisting fingers. "What have you got there?" he said sharply.

She shook the object in the air before her with a laugh. "Only a lock of his hair," she said gayly; "but I didn't CUT it off!"

"Throw it away, and come here!" he said angrily.

But she only tucked the little blond curl into her waist belt and shook her head. He urged his horse forward, but she turned and fled, laughing as he pursued her. Being the better rider she could easily evade him whenever he got too near, and in this way they eventually reached the town and their house long before their

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