

THE UNWRITTEN LAW

By BASIL T. ANDREWS

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"DO YOU believe in the unwritten law?" asked counsel of the juror.

The judge rapped his gavel upon his desk. "There is no unwritten law except the common law," he announced, "and the juror will take his law from the court, not from his conscience. The duty of the juror is to bring in a verdict upon the facts. If a man shoots another it is murder or manslaughter."

The counsel bowed, the juror sat down in the box, accepted. Only the prisoner eyed the judge and smiled cynically. Hardened as he was to his duty, the judge felt disconcerted by the prisoner's gaze.

The case was a simple one. The prisoner had shot the man who ran away with his wife. He was willing to take the woman back, and she had already created a scene in the courtroom. But the judge was a stickler for law, and everyone knew that, if he could help it, the universal sentiment in favor of the man should not permit the jury to bring in any lesser verdict than murder in the second degree.

The judge went home that night, to be greeted by his smiling wife and little girl. The judge's home life was exemplary. Nobody dreamed of the judge's past, least of all the woman who shared his home.

Until the age of twenty-five the judge's life had been anything but exemplary. He had run away from home, loafed and generally been "a good fellow." What a singular phrase! However, there had been good at the bottom, and at twenty-five somehow the judge changed. Perhaps the change had been working in him for years, subconsciously. At any rate, he threw off the old life, settled down, studied law, became a famous lawyer and was nominated to the bench amid universal approval.

It must be confessed that the judge was not greatly troubled about his past. He thought that it was the average past of a young man. He had never been in prison, he had never stolen. The thing that sometimes caused him bitter regret was an event which had happened when he was four and twenty—in fact, it had been the reaction from this which was the determining factor in his life.

He had wronged one of his boon companions. The man's wife, who had a poor reputation, had become infatuated with the young fellow, and they had gone away together. They separated a week later. She had spoken of a divorce and asked him to marry her; but somehow the judge found that he was of finer caliber than he had thought. They separated, and he never saw the woman or her husband again. Years later, however, he heard that she had died.

It troubled him, but after all a man must live down his past and not brood over it. The judge was an exemplary husband and father. His little daughter ran to kiss him; he folded his wife in his arms.

"What will they do with that poor fellow Symons?" asked his wife later that evening.

"If I had my way," answered the judge, "he would go to the electric chair. I don't think there is much chance of that, however. Second-degree murder, if I can swing it."

"The papers think he will be acquitted."

"That depends on whether the jury are honest men or sentimental fools."

"But, my dear, he shot the man who had run away with his wife. Surely that is not a crime that deserves severe punishment?"

"I do not think it does," answered the judge. "My function, however, is not to pass upon the abstract right or wrong of a case, but simply to administer the law. What that law may be, is laid down by the legislature. I aim to keep my court an honest one, and to fulfill the law scrupulously."

His wife said no more. She knew her husband's feelings in the matter, and, while not sympathizing, recognized his integrity.

On the next day there was another painful scene in court. The wife of the prisoner stood up at the back of the courtroom and interrupted counsel.

"I was guilty!" she cried. "He did right. Let him go, judge! Why can't you let him go?"

"Be silent, woman!" thundered the judge.

"I will not be silent. I love him. I was crazy when I did what I did. Let him go!"

An officer of the court succeeded with difficulty in silencing her. The sound of her hysterical weeping filled the courtroom. The judge scowled. The case had already attracted unenviable notoriety. The newspapers were full of it. He was receiving criticism. And he felt the injustice of it all. Nobody seemed to understand that he had placed his own sympathies aside. No one thought that he might feel for the prisoner. No one understood that his function was simply to carry out the law.

And all through that day and the next he felt the sympathies of the jury turn toward the prisoner, and he hardened his heart and resolved that their verdict should not be acquitted. All the while, too, he was conscious of

the cynical look in the eyes of the prisoner.

The case ended at last, as even the greatest of cases must come to an end. Counsel for both sides had delivered their speeches. It was now his turn to speak. He was summing up. And he proceeded with grave deliberation. He expounded the circumstances of the crime. Nobody had made the suggestion that the man might not be guilty. The facts were proved. He hammered that in. He told the jury that they must find a verdict according to the facts—which were proven.

"Have a little pity!" cried the prisoner's wife, leaping to her feet with a dramatic gesture. "Are you a man? Is your heart carved out of flint?"

"Be silent!" roared the judge. "Remove that woman from the courtroom."

She struggled and shrieked all the while, and the courtroom was in an uproar. Every face that met the judge's was hard and condemning. He noticed that; for an instant there flashed through his mind the memory of his wife and little girl. How happy he was at home! Why couldn't they understand that it was just to protect such homes that law was made?

But what was he thinking? It was in such defense that the prisoner had committed his action. The judge became confused. He stammered a little when the court being cleared of the disturbance, he took up his charge again.

"The facts are proved," he went on. "The law wisely and rightly demands a life for a life. Only in extenuating circumstances does it permit you to bring in a lesser verdict than that of murder in the first degree. If you find that these extenuating circumstances were of the nature of ignorance of the nature of the crime, or of lack of intent to kill, you may bring in a verdict of manslaughter. If you find that there was no premeditation you may bring in one of murder in the second degree. But these circumstances do not exist. The crime, the motive are clear."

It was odd how that shrewd, cynical gaze of the prisoner disturbed him. He broke off in confusion. And suddenly he seemed to sway in his seat. He remained with mouth open, and his face was ashen pale.

Two minutes must have elapsed before he spoke again, and in the meantime a deepening sense of uneasiness had settled about the court. The jury, who had already decided upon a verdict of manslaughter, waited in polite impatience. Some thought the judge was ill.

"The law," he went on, "is quite clear. Some say that there are deeper moral laws than human ones, which we ought to obey. Some claim that the voice of conscience is stronger than the enactments of the legislature, when these conflict. It is not for me to pass upon these statements. We are all human and fallible, gentlemen. The prisoner was gravely wronged; he took the same course of action that many men would have taken. He took the course that you and I might have taken—would have taken. I commit the case to your care, gentlemen, with the assurance that you will judge wisely and rightly."

The newspaper men in the courtroom stared at one another and wrote as fast as their pens would fly. The judge's speech was the sensation of the trial. An account of it appeared a few minutes after the verdict. In every paper, under some heading implying that the judge had at last abandoned his inflexible determination. "Judge Parkins Approves Unwritten Law," one heading ran.

His charge had been practically an instruction to the jury to acquit. It was easy enough to read between the lines of the half-hearted message. But apart from the words there was something in the judge's manner, the tone, the gesture that wrought upon all hearts.

The verdict, "Not Guilty," was returned within ten minutes after the judge's charge was finished. The prisoner left the court a free man, his wife with him, sobbing, surrounded by the eager jury, whom she was trying to thank. The judge slipped out by his private door and made his way homeward.

The decision of his legal life was broken. He had come to recognize a higher law than that upon the statute book. For he had recognized in the prisoner the man whom he had wronged so many years before.

Fishes Keep Vitality Years Without Water

One of the most mysterious powers that close observation has revealed is the capacity of certain fishes and water animals to live out of water. Some small crustaceans have been known to live for forty years in dried mud without losing the power of actively living when the mud was moistened again. In "The Haunts of Life," Prof. J. Arthur Thomson tells us that a naturalist visiting Jerusalem took a little mud from the pool of Gihon, at the Jaffa gate, and put it in a pill-box. It lay dry for forty years but when some of the dry dust was put in a saucer full of water "it gave rise after a short time to some lively water-fleas." The eel, as is well known, can travel through damp grass. There is a tropical fish, known as the climbing perch, which has the very curious habit of scrambling, by means of its pectoral fins, up stones, roots, and even the trunks of trees, in search of the insects on which it feeds. Still more surprising is the habit of a South African fish, called Charas, which is said to make nocturnal raids on the fields in order to eat the grains of millet.

Kidskin Regarded Smart for Sports

Comes in Neutral Tones, or May Be Dyed Almost Any Shade Desired.

The sports coat will, of course, be seen throughout the winter season. The passing of the football period in no way dimmed the popularity of the sports fur or leather coat that went so proudly to the gridiron. Indeed, the football season but served to introduce the serviceability and smartness of the truly chic sports fur or leather coat.

Trim lines are accentuated in the sports models. There is a dash and straightness of line to the informal coat that marks it for youth's own.

And the leather or kidskin coat has entered into a season that demands the unusual in its wardrobe with so much style that at least one coat should appear in the young person's wardrobe.

Kidskins come in natural tones or may be dyed almost any shade. With kasha favored for linings in the sports coat, there is a great chance to introduce color to the sports world. Leather coats strikingly lined in reds, greens, orange, rose and blue appear almost everywhere. These gay linings frequently appear, adding a colorful note to the leather coat in either lapel, collar, cuff or in a general banding effect that is highly satisfying and new.

Black kidskin lined in scarlet presented one of the smartest pictures recently at a sports event, while the white kidskin coat worn by Alice White in her film, "The Runaway En-



A Charming White Kidskin Coat Worn by a Motion Picture Player.

chantress," is no less distinguished. It possesses an attractive feature in its black fox collar, which furthers the popularity of that always becoming combination of black and white.

Sleeves an Important Feature of the Mode

Sleeves deserve more than brief mention. In many instances they are of primary importance and lend distinction to a frock that otherwise might escape attention. In studying the new models as they come from the salons of their designers one is struck by the versatility displayed in the creation of sleeves that are individual without being bizarre.

Fullness and width are characteristics of the present-day sleeves but so cleverly is the material handled that there is no suggestion of bulk. The sleeve introduced by a Paris house of world-wide fame has already become famous. One finds it incorporated into wraps as well as dresses, and its wide deep armhole and tapering line to the wrist are exceptionally graceful and flattering.

One of the most interesting developments in sleeve fashions is the use of materials different from those from which the gown is made. Lace, lame, embroidered chiffons and linens as well as printed velvets are frequently seen in combination with a different fabric and the effect is strikingly smart.

Elizabethan Influence on English Fashions

The Elizabethan influence on modern English fashions is emphasized by Pierrot frills on the new winter frocks. Short hair is believed responsible for the vogue for neck ornamentation. It is exemplified by high collars finished with bows or by collars made of strings around the neck. The tulle bow has come in again on a gigantic scale. With light dresses a black velvet band is worn around the neck and is finished off at the side-back by an immense bow of tulle. The black band must fit closely around the neck in order to give the bow its full value and fairly stiff tulle is used so that it may stick out as much as Queen Elizabeth's ruff. With gray hair, gray tulle is used.

Scalloped Edge Adds to Little Taffeta Dress



For the completion of the child's wardrobe this little outfit is necessary for the winter season. The feature of the smart little taffeta dress here shown is the scalloped edge at neck and bottom of the skirt. It is fine for party wear.

Ensembles Feature of Popular Formal Mode

The harmonious fashion of ensembles is very apparent in the evening mode, and the most effective and striking costumes for the evening consider not alone the dress, but also the wrap which is to be worn with it.

At the fashionable Cirque Mollere, the annual amateur circus which Monsieur Mollere, the well-known Parisian, gives for his friends, many examples of this interesting tendency were displayed. Georgette and chiffon frocks were worn under velvet coats and capes, either of the same color as the dress, or lined with its material.

From Paris comes a delightful wrap of soft smoke-gray velvet lined with delicate pink chiffon. It is worn with a chiffon dress in the same shade of pink. The deep-pointed yoke formed by gathers is the distinctive feature of this lovely wrap. Although extremely full, the material falls in graceful folds, so soft and supple is the texture of the velvet.

Rich materials, and especially velvet, were featured in all of the Paris collections of evening wraps. At Martial et Armand "the wraps generally executed in velvet were trimmed with lame yokes and sleeves." Chantal showed evening coats made of rich laces and broches and lined with vivid-colored crepes. These were richly trimmed with fur or ostrich feathers, forming a wide border, a large shawl collar and cuffs.

Suede or Glace Used for Dainty Hand Bags

Wine-red suede or glace leather makes the newest hand bags, capacious, flat below bags, usually rectangular and with strap handles. These cheerful bags, worn with the red umbrella and a red hat or perhaps only a red pin in a dark hat, seem to make bright the rainiest day and the most somber rainy-day costume.

The zipper closing retains its popularity both for the large, flat, handled bags and for the little, round, barrel affairs, and the leathers are as extravagantly varied and as cunningly combined as they have been lately on shoes. Suede, serpent skin, pin seal, kangaroo, calf hide with the hair left on, alligator and pigskin are only a few of the leathers one encounters among these purses.

Among the more elaborate purses for the afternoon, various new modes sewn to a jaw frame of precious metal have little compartments built into either side of the metal top, one side opening to disclose a place for and the other holding the inevitable vanity articles.

Leather Coats Have Large Patch Pockets

Most of the leather coats have large patch pockets of fur and are usually belted with a narrow strap of the leather, or of patent leather in a different color after the fashion of a man's hunting jacket. Fur-lined leather coats in the hip-length model are worn chiefly by misses and young women of slim figure, and some are in gay colors printed in plaids and checks. These are practical and pretty with the kilt skirt of cloth or velvet. A serviceable coat of distinction is made of tweed, cheviot or other stylish material, and lined with fur. The weaves are shown in mixtures, in broken checks, and undefined diagonals.

Lined with fur they afford protection in the coldest weather. Some of these coats in the late models are lined with suede or kasha and have large collars, sometimes cuffs also of fur. Fur trimming has come in again very strong and few sports coats are shown without at least a collar of fur.

The KITCHEN CABINET

(©, 1927, Western Newspaper Union.)
In every circumstance of our lives lies the stirring knowledge that one's own case, however strange, is far from being singular.—Laura Spencer Porter.

GOOD PUDDINGS

A pudding that is good and simple to prepare is the following:

Lemon Tapioca Pudding.—Soak two tablespoonfuls of pearl tapioca in one cupful of water for three hours. Turn a pint of boiling water over it and cook until soft, adding a pinch of salt. Beat the whites of two eggs until stiff, turn over them the boiling tapioca, beating all the time. Add one cupful of sugar, the grated rind and juice of two lemons. Serve cold with whipped cream.

Maple Tapioca Pudding.—Soak six tablespoonfuls of pearl tapioca overnight. Drain, add four cupfuls of hot water and two cupfuls of brown sugar. Dissolve and bake in the oven until it begins to thicken. Let cool. Add one teaspoonful of vanilla, a pinch of salt and a pint of whipped cream. Serve in sherbet glasses with whipped cream on top. This will serve twelve.

Caramel Blanc Marge.—Soften one and one-half tablespoonfuls of gelatin in one-third of a cupful of cold water. Caramelize one-half cupful of sugar, then add a scant half cupful of water, boil until a thick, smooth syrup. Let the syrup cool a little, pour over the softened gelatin; when dissolved, strain into three cupfuls of cream. Add one-fourth of a cupful of sugar and a pinch of salt. Stir until the sugar is dissolved. Serve ice cold.

Apple Fluff.—Grate one large, good-flavored apple, adding one-half cupful of sugar while grating. Beat the white of one egg until stiff, add apple and beat stiff. Serve with the following custard: Cook one cupful of rich milk, one egg yolk, two tablespoonfuls of sugar until creamy. Flavor to taste and cool on ice.

Crumble Torte.—Whip the whites of two eggs until stiff, add the yolks, also beaten, chop one cupful of pecans. Mix one cupful of sugar, a tablespoonful of flour and a teaspoonful of baking powder, add slowly to the beaten eggs, then add the chopped nuts, mix well and bake in a well-buttered bread-loaf tin for half an hour.

A Few Salads.

Our greatest chefs agree that the salad is a most important factor in the dinner or luncheon menu. They may either make or mar the meal. The following are some you may enjoy trying:

Mexican Salad.—A nice tart salad is especially good, served with a fish or meat course. As a sandwich filler, or an accompaniment to a molded jelly, or with cider jelly, this makes an excellent salad:

Chop fine one cupful of celery, one-half Spanish onion, one cucumber and one green pepper. Mix with the following dressing: Three tablespoonfuls of butter, one tablespoonful of sugar, one teaspoonful of cornstarch, three-fourths of a cupful of cider vinegar, one teaspoonful of salt and one-half teaspoonful of mustard with one beaten egg. Melt the butter, add the dry ingredients, then slowly the vinegar, and cook for five minutes. Pour slowly over the beaten egg, stirring constantly. Return to the double boiler to cook for a few minutes. Chill thoroughly before serving.

Potato Salad With Cheese Dressing.—Add to a well-beaten egg one-fourth teaspoonful of salt, one-half teaspoonful of cornstarch, one teaspoonful of mustard and one-fourth cupful each of vinegar and water. Cook over hot water until thick, then add one neut-fat cheese. Cool, and pour over sliced cooked potatoes. The addition of celery and chopped sweet pepper makes an improvement.

Polish Salad.—Shred one pound of cooked game or poultry, moisten with oil and cider vinegar, season with pepper and salt. Allow it to stand for three hours to marinate. Arrange on a bed of lettuce and garnish with four cooked egg yolks passed through a wire sieve. Chop the whites and use as a garnish.

Cheese Jelly Salad.—Mix one-half cupful of grated cheese with a cupful of whipped cream, season to taste with salt and pepper and add one tablespoonful of gelatin dissolved in a scant cupful of water. Mold in large mold or small molds. When the jelly begins to harden, cover with grated cheese. Serve with French dressing to which grated cheese is added. Tomatoes stuffed with cream cheese jelly and served on lettuce with French dressing are both savory and quickly prepared.

Celery Salad.—Fill the tender stalks of white celery with seasoned cheese, cut into inch lengths and serve on lettuce with a French dressing.

Fruit Salad Dressing.—Use the juices of the fruit sweetened with honey, making a most tasty sauce.

Old inner tubes from auto tires make fine elastic for various uses. Such elastic will survive several washings if used in rompers or bloomers.

Neelie Maxwell

Drink Water If Kidneys Bother

Take a Tablespoonful of Salts if Back Pains or Bladder is Irritated

Flush your kidneys by drinking a quart of water each day, also take salts occasionally, says a noted authority, who tells us that too much rich food forms acids which almost paralyze the kidneys in their efforts to expel it from the blood. They become sluggish and weaken; then you may suffer with a dull misery in the kidney region, sharp pains in the back or sick headache, dizziness, your stomach sour, tongue is coated, and when the weather is bad you have rheumatic twinges. The urine gets cloudy, full of sediment, the channels often get sore and irritated, obliging you to seek relief two or three times during the night.

To help neutralize these irritating acids; to help cleanse the kidneys and flush off the body's urinous waste, get four ounces of Jad Salts from any pharmacy here. Take a tablespoonful in a glass of water before breakfast for a few days, and your kidneys may then act fine. This famous salt is made from the acid of grapes and lemon juice, combined with lithia, and has been used for years to help flush and stimulate sluggish kidneys; also to neutralize the acids in the system so they no longer irritate, thus often relieving bladder weakness.

Jad Salts is inexpensive; cannot injure and makes a delightful effervescent lithia-water drink.

The Arms of Morpheus

"Sleep," said the pessimist, "is but a foretaste of death—that divine nepenthe for which we poor mortals yearn."

"Sleep," said the chemist, "is caused by such an accumulation of toxins that all organic activity must be suspended or minimized pending their elimination through chemical change."

"Sleep," said the poet, fervently. "Ah, poppy and mandragora and all the drowsy sirups—"

"Sleep," said the business man, "if I can get a good solid eight hours of it, makes me show up at the old desk feeling like a—er—fighting cock!"

"Sleep," said the philosopher, "is a phenomenon which—"

The wise man sat in the corner and said nothing. He was taking a little nap.—Life.

Wasted Affection

"Walter, do you love your little baby brother?" "What's the use? He wouldn't know it if I did."

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