

# THE RISE OF MARY.

Story of a Perilous Flight In an Aeroplane.

By KARL K. SHIMANSKY.  
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"Well, Mary, things look pretty bad," said William Jennings to his wife. "I drew the last \$50 out of my bank a week ago, and there aren't any prospects of getting more unless I get the government interested in my machine. I wrote them day after yesterday."

Jennings and his wife walked out to the aeroplane shed and rolled out the machine, which was made of bamboo and canvas. Springing in, Jennings thrust a lever forward, and the engine puffed and purred for an instant, and then the plane rose slowly and evenly. "Be careful, Will," cried his wife, "and come back soon."

"I'm always careful," he rejoined, laughing, "but I'll have to be unusually so today because of the wind."  
Soaring up easily several hundred feet he then dropped slowly to the ground.

"Do you want to take a ride, Mary?" he called to his wife. "I'll let you run it. You know how."

"I'd rather not," she replied. "You know how it is—I feel brave enough until I get in the seat, and then I almost faint."

"Well, I'll put it in, then," she said, springing out. "These propellers need oiling. One of them squeaked badly while I was up."

He walked back to the two great wheels with a big oil can in his hands. As he stooped he heard a slight puff and sprang aside. But he was not quick enough. The powerful engine in cooling off had turned over, and the light but strong blade struck him a stinging blow on the shoulder. With a cry he staggered backward, but the next blade hit him a crack across the

it a good many months. That engine weighs only forty-five pounds and has been tested up to a hundred and ten horsepower.

"What," cried Hart—"a hundred and ten horsepower! I'll certainly have to stay to see it work."

That afternoon a boy came running up to the house with a telegram for Mr. Hart. He read it and frowned.

"Mr. Jennings," he said, "I'm very sorry, but I am ordered to Washington at once. Here! You may read the message."

Will took it and read in a dazed sort of a way: "Return to W. at once. War Department."  
"What! Can't you wait at all?" cried William in dismay.

"At once means within twelve hours; immediately, twenty-four," said Hart grimly.

"May I use the telephone?" asked Hart.

He called up the railroad station to find out when a train left, but he learned that no trains were running from the island to the mainland. Hart was told that he would have to drive across the ice in a sledge.

"Oh, don't do that!" cried William. "There is a strong south wind, and the ice is melting, and a breakup usually follows."

But no argument could dissuade the agent. He had his orders, and he was going to obey. He had difficulty in finding a horse and sleigh, for none wanted to risk his property on the ice on a day like this. At last he found a man who would rent him a rig for five times the price that was usually charged. Hart drove past the Jennings cottage and waved them goodbye as they drove out on the ice.

"I wish he wouldn't go," cried Mary. "William's teeth were set, for he realized that his hopes of riches and fame were fast disappearing. By this time Hart was halfway across the bay."

"Boom!" cried Mary. "The ice is cracking. Look! his horse is running!"

"Boom! Boom!" A great crack could be seen close to shore.

"Look," shouted William; "the horse is down!" And, picking up field glasses, he cried, "Hart has cut him loose and is running for it!"

"Boom!" The ice was cracked all around him.

Mary suddenly shut her teeth and said in a strange voice, "Wait a minute!" and then left the room.

She had been gone several minutes when William saw a strange shadow fall on the ground beneath his window, and he heard a peculiar buzzing. He looked up and fairly gasped. There was a great aeroplane sailing out toward the lake at terrific speed. A person all bundled up in furs was driving it. He dragged himself out of bed and staggered to the window.

"Mary," he cried—"Mary!" and then looked at the aeroplane shed. Then he knew where Mary was. The doors of the shed were open, and it was empty. He turned his glasses on the machine and hovered a moment in the face of a strong wind and then went sailing out toward Hart. He had seen the machine as it rose and was standing in the sleigh waving his arms. The ice was cracking all about him, and the horse had disappeared in a large crack. As Mary sat in the plane her only thought was to save Hart before the ice broke beneath him. She was almost over him. Now came the supreme test—to turn and descend in such a strong wind.

Leaning out of his window, William stared at her through the glasses. Hart stood on the sleigh with mouth open and paying no attention to the ice, but he kept his eyes fixed on the plane. Suddenly it slowed up and sank, then turned and came down. But an unusually strong gust of wind bit it and drove it back. But Mary let the engine go full speed and came on again in the face of the wind. The machine settled slowly but surely and came to rest on the ice just beside the sleigh. Hart sprang down to the ice and ran over and climbed in.

"Beautiful!" he murmured. "Beautiful!"

Mary guided the machine to the main shore and landed. Hart helped her out and exclaimed:

"I want to thank you, Mrs. Jennings. You saved my life. You managed the machine most skillfully, and it behaved beautifully. By the way, will you give this to your husband?"

And he wrote a note, which he gave her. Even before Mr. Hart had left Mary phoned to her husband to apprise him of her safety.

"Don't risk coming home in the machine," admonished Jennings.

"No, dear, I won't," was her response. "I'll wait until the trains run again."

Much to her delight, traffic was resumed that same day. Before she opened her door Mary read the note. With a cry of joy she rushed into William's room.

"Why, Mary, you dear thing!" he exclaimed.

"I'm something more," she said, laughing. "I'm a prosperous promoter of aviation." And she handed him the letter, which announced Hart's approval of the Jennings aeroplane.

# BLANK CARTRIDGE.

A Southern Revolutionist Who Fell Into His Own Trap.

By OSCAR COX.  
(Copyright, 1910, by American Press Association.)

A friend of mine who had been United States consul in Central America told me this story one evening while we were smoking on the deck of a steamer on our way from the isthmus to New Orleans:

You've heard of the Mancha family, I suppose, who did a bigger business at revolutionizing than any lot of men ever put out the sign "Revolutions" in Central America. Well, Juan Mancha, the oldest brother, was head of the firm and was the keenest, the fondest rascal of the lot. His eye was always on the loot, but he had the faculty of playing patriot with more emotional accompaniments than any revolutionizer in Central America. I was consul at Costa Rica when Juan Mancha engineered the revolution of 18— and knew all about the story of Diaz Valdez, the secretary of state, who finally went over to him with a satchel containing half a million dollars.

Mancha had got most of the people on his side and had stolen enough money to send to New Orleans for a cargo of arms and ammunition. He would have appropriated this find to himself, but it wasn't enough. He was not a small dealer in revolutions, but a big one, usually aiming for something like a million or two. But he was in need of more funds when Valdez, thinking that he was sure to win, concluded to go over to him.

Senora Valdez was a mighty pretty and a mighty bright woman. She had been a great courtesan before Valdez married her and hadn't outgrown the habit, though you'll see from what I'm going to tell you that she was true to her husband. Well, Valdez told his wife one day that Mancha was sure to win in the end and that they'd better arrange to go over. He suggested that she go to Mancha and tell him that her husband was ready to join him with her

"I believe, general," said Senora Valdez, "that there is treachery. My husband will be fired at with bullets instead of blank cartridges."  
Mancha did not know what to do or say.

"Colonel Gonzales," continued the lady, "I have General Mancha's promise that my husband shall be fired at with blank cartridges. You are an honorable man. Make a test of your guns by firing them at General Mancha. If he has fulfilled his promise he will not be injured."

Gonzales, who was prepared for this, took a gun from one of his men, aimed it at Mancha, fired and shot him dead.

The act was the signal for a counter revolution, if it could be called such, where there were but some hundred and forty rascals led by a greater rascal than any of them. Of course Gonzales feigned astonishment that the piece he had fired at his chief had been loaded. Senora Valdez rushed to her husband and embraced him. Then, turning, she addressed the garrison, nearly all of whom had turned out to witness the execution.

"Soldiers," she said, "my husband and myself came here to make an offer by which you should all profit. That man, pointing to Mancha's body, 'promised for the sake of appearances to pretend to execute my husband. You see that the traitor has been killed by one of the bullets intended for the man he would slay.'

Then Gonzales told them that there was a treasure to be divided among them; that they were to march to the capital and have preferment among the government forces, which now that the treacherous Mancha was dead would surely be triumphant.

The first thing done was to bring out the treasure and turn it over to this valiant army, whose conscience was altogether too tender to see a man stood up to be shot down by bullets when he had been promised blank cartridges. There was a fine spirit that night, and the next morning Valdez, riding in its front, anxiously to the capital. It was certain that the killing of Mancha, and the defection of this small but relatively important portion of his army would end the revolution.

Senora Valdez gave out that the plot had been carried out exactly as it had been conceived. Of course there was a shortage of half a million in the accounts, but the people didn't mind a little thing like that since it had accomplished such a brilliant result. The outstanding revolutionary armies soon laid down their arms, and peace once more reigned in the state.

Senora Valdez came in for the credit of executing the scheme, though her husband was supposed to have conceived it. At any rate, she was the most popular woman at the capital, and when the president's term expired Valdez was elected in his place.

**The Persistency of Colds.**  
Why is it that we are so heavily subject to colds? Other epidemic diseases—measles, typhoid, scarlet fever, diphtheria—may get hold on us once and there is an end; it is not usual to have any of them twice. We breathe in our blood immunity. The poison of the disease evokes in us its proper antidote. Our blood cells make a sort of natural antitoxin and keep it in stock, so that we are henceforth protected against the disease. A well vaccinated nurse, for example, works with safety in a smallpox hospital, where the very air is infective, but her blood is so changed by vaccination that the small-pox cannot affect her. By scarlet fever, again, we are, as it were, vaccinated against scarlet fever. The reaction of our blood against the disease immunizes us. No such result follows influenza or a common cold. We breathe nothing that is permanent. We are just as susceptible to a later invasion as we were to the invasion that is just over.—London Spectator.

A fool's heart is in his tongue, but a wise man's tongue is in his heart.—Quarles.

# QUICK WORK.

By Which an Attempt to Wrongfully Inherit Is Defeated.

By THERESA C. HOLT.  
(Copyright, 1910, by American Press Association.)

"Your honor," said Peter Hardman's attorney, addressing the judge in the chancery court, "this is a case where Joel Hardman, who was married twice, left his property, supposed to be worth \$300,000, to his only child, Peter, by his first wife, with this provision: If Frances Hardman, his only child by his second wife, should marry before she comes to be twenty years old and should have male issue before coming to the age of twenty-five, then the property is willed to her, she being commanded to pay to said Peter Hardman, her half brother, the sum of \$1,000 a year so long as he lives. Said Frances Hardman was born on the 5th of May, 1890. This is the 8th of May, 1910, and she is past twenty years old. She is not yet married and does not claim to be married. Peter Hardman claims the property as the rightful heir under the will."

"Your honor," said the opposing counsel, rising. "I represent Frances



"IS THIS MAN YOUR HUSBAND?"

Hardman in this case and can give a reason for this singular instrument. Joel Hardman knew his son Peter to be profligate and unfit to take care of the property he (Joel) had been a lifetime accumulating. He therefore intended by the will to encourage his daughter Frances to marry with a view to transmitting it in the female line. Peter Hardman is considerably older than his half sister and at their father's death took possession of his papers, including the will. My client does not appear to have been informed of its contents; indeed, she was but fourteen when her father died and fell under the care of her brother. It was only yesterday that she was informed that today, three days after the expiration of the limit of time allowed her by the will to marry, her brother was about to claim the inheritance. She petitions that, in view of this want of knowledge of the requirements of the will, the time be extended."

"Do I understand," asked the judge, "that Peter Hardman is charged with having used fraud to secure the property?"

"Doubtless fraud has been practiced, but since it would be difficult to prove fraud no such charge enters formally into this suit."

"Then the will must stand as it is. The court has no power to alter it by extending the time allowed Frances Hardman to marry. I understand that to fulfill its conditions your client should have been married by noon of the 5th, and this is the 8th."

"It is true that the will enjoins upon my client that she shall marry on or before the day that she is twenty years old, or the 5th of May, but I have examined the will and have found that by a codicil she has been allowed three days grace. In other words, the time is extended to this day, the 8th of May, at 12 noon. It is now 11. An hour, your honor will admit, is too short for any woman to select a husband."

"There is no such codicil in the will, your honor," interposed the opposing counsel. "I have examined it carefully and have never seen it."

The will was produced and in an inconspicuous place it was found written in a secret hand, and was that of Frances Hardman, who had evidently failed to find it more usefully in her secret. Then he looked at the clock and seemed to take courage.

During this legal debate Emery Hale, a young lawyer student, who was attending court in pursuance of his studies, sat on one of the outside benches. His attention was fixed upon the singular position of the legatees, and especially one of them, Frances Hardman, who was in court. Young Hale marked the contrast between her and her half brother. Peter Hardman bore the stamp of dissipation. Frances would have served as a model for a Madonna. She appeared to the young lawyer to be just the person to be swindled by her profligate brother.

Hale was interested in the case both as a matter of jurisprudence and as a matter of sympathy with the girl. In an hour \$300,000 would pass from her to her undeserving brother. How could the matter be staved off? Suddenly a resolution took possession of him. He would claim the girl as his wife. The court must give him time to prove his marriage with Frances Hardman. It was but a subterfuge and would not fulfill the conditions of the will because he was not, as he proposed to claim, the husband of the legatee. But it would delay handing the property over to Peter Hardman and might give opportunity for a compromise. Rising in a clear, firm voice he said:

"Your honor, I claim Frances Hardman for my wife."

If a bomb had fallen in the center of the courtroom it could not have occasioned greater surprise. Peter Hardman lost his color, and his countenance sat wondering whether the claim could be substantiated or was only a trick of opposing counsel. He glanced at his opponent and saw even greater astonishment on his face than there was in himself. The judge awakened from the lethargy of an overworked man.

"Have you the proofs of your marriage with you?" asked the judge of Hale.

"I have not, your honor."

"How long would it take to procure and present them here in court?"

"That I cannot tell. It might be a few days, a few weeks or a few months."

"At what date do you claim to have married Frances Hardman?"

"To answer that question I shall have to refer to papers that are not now in my possession."

The judge turned to Frances.

"Is this man your husband?"

"I object," said Frances' counsel. "I desire time to confer with my client."

The objection was sustained, and the lawyer, going over to Frances, conversed with her earnestly, but in whispers.

"Is the man your husband?"

"Not to my knowledge."

"Do you remember any marriage ceremony, even in play, that has ever been performed between you and any one?"

"No."

"Have you any idea as to what is his object in claiming you as his wife?"

"No."

The lawyer thought a few moments, then said:

"I think I have an inkling of what it all means. He is a fine looking young fellow, isn't he?"

"Very."

"It may be necessary for me to make a bold stroke, or, rather, to follow up what I believe is a bold stroke of his own. If I ask you any question before the court answer in the affirmative. Will you do so?"

"My case is in your hands. I will act as you instruct."

"Very good. Now I shall interview the young man who claims to be your husband."

Going to Hale, the lawyer asked him his object in making a claim he could not substantiate. Hale gave his reasons.

"Who are you?" asked the attorney.

"I am Emery Hale, son of Judge Hale of the superior court."

"The deuce you are! I know your father well. I have tried many a case before him."

The lawyer took out his watch.

"Half past 11," he said. "Something must be done and done quickly. Leave the rest of the matter to me and maintain your claim."

Returning to the table on which was spread out his books and papers, the attorney called Emery Hale to the witness stand.

"You say," he said, "that this woman is your wife?"

"I do."

"That will do. Call Frances Hardman."

Frances took the stand. Most of her color had left her face, and her bosom was heaving tumultuously.

"Your name?" asked the lawyer.

"Frances Hardman."

"Your age?"

"I am twenty years old."

"Please take notice, your honor, that my client is of legal age." Then, turning to Frances again, he said, "Is this man," pointing to Hale, "your husband?"

The blood rushed tumultuously into the girl's face. She hesitated, cast a glance at Hale, lowered her eyes to the floor and said in a low voice:

"He is."

At this moment the object of these questions and answers got into the head of the opposing counsel. Jumping to his feet, he cried:

"I object!"

"You may sustain or refuse to sustain the objection, your honor, as you like," said his opponent. "It makes no difference in this case. My client has complied with the conditions of her father's will. She has been legally married to Emery Hale and is now Frances Hardman Hale. I do not think your honor or any one else will deny that in accordance with the laws of the land when a man in presence of witnesses acknowledges a woman to be his wife and she acknowledges him to be her husband they are married."

The lawyer who objected threw himself back in his chair with an exclamation, and his client, who by this time was coming to understand what had been done, was muttering curses.

When the denouement was understood by the spectators there was a cheer which the judge found it difficult to repress, and nothing would do but that the bride and groom should appear side by side, when there was a renewal of the uproar.

The improvised marriage turned out to be a very happy one, showing that, whether we take years or minutes to consider so important a step, we are still in the hands of fate.

# "ROSEY" DESERTS TANGLE OF LAW

New York Character Enters Clothing Business.

HE INVESTS, NEPHEW DIVESTS

Bar "Ain't What It Was Used to Be" Declares Dean of Essex Market Police Court, and "Individualism" Has Disappeared Entirely—Will Not Desert Pinochle Game, Though.

One of the legal lights of New York has retired—and gone into trade, too—in the person of Hyman Rosencella, known to thousands of "the masses" as "Rosey the lawyer."

For more than thirty-five years he practiced, chiefly in the Essex Market police court, in New York, but at the age of sixty-four he has formed a partnership with a nephew in the cloak and clothing business, because, as he says, "the law ain't what it used to be."

"Rosey" summarizes his career and legal maxims as follows:

"Born in the province of Posen, Germany, I came to this country in 1871 at the age of twenty-five or maybe twenty-six. Soon I entered upon the study of the law. I ain't so old but what I well my first case remember. A lady client had fallen downstairs and had sustained internal injuries.

Banana Skin First Case.

"A banana skin was on the staircase. The defense sought and besought to prove that the banana skin had been placed on the stairs subsequent to her fall and not consequent to it. They dastardly claimed that she had purposely, willfully, maliciously and irrelevantly herself dropped or caused to fall the banana skin on the stairs upon."

"I succeeded after a long battle, in which at one time I had seventeen law books stacked in front of me, in introducing in evidence the fact that my client did not like bananas and therefore could not have dropped the banana skin. I won the case, \$14 and a modest fame.

"But that was a long time ago, and nowadays we do not have such cases. We have these days a lot of people gathered in by the police, and it is raus with them quick. The individualism, the consideration of each case at length and the reviewing of it in its various aspects is all gone. Maybe in the supreme court it lingers yet, but not in our lower courts."

Clothing and Pinochle Left.

"Maybe I have made \$500,000 during my career. I shall be a silent partner in my nephew's business. I invest; he divests. The high cost of living it is a terrible thing. It is one reason having something to do with my retirement. I enter the clothing business and am assured clothes now, and any profit I make that can go for food so as the high cost of living shan't get me yet. But luxuries I cannot allow myself—maybe a shower bath in the morning, followed by golf, a brisk game of pinochle, that is all; a placid existence, but one I shall love.

"Yes, for a young man to go into the law is overworked. But any young man will succeed if he will only practice my own motto, which is, 'Make the most of what you have, while at the same time not neglecting to take every step to get more.' That is a splendid rule which I am only glad to recommend to the youth of America and no charge. It is a favor."

The Exclusiveness of Caste.

An English officer who some years ago was wounded in a battle in India and left lying all night among the native dead and wounded tells this story: "Next morning we spotted a man and an old woman, who came to us with a basket and a pot of water, and to every wounded man she gave a piece of jounce bread from the basket and a drink from her water pot. To us she gave the same, and I thanked heaven and her. But the Soobadar was a high caste Rajput, and as this woman was a Chumar, or of the lowest caste, he would receive neither water nor bread from her. I tried to persuade him to take it that he might live, but he said that in our state, with but a few hours more to linger, what was a little more or less suffering to us—why should he give up his fate for such an object? No; he preferred to die unpolluted."

The arrow that pierces the eagle's breast is often made of his own feathers.

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