

CONDEMN AND DEFEND THE UNWRITTEN LAW

TWO SIDES OF THE QUESTION

Man and Woman, Prominent in Public Life, State Their Views on Subject at Present of Much Prominence—The Right to Defend the Integrity of Family Life Is One of the Pleas Made—Only Punishment to Fit the Crime.

BY JOAQUIN MILLER.

A woman, good or bad, shot a man, good or bad, in his hotel in our national capital, the other day. She stands, she says, "intrenched behind the 'unwritten law.'" She claims to have chided this man from Utah to Washington and shot him to death in his hotel, because he refused to provide for her and her two children; that she has twice been made a mother; that one of the children bears his name.

We have, up to date, been pretty tolerant of the woman who takes a babe on one arm and a pistol in the other hand and pursues a man to his death. But when there are two children, as in this case, one may well ponder a bit before he gives her the tears and tenderness so generously given to the guileless, misguided girl.

Like Highwayman's Act. A woman cannot well come into court with a family of children and plead seduction and betrayal, as a girl too often does, and have the sympathy of both men and women. This woman's statement is that she asked the man either to marry her or give her money to support her children. He said "No; I will not," and with that she shot him to death, or at least, did her best to kill him on the spot. Briefly and bluntly she shot him down in his hotel for refusing to give her money. The difference between this act and that of the ordinary burglar or highwayman is not very distinct.

Now, have we not had about enough of this "unwritten law" nonsense? Who will be the next man or woman to shoot someone in the back or belly, and plead the "unwritten law"? I say and you know that had it not been for the noisy and foolish fop in the Tombs with his plea about the "unwritten law" this poor woman out of the far west would be at home today with her children and her victim on his feet about his business.

Count up on your fingers, if you can do it on both hands, how many cases of this "unwritten law" idea have been conspicuous since the silly and insolent young idler in the Tombs began to exploit his defense for shooting a useful and industrious man in the back. Why, right in the column next to the ugly account of the "woman without a cent," who left her babes behind to travel for days and nights to kill a man, you read of a woman killing a doctor and pleading in justification "unwritten law." Pity her! Yes, but put her quietly in some good asylum, and above all, don't exploit her as you have the young lunatic in the Tombs, who so

And the sin of it all is the misleading of silly people who mock at the law that have cost so much toll and are costing so much to maintain them—cranks seeking notoriety through the newspapers.

And oh, the pity of it! Pity for living and dead! But pity most for this deadly disease spreading over the law like a plague, which laughs at the decalogue, the holy lessons and the life and death of Jesus Christ, invoking the hideous and defiant plea of "the higher law."

Dean of the Washington College of Law Defines it as the Right to Defend the Integrity of Family Life.

BY ELLEN SPENCER MUSSEY.

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As an example of the unexampled pity for both parties to the tragedy let me quote a few lines written at the time by C. H. Webb, of New York, son of a prominent politician of the time, and our minister to Mexico:

"This for the wronged member of congress:

Blood on his hands,
A stain on his head;
Pity them all—
Living and dead.

And this is for the handsome and dashing betrayer:

Willows of sod
Swell o'er his breast
Fleeting with God—
There let him rest.

Sentiment is noble and inspiring. I have no use for either man or woman without deep and sincere sentiment and sympathy in all things. But you search the Bible in vain for anything like this "unwritten law" disease. There are those who tell you that you can find anything you want to find in the Bible. And, true, you can find many strange things. You can find almost anything. But I defy you to find anything like this "unwritten law" in all the lessons, laws, precepts and examples to be found between the lids of the Book of Books. I confine you let us live by the sacred decalogue. There is all the law. Accept the sermon on the mount, the holy lesson of our Savior, who prayed, "Forgive us, as we forgive others."

"Unwritten Law" Is New. It may be well enough for those who are against the law to find a tie with the "unwritten law" to understand distinctly that it is en-

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Who that reads the recent trial of Gillette for the murder of his victim can forget the coolness with which he claimed he said: "Tell your father; if you don't, I will." There comes a mental picture of that father and that swift vengeance he would have meted out to the destroyer of his child. Was Gillette such a degenerate that to him the unwritten law had no meaning, or was he merely talking for effect?

The unwritten law which says "Vengeance is mine," is no excuse for the disgraceful broils of the degenerate man and woman who find their only pleasure in dissipation. The man who despoils innocence himself—who gives his name and his protection to a woman whose life has been like unto his own, is not in any sense the defender of what the home stands for. His sense of moral obligation for himself is too blunted to fit him, to judge of the transgressions of another. He is himself an outlaw when judged by the standards of common morality. His propensity to shoot is the result of a heated brain, or the lack of brains.

No woman, no man, is safe with such a creature at large.

Let us add to the unwritten law another section: "Let there be no invaders against the chastity of woman, but only straightforward statements with page and verse," and the violator of this law shall be placarded: "This person took away the good name of another without cause," and walk the streets in shame.

In the heart of every man, there dwells first, absolute faith in his mother. That is his birthright, and in proportion to his faith in and affection for his mother will be his faith in and affection for his wife. On that foundation is built his attitude to his offspring. The true son, the true husband, the real father, in all these relations, owes to the home a clean standard of living. He should never invite into that home a man who does not himself respect virtue. The man who is a despoiler of virtue in one instance is an unsafe guest and friend. How much more so, when license is his rule of conduct.

"Protect my innocence or I fall into the trap that is laid for me."

A young woman went into a city to support her unwarned, inexperienced, her faith and her affection, found an unworthy object. Too late, she found the man was already married, and in a wild moment she shot him fatally. If the man had boldly threatened her life, if she had retreated to the wall to elude him, it would have been a case of justifiable homicide. But his crime against her was a more atrocious one than murder. It took away her good name, the love and affections of her friends and relations, her future, her faith in and respect for herself—and her trust in God and man.

Written in the Mother's Heart. And, again, the man takes, under the unwritten laws of certain states, his child away from his mother. Which law comes first—that written in the

TRAGEDY PREVENTED BY AN ELM BRANCH.

YOUNG MAN'S NARROW ESCAPE FROM DEATH.

SNAKE CAUSES RUNAWAY

Frightened Team Dashes from Bridge to Stream Below, But Driver Is Saved by Grasping Tree in Nick of Time.

Chicago.—It happened in Missouri. A warm midsummer day was rapidly drawing to a close. In company with the other hay hands on a large plantation I was working far past the usual supper hour in order that all the timothy cut and shocked might be securely stacked before darkness and threatened rain overtook us. There was one more load to get, just a little "jag," and it fell to myself and another lad even younger than I—for I was only 17—to go and bring it in. The hay field was nearly a mile distant from the stack yard, and, inspired to hasten by healthy appetite, we started off at a brisk trot with a team.

About half the distance had been covered when something happened. A huge rattle snake crossed the road just ahead of the team. I was driving and had turned to speak to my companion who sat near the rear end of the wagon, and so did not notice the snake until we were almost upon it. It coiled ready to spring, and gave forth its warning rattle. When the horses heard the rattle they jumped simultaneously and started up the road at a breakneck speed. At this point the road was rough, and there was quite an up grade, and I felt sure I could stop them before we reached the highest point and started down the other side. I held the lines firmly and kept the now thoroughly frightened animals in the center of the road.

All was apparently going well. I thought I could feel myself getting control of them slowly but surely, when suddenly we struck a good-sized bowlder. We went over it all right, but the ladder or front piece of the hay frame which was supposed to lie in the bottom of the wagon when the frame was empty, and which worked on a pivot hinge permitting it to be raised into an upright position, had been left up. When we struck the bowlder, the resulting jolt sent this ladder flying backwards, and it came down over my head and shoulders, knocking the lines out of my hands, thereby leaving the team free to do their worst.

Before I could extricate myself from the ladder we had started down grade at a terrific pace, and right ahead was "the bad bridge" across "Old Muddy creek," which was no more than a deep gully in most places but sometimes turbulent stream winding through it.

The bridge spanned a chasm 60 feet in width and stood over 40 feet above the rocks and water below. But the worst feature of this bridge was that it was built across the chasm at an angle, the road turning at this point and following the creek for some few rods. I knew we could never get across that bridge, but we

were upon it before I had time to jump, and I doubt if I had the necessary courage to do so. The team attempted to make the turn, the wagon swerved, and we were going over the edge of the bridge—it had no railing—and I could feel the wagon swing out over the chasm.

I was facing apparently certain death. I could see the jagged rocks below. Even if I were fortunate enough to strike the water, I could not swim. The sight sickened me. I turned my eyes upward, and saw just above me a slender branch extending from an overhanging limb of a great elm tree. I caught at it, and my hands closed over it. So slender it was that I wondered it held me. To me then it seemed strong and safe. I hung there.

The wagon had gone over, taking the team with it, and I could see these splendid horses struggling for their lives in the muddy stream. They were unable to break away



I Caught the Slender Limb.

from the wagon, and therefore could not swim out. Their struggles lasted, it seemed to me, an hour, in reality but a few moments, and they sank out of sight.

My companion was nowhere in sight. In my excitement I had forgotten him. He now came running down the road. He had managed to drop out of the end of the wagon soon after the runaway started, and had escaped with only a few bruises. He saw my predicament and realized the seriousness of my position more than I did myself. The branch I clung to was too slight to permit me to climb on it to the limb above. I could not hang in that position long. Already my arms were beginning to pain me. To drop meant to drown, for I hung directly over the pool, and just before me, some 30 feet down, projected a jagged rock.

"Hang on," my companion shouted. "I'll be back with a rope." He ran to a farm house, which was fortunately near by, and came back not only with a rope but with two strong farmer lads ready to assist, and I was rescued.

NEARLY BECOMES FOOD FOR "BAD" ALLIGATORS

Story of an Unpleasant Experience with the Huge Beasts in a Florida Jungle.

Chicago.—In the jungle a mile or so above Palm Beach, Fla., dwells a good-natured giant called "Alligator Joe." For years he has, by some secret stratagem, captured large, live alligators and crocodiles in the Everglades, and corralled them in shallow ponds surrounded by stockades of high posts. During "the season" Joe gives daily exhibitions at the "Alligator Farm," to guests from the resort, jumping into one of the corrals and actually riding a huge alligator.

There are three enormous outlaw crocodiles, however, kept in a basin of their own, that Joe only ventures to stir up with a long pole from a safe roost on top of the stockade.

"Them ones," Joe explained, "is the baddest ones I got."

And they certainly were savage, breaking their teeth on the pole, churning the water to a foam, and tearing to bits anything thrown them. One Sunday I called on Joe, wearing a bathing suit, and while he was cutting me some palm prunes in the jungle, I climbed on the stockade inclosing the "baddest ones," and proceeded to give myself a free exhibition by prodding them up somewhat lively with the pole.



Bystander (to gentleman fishing in the park lily pond)—My friend, don't you know there are no fish in this pool? Fisherman—Now, what made you tell me that? I shall not be able to fish here with any enjoyment again!

Passing of Historic Posts



The rapid development of the west and the fact that the Indian is no longer a menace to the welfare and safety of the settlers has forced upon the consciousness of the war department the uselessness of longer maintaining many of the forts which have dotted the western plains and mountain districts for years. For this reason many historic spots dear to the novelist and the historian, but really dreaded by the common soldier, are to pass away, and of the 275 posts now in existence from 100 to 150 will be abandoned.

This action follows a tour of inspection and investigation by Secretary Taft of the war department, which was undertaken for the two-fold purpose of selecting sites for a chain of brigadier posts, and the determining which of the minor posts could be best dispensed with. It is probable that with the abandonment of the posts eight or nine brigadier posts will be established.

Only a few days ago came the announcement of the abandonment of Fort Niobrara, Nebraska, around which half a century ago raged an almost incessant Indian warfare and which has been the scene of many military romances. For several years the government has been abandoning one by one of these frontier posts and concentrating the troops at the larger forts. Recently there have been abandoned these posts, once of importance: Fort Brown, Texas; Fort Grant, Arizona; Fort Ringold, Texas; Fort Yates, North Dakota; Allegheny Arsenal, Pennsylvania; Columbia Arsenal, Tennessee; Indianapolis Arsenal, Indiana, and Kennebec Arsenal, Maine.

"The purpose of these changes," said an army officer, "is in accordance with the general plan of army reorganization. It will be much less expensive to maintain large bodies of men at central points than it is to maintain small scattered garrisons which are often one or two hundred miles from the railroad and where the supplies must be transported by wagon.

"Furthermore, discipline can be much better preserved in an army raised to a higher degree of proficiency when the men are held in large bodies. It is believed, too, that the soldiers, having more companionship and more commodious quarters in a large fort, will be less likely to desert than when stationed in lonely and remote places.

"Fort Ethan Allen, about six miles from Burlington, Vt., which was established principally through the influence of Senator Redfield Proctor, will probably be made one of the brigadier posts of the east. The present reservation contains 962 acres, and when the proposed additions are made to enlarge the drill grounds it will cover 1,300 acres. Since its establishment, about ten acres of the government has spent close on to \$2,000,000 on this post.

"Secretary Taft was very favorably impressed, too, with Fort D. A. Russell, Wyoming, which is the home of Senator Warren, chairman of the senate committee on military affairs. He also inspected another important post, Fort Robinson, in Nebraska. The selection of a large post for that part of the country will most probably be made from these two. On the Pacific coast Vancouver barracks, Washington; the Presidio at Monterey, Cal., and some fort in southern California, will likely be retained. Fort Oglethorpe, Georgia; Fort Douglas, Utah, and Fort D. H. Wright, Washington, are also mentioned favorably as candidates for brigadier honors.

"The secretary was especially impressed with Forts Leavenworth and Riley in Kansas, Fort Hill in Oklahoma and Fort Sam Houston, near San Antonio, Tex.

"Of course these brigadier posts will not be the only army posts that the country will maintain. Smaller garrisons will be continued at such forts as Shelling, near St. Paul, and important points in the interior and along the coasts. But leaving these out there still remain nearly 150 posts

First Word a Knock. James I. of England, and VI. of Scotland, was, as everyone knows, deficient in vigor and steadiness. Having heard of a famous preacher who was very witty in his sermons and peculiarly so in his choice of texts, he ordered this clergyman to preach before him. He obtained, through the learned divine gave out his text in the following words: "James, first and sixth, in the latter part of the verse, 'He that wavereth is like a wave of the sea driven with the wind and tossed.'"

"Ods-chickens! he's at me already," exclaimed the king.—Scrap Book.

His Superiority. Next to the big black cigar and billiards, books are Mark Twain's chief diversion. Aside from the pleasure he gets out of them, the humorist has discovered that they possess an unusual trait.

"My books are my best friends," said he, not long ago at Quarry Farm, his summer home near Elmira, N. Y., as his eyes swept row after row of attractive looking volumes. "When I

Recent Cases Involving the So-Called "Unwritten Law"

- Mrs. Anna Bradley { Shot and killed former Senator Arthur Brown of Utah in Washington hotel for refusing to marry her. Held on murder charge.
- Mrs. Angie Birdsong { Killed Dr. Thomas Butler at Monticello, Minn., for alleged relations with her. Found guilty of manslaughter.
- Amasa C. Campbell { Killed Dr. Benjamin Harris of Chicago in a doctor's office because he says victim wrecked his home in Antigo, Wis. Case pending.
- Lucille McLeod { Tried on charge of murdering William T. Nieman of Chicago in Empire hotel. Nieman had promised to marry her. Was acquitted.
- Harry K. Thaw { Killed Stanford White in New York Roof Garden Theatre, alleging White had ruined his wife, Evelyn Nesbit Thaw. Murder trial pending.
- Nan Patterson { Tried and acquitted of killing Caesar Young, a bookmaker, in a cab in New York. Had lived with Young, who was married.

enjoys being exploited. For see what comes of it all. The most pitiable case of this character took place a stone's throw from the White House, in front of the old house where the assassins tried to kill Seward the night Lincoln was murdered. But it took place quite a dozen years before the fateful night at Ford's theatre. A young politician of great promise, and, too, of subsequent great achievement, was living with his notably young wife on that same side of the square. A great iron fence enclosed the square at that time. Had it not been for that fence his retreating victim might have fled and escaped.

Two Cultured Victims. Both the young men in this very

tirely of mushroom growth and character. Think of Draco or Lycurgus entertaining such absurdities. You will see nothing of the sort ever hinted at in Justinian's code. Coke upon Littleton, no commentator, ancient or modern, ever mentioned anything of the sort. The law was the law, that was all. Blackstone was a brave, bright poet, a sentimentalist as well as mighty expounder of the law. But surely he would have laughed in the face of any advocate who might have dared to talk to him of the "unwritten law." There is literally nothing of the sort outside of America, and there is really nothing of the sort here except a sort of subterfuge for law, used by demagogues.

single long hair, precisely laid between two leaves. Statisticians might be interested to note that hair of brunette character is more common than blond or near blond. Gray is seldom thus paraded.

Eyeglasses and spectacles are not uncommon finds, which might indicate that the reader, having waded so far, had no mind for any further reading.

Scraps of paper, occasionally an unmailed letter, and proofs of photographs are common captures; but never a banknote, and, strange to say, never an unrecipited bill or comic valentine.

On the other hand more than once unpaid dinner checks have turned up, which would denote such devotion on the part of bluestockings that they cannot eat without print before them.

Side combs are said to make good markers, and parlor matches have a particular excellence for this purpose. Coats, hats, waistcoats, shoes, suitcases and false teeth (not necessarily taken from returned books) have ended their days in this catchall. As yet there is no record of an abandoned infant having taken this channel.

WHAT A RACE SINGS ABOUT. Each Nationality Has Its Own Range of Favorite Ballads.

"It may or may not be the case that a race's temperament can be judged from its folk songs," said a traveler, "but it is interesting to note the difference of subject matter in the songs of various peoples.

"The fishman, for instance, seems to sing for the most part about his lady love. Hardly any of his songs are not addressed to his 'Somebody Mavourneeh.'

"The Scot, on the other hand, sings about his country and its history, as a rule 'Scots Wha Hae,' 'Ye Banks and Braes o' Bonnie Doon,' 'Loch Lomond' and so on might be taken as examples.

"The Englishman, it is interesting to note, sings about himself all the time. His songs are about his glory, his ships, his men, his power. He refers occasionally to old England, but only as a place he made famous by his own prowess. Unlike the Irish and the Scotch, he sings little of his women and his country's beauties."

KEEPS A DOG IN CONDITION.

Wire Will Give Him Exercise if Secured in Proper Way.

Dogs, especially setters, pointers and other hunting animals, as well as fierce and unruly ones, need to be kept chained most of the time, the hunting dogs to prevent them from straying away, generally at night, and others from annoying or endangering the safety of people coming on the premises. To keep dogs on a chain constantly, preventing them from getting much-needed exercise, is cruel and prejudicial to their health, and it also serves to make a cross dog so much more unruly and dangerous as frequently to necessitate having him killed. There is a practical and easily constructed method of overcoming the difficulty and still restraining the dog of his liberty.

A stout post is securely planted alongside of the doghouse, having about 18 inches of it above ground. Another post is then securely planted about 100 feet distant and a stout telegraph wire stretched taut between the

FOUND IN LIBRARY BOOKS.

Queer Things Left There by Absent-Minded Readers.

Strange fish come to the nets of the receiving clerks at public libraries when they examine the books returned by borrowers.

Perhaps the most common catch is

LOST ILLUSION.

Which kind of wood is the most durable? To answer this question some interesting experiments have been made, and the following results were obtained. Birch and poplar decayed in three years, willow and horse-chestnut in four years, maple and beech in five years, elm and ash in seven years, oak and Scottish fir decayed to the depth of half an inch in seven years; the juniper was uninjured at the expiration of the seven years.

Stencil Cut by J. J. Hill. James J. Hill, president of the Great Northern railroad, takes immense pleasure in recalling that he cut the first stencil and marked the first barrel of four ever manufactured in Minneapolis. This was in 1859 or 1860, when he was agent for a line of freight steamers running on the Mississippi. The particular stencil was kept by the milling company for years, but at last was destroyed in a fire.