

Samuels. Floyd Allen sent word to the deputy that if he testified against him, he would kill him. Foster, the commonwealth's attorney, found a witness, however, in Peter Easter, brother of the murdered Dunkard preacher. Floyd Allen planned a bold stroke. He stalked before the grand jury, admitted beating Samuels, but denied doing it with the intent of releasing the prisoners.

"That thar Samuels was abusin' the boys," he told the jury. "He had them handcuffed and tied with a rope. I jes' can't bear to see anybody drug aroun'."

Allen's own statement settled his indictment. Massie admitted him to bail, and, the December term of court being at an end, set his trial for the beginning of the March term.

Early in January the news filtered down through the snows to Massie's home in Pulaski that the Allens had sworn, come what might, that if Floyd were convicted he would never go to gaol.

"Only the law is supreme, and it must be unafraid. No lawlessness can make it afraid," was Massie's answer.

As the winter loosened its grip on the mountains, the wind seemed to carry the snarl of the Allens. The sheriff of Pulaski urged Massie to go armed. Massie answered: "No man would be fit to sit on the bench of Virginia or any other state in this land, who carried a deadly weapon to his task of administering justice." When another friend pleaded with him to arm himself he said: "When a judge must ascend the bench with his hand gripping a pistol, the day of the law is past. Civilisation is a failure."

From Samuels, "hiding out" in North Carolina, came a message that he would appear if the court would permit him and his brothers to come armed with rifles. Massie answered that no man or men would be permitted to come with rifles into any court over which he presided; that if Samuels entered the jurisdiction of the court he would command the sheriff to produce him by force. Came another message, pregnant with warning—from an unfurtored mountain woman—Peter Easter's sister:—

Mar. 2, 1912,
Mt. Airy, N.C.

Judge Massy Pulaski Va.
Dear friend I will write to inform you that the people in this country are expecting Peter Easter to be killed in the case against Allens Between now and Court or at Court. I had one brother killed 4 years ago by the out laws of this country J. A. Easter, please look after my brother, P. D. Easter that is witness against Allens, we think he will be killed.

AMANDY LEONARD.

of Carroll County were excused till morning. No one will ever know the conflict between duty and cowardice which went on in their souls that night. All day the sheriff and his deputies had gone armed. Dexter Goad, clerk of the court, carried a new automatic. Will Foster, Commonwealth's attorney and fearless prosecutor, was armed. Court convened at eight o'clock Thursday morning. The jury retired. For half an hour Massie drove along the routine of the court with his usual calmness. An attorney handed him an order

bar's rear railing, facing Massie. Friel Allen, Jack's son, sat at Sidna Allen's right. In the background Sidna Edwards slotted uneasily on a foot scalded in an illicit still. Strangely, Jack Allen and his constable's badge were missing. Goad, the clerk, sat in his well on the judge's left. At the well gate stood Sheriff Lew Webb.

That is the stage as men who came through the hell of the next five minutes remember it.

The jury filed in to its twelve rough chairs string along the front of the judge's seat. Their faces were pale and their eyes glistening. They were polled. The foreman rose, gulping, at the request for the verdict.

"We—we find—we find the defendant guilty," he read, "and—fix the penalty at imprisonment for one year at hard labour."

Every eye sought Floyd Allen's black face. A mutter came through his heavy moustache as he drew it in with his teeth.

"Guilty as charged," Massie corrected the verdict, and with trembling hand the foreman leaned over to correct the form. Floyd Allen started as if to stand up. His glance swept the court-room like a flash of lightning. Bolen, his principal attorney, twenty years earlier a judge where Massie now sat, put out a restraining hand and rose. Every eye bent to Massie's face now. Bolen played every card of the law, even claiming "newly discovered evidence."

"I will hear you to-morrow," ruled Massie.

Bolen asked for a continuance of bail. "The sheriff will take the prisoner into custody," was the command that answered this plea.

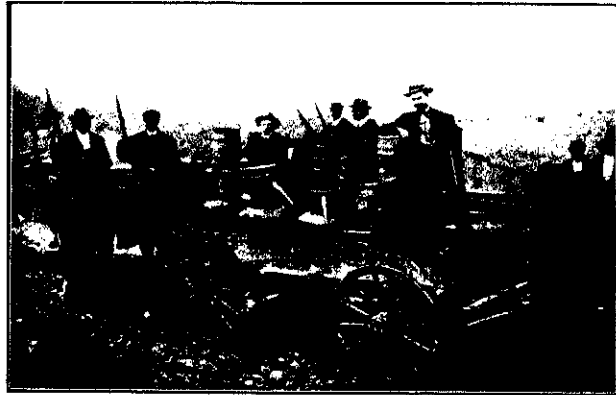
The sheriff started. Floyd Allen heaved out of his chair, his hands tearing at the sweater which covered his mailed chest and abdomen.

"I won't—I—I—"

"None of that!" cried the sheriff, drawing.

"I—I—jes'—jes' can't go to gaol! I won't!" yelled the old wolf.

Massie leaned forward to speak. Sidna Allen, standing now on a bench against the wall, fired three at him with the swiftness of a rattler stinging. The half hundred onlookers who crowded the room were surging through its two doors, trampling one another like cattle going



A MOONSHINE STILL TAKEN ON THE FARM OF FLOYD ALLEN.
For many years the revenue officers barked at, but did not bite, the Allens.

Massie had never carried his worries and cares into his family's threshold. So he left his home in peace on the morning of Monday, March 12, when he went into the mountains. Armed only with his faith in the law, he walked into the jaws of death like a knight of the Grail.

Floyd Allen's case went to the jury on Wednesday evening. The trial had consumed most of the day. The hour of adjournment came without an agreement, and the twelve men who were going to prove that good could come out

in a suit brought against Sidna Allen by a Baltimore merchant he had cheated. Massie signed it. Then the jury "knocked," electrifying the silence.

Floyd Allen sat in the middle of the room in the railed space reserved for counsel and defendants. He was between his two lawyers. Foster, with Floyd Landreth, whom death was to put in his place, sat at a table to the right. Sidna Allen suddenly appeared seated against the left wall, in a line with the judge's bench. Claude Swanson Allen, Floyd's second son, lolled against the

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