ACTING SAVES LIVES.

COUNSEL FOR MURDERERS EMPLOY THEATRICAL METHODS.

How Lawyers Who Defend Criminals Strive to Make an Impression on the Sympathies of Jurymen—Some Notable Cases Where Lawyers Succeeded.

For years it has been generally known among lawyers that all sorts of desperate and theatrical devices are constantly resorted to in order to save the lives of accused persons. But Mr. Wellman was the first prosecutor to make the charge in open court and quote an instance to fortify his allegation.

Is the practice right or wrong?

Perhaps the most moving part of Lawyer William F. Howe's elegant summing up on behalf of Annie Walden was where he besought the jurymen to consider her youth, her beauty and her helplessness.

When Francis L. Wellman, assistant district attorney, began his summing up for the prosecution, he urged the jurors not to be moved by his adversary's emotional appeals. He called Mr. Howe an actor. He said:

"If you had seen him, as I have, go behind a woman defendant and pinch her to make her scream and so arouse sympathy, you would not be so much influenced by his theatrical display."

"Whom did Mr. Howe pinch?" I asked Mr. Wellman.

"Ella Nelson," was his prompt reply. "You recall that she had shot her lover dead because he was packing his trunk and preparing to leave her. She was on trial for her life. Mr. Howe got her acquitted.

"When he had got to that part of his summing up where he called upon the jury to 'look at her,' Ella was sitting behind a table, her face toward the jury, but resting in her hands. She had been weeping for some minutes, but now she was composed.

"'Look at that face!' pleaded Mr. Howe in impassioned tones. He strode rapidly behind her. Again he cried, 'Look at that face!' and as he did so he seized Ella's soft wrists in his strong hand and wrenched her arms apart. The woman screamed with pain and terror.

"That scream was enough to freeze the blood of anybody who heard it. I cannot help thinking that it had much to do with the verdict.

"I do not say that it is wrong for counsel to employ theatrical methods in defending their clients. I think it is part of the duty of the prosecuting officer to expose this sort of thing to the jury.

"Frederick B. House was defending a man named Becker in the general sessions. Becker had a clothing store in Baxter street. He arranged a candle so that when it burned down to a certain point at midnight it would set fire to a lot of bagging soaked with kerosene, and so burn the store and earn Becker a big amount of insurance. Firemen quenched the flames and so saved the lives of seventy-six men, women and children who were sleeping in the tenements above the store.

"When Mr. House summed up he was in a quandary. Becker couldn't understand one word in English, therefore how could the poor devil weep at the proper moment? That little difficulty was solved all right. Becker rested his face in his hands and peeped through his interlaced fingers at his eloquent defender.

"'Think, gentleman,' said Mr. House, 'if you send this wretched man to prison you will punish those innocent little ones.' At that instant Mr. House dropped his handkerchief.

"'Wow!' came a shriek from Becker. It began like the scream of a catamount. It died away in a long drawn wail and choking sobs. Becker's tears were like a shower. Mrs. Becker's and the little Beckers' tears were a cloudburst. Human nature couldn't stand it. Juror No. 3 was a nice old fellow, retired from business and living at home surrounded by sons and daughters and chubby grandchildren. He broke down at the second drop of Fred House's handkerchief. At the third drop of the cambric the juror's tears gushed out beyond the railing. Answering sniffles and gasps came from two other jurors.

"It seems hard to believe, but it is a matter of record that in the face of the clear evidence against Becker the jury stood three for acquittal and nine for conviction. The tears and howls and the little Beckers saved the guilty man. And in proof of his guilt let me add that Becker was released under $3,500 bail, but he ran away, although the case was soon brought up for retrial.

"Often the question of makeup tests the counsel stage manager's ability and ingenuity. There was Alphonse Stephani, the young man who deliberately murdered Lawyer Clinton G. Reynolds for not surrendering Stephani's father's estate fast enough to be squandered. The defense was insanity.

"Perhaps you recall the Stephani who came to trial. Instead of the handsome, neatly dressed rich man's son, the jury saw a wild, unkempt creature, a Caliban in ugliness. Stephani's hair had been untouched by shears or brush for months. He had not bathed or shaved. He still wore the clothes he had on when arrested. His linen was in tatters and almost black. His outer garments were greasy and crusted with accumulations of spilled food. Stephani was a good actor. Not a word did he speak to any one. With large black eyes, as deep and mournful as Edwin Booth's, he stared gloomily at nothing. Lear was a model of sanity beside him. There was more or less testimony to show that Stephani had fallen off a pony very many years ago and hurt his head, and that he had always been high tempered, like any spoiled child. No one had bothered about his alleged insanity, though, until after he had killed his father's old friend.

"'Insane,' was the jury's judgment after listening to the testimony and watching the gloomy makeup of the prisoner. They found him guilty of murder in the second degree, and he was sent to prison for life. Today he is a neat, well behaved and short haired convict.—New York Herald.

UNDER A MOVING TRAIN.

Sensations of a Man Who Thought His Last Hour Had Come.

To fall under a running railroad train, to lie on the rail and see death approaching one at the rate of fifteen miles or so an hour and only a few feet distant, is an experience not given to many to be able to relate. Yet this is what happened to a Chicago man.

"How did it happen? What were you thinking about?" he was asked the other day.

"Well," he replied, "I had no time to find out how it happened, but I do remember a good many things that I thought of while it was happening. Now it seems utterly impossible to me that such a flood of thoughts could flash through my brain and leave their individual and distinct impressions as did in the almost immeasurable short space of time that I lay on the rail in front of those wheels. It is said that just at the moment of one's death the whole doings of a lifetime are held up for review in less time than it takes to wink one's eye. I can readily believe it.

"In less than a second I thought of the many railroad accidents of which I had read. It flashed through my mind that I had often seen men credited with willful negligence or reckless intention in allowing themselves to be killed or maimed, and there I was on the track ready to furnish another illustration. Yes, sir; there I lay, flat on my back on the rail and saw the wheels of the after truck of the car come rolling along and only a few feet away. It almost seemed as if I felt them crushing and grinding my bones, yet I had, it seems, time to think also of how easily a fellow gets killed.

"I thought how foolish it was to accuse others of foolhardiness in getting run over when I myself was about to become a horrible example. I thought of how often I had 'let up lightly' engineers and conductors and helped to take the blame from them and put it on the fellow who got killed. But my greatest regret, in the time I had to think, was that I had so often adversely criticised the man who got run over.

"Strange as it may seem, however, these were not half my thoughts. I realized that I was yet alive, in the best of good health, every bone and limb sound, so to speak, and the next instant I would, I felt, be ground into pieces and my flesh and bones spattered over the railroad track. There was no power in the world to help me, so it seemed; not all that the engineers or conductors or brakemen could do would be of any avail. Then it flashed through my mind that I was on the brink of the other world and I had not even a chance to make one repentant prayer. I wondered what it would mean for me.

"While these ideas were running through my mind I must have made some sort of an effort to escape. I have no knowledge of how I did it, but I did roll off the rail outward. The wheel caught my heel, though at first it seemed as if my foot was cut off above the ankle and I was powerless to move it. I managed to get onto my right foot and balance myself on that for a second, to get my thoughts together as to what I shoud next do. It has taken me ten or fifteen minutes to tell this thing, but it did not, I should judge, from the rate the train was going, take anything like a second of time for it all to happen."—Chicago Tribune.

Took His Word for It.

At the battle of Seven Pines or Fair Oaks the Fifth New Jersey, in connection with the regiments of the Second brigade and others, ably attested the universal confidence reposed in them by their commanders. Senator Wade, at Bull Run, said, "Give us a brigade of these Jerseymen and we'll beat the enemy still."

During the engagement of June 1 a Union soldier had his leg shot off by a ball from the enemy's artillery.

Captain Ramsey ordered one of his men (an Irishman from New Jersey) to assist the wounded man to the rear. Pat, while giving the necessary assistance, asked the man how and where he had been wounded.

"My leg was shattered by a cannon ball during the last attack," was the reply.

On the way to the hospital a fragment of shell took the already badly wounded man's head entirely off, unnoticed by Pat, who was carrying his comrade in his arms.

Upon arriving at the temporary hospital one of the surgeons, after looking at the man, said: "What did you bring this man here for?"

"Sure, Captain Ramsey tould me to," said Pat.

"Why, the man is dead; his head is completely shattered from his body," replied the doctor.

"His head, is it? Oh, the blaggard; shure and he tould me it was his leg, so he did."—New York Recorder.

How Chinamen Are Shaved.

The Chinese of San Francisco shave nearly every day. A queer little razor it is that they use, too. It is in no respect like our razor, except in the matter of the keenness of its edge. It is a wee bit of a blade, nicely curved into a semicircle. With this tool the Chinese barber scrapes the almost hirsuteless face of his customer and then shaves him around the ears and down the neck to the first bone of the spinal column. The rounded point of the razor is also inserted into the Celestial ear, and every ambitious hair that dares to show itself in the aricular lobe is clipped before it proceeds very far. The Chinaman, you know, is scrupulously cleanly about his ears. A growth of hair in them is considered a mark of low birth or of carelessness or ungenteel habits.—St. Louis Globe-Democrat.

Artistic German Currency.

The German currency is rather artistic. The bills are printed in green and black. They run in denominations from five to 1,000 marks. Their later bills are printed on silk fibre paper.—Golden Days.

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