

JUSTICE OFTEN BLIND

CIRCUMSTANTIAL EVIDENCE IN GREAT CRIMINAL CASES.

Some Notable Instances Which Go to Show That All Kinds of Evidence Is Liable to Cause the Innocent to Suffer, the Guilty to Escape.

SEVERAL hundred citizens who were examined in Judge Murphy's court as to their qualifications to try Theodore Durrant, stated that they would not convict a person on circumstantial evidence. Their repugnance for circumstantial evidence has occasioned considerable discussion throughout the state of California. Judges and lawyers are of the opinion that good circumstantial evidence is the best in the world, for "circumstances do not lie." The judges and lawyers may be right, but if the pardon books of the penitentiaries from Sing Sing to San Quentin were spread before our readers doubts would arise in their minds as to the efficiency of any kind of evidence. Every little white brief paragraph in the newspapers announce the pardoning of some unfortunate from state prison, it having been discovered that



GEORGE NELSON.

he was entirely innocent of the crime for which he was convicted. The books of San Quentin reveal a number of such cases, and yet the law not only grants no recompense to its living victims, but finds more. Here are a few sample cases: George Nelson, a fresco painter, had the pleasure of spending two years in San Quentin because his voice sounded like that of a robber named Dorsey, alias Thorn. He was charged with robbery, and attempted to prove an alibi by a Swede and his wife at whose place he secured his supper. Through fear of being implicated in the crime the Swede and his wife denied that they had ever set eyes on Nelson. Upon circumstantial evidence a Sacramento jury convicted him, and he was sentenced to ten years' imprisonment. Two years after ward two men, Shinn and Dorsey, were arrested in the East and brought back to the coast. It had been discovered that they, instead of Nelson, committed the robbery. Dorsey made a confession when confronted with proofs of his guilt. He is now in San Quentin. Nelson demanded damages for his sufferings and injured innocence soon after his pardon in 1891. A liberal legislature allowed him \$7,000, but the state never paid him the money. The best he secured was a little work on the state capitol.

Charles Dental, an old Frenchman, was convicted of murder in the second degree in Placer Co., Cal., and started to serve a life sentence on May 25, 1869. He was convicted on circumstantial evidence, and on July 10, 1885, he was released from San Quentin, it having been discovered that he was innocent and was convicted because he was poor and friendless, and unable to speak the



JOHN FUNELLA.

English language. Dental never even received as much as work on the state capitol as a recompense for his sixteen years of enforced idleness.

These are a few California cases, but California is not alone when it comes to making such grave mistakes.

In the summer of 1892 a jury at Waldron, Ark., found Abner Ray guilty of the murder of John Potts. The condemned man rose to his feet to protest his innocence. His limbs trembled, his face flushed, and he fell forward dead of heart disease. A moment later John Potts entered the court room.

In 1872, Maley of Harrisville, W. Va., was sentenced to life imprisonment for murdering his wife with arsenic. Twenty years afterward it was accidentally discovered that the poison was given to Mrs. Maley by the servant, through mistake, for medicine, and that, frightened at the result, she permitted Maley

to be convicted upon circumstantial evidence.

A few years ago John Funella was released from the Auburn, N. Y., prison by virtue of a commutation of his life sentence. He was convicted in Utica in 1886 of murdering Joe Pietrie, and on circumstantial evidence. It was subsequently developed that Funella's brother, Michael, committed the crime. Michael confessed to the murder and escaped to South Africa.

Samuel E. Wayman was convicted in 1890 of the murder of Emory Thayer at Avon, N. Y., in 1885. Nelson Schwartz, who swore against Wayman, confessed on his deathbed in Auburn prison in 1892, to the chaplain, that he alone committed the crime and that Wayman had not the slightest knowledge of it. Wayman had, in the meantime, been sentenced to death, but before the date for his execution arrived Gov. Hill commuted his sentence. A "judicial murder" was prevented, but still Wayman is in prison.

A French governess in a well known family had a rather peculiar experience last year in New York city. A diamond ring belonging to a daughter of the house disappeared. A search was made and the gem was found in the top drawer of a bureau in the governess' room. She was committed to the Tombs and subsequently convicted. A few weeks later the mother of the girl who owned the ring returned from the country and proved the governess' innocence. She went into court and confessed that she had been surreptitiously prowling through the governess' bureau drawers, and had dropped the ring there without knowing it. Of course the governess was released by "the angry judge," but the woman had been locked up with criminals for a few weeks, and was subjected to the insult of being photographed by a person who said he wanted pictures for a lecture on "Crime and Its Penalty."

A man named Bill Anderson swore in Ottumwa, Iowa, in 1883, that he and Christian McAllister near Blakesburg, Pleasant Anderson had murdered Iowa, in 1881. Pleasant Anderson denied the statement vigorously, but he was arrested and lodged in jail to await trial. In the meantime the farmers thereabout thought McAllister's murder should be more promptly avenged, so they held a midnight trial of Pleasant Anderson in a neighboring schoolhouse. They all wore masks. Anderson, of course, was found guilty and was hanged from a tree. About that time Daniel Miller, the superintendent of the Sunday school and a prominent worker in the church, was convicted of forgery. Before he went to prison he informed the sheriff that he would like to confess something. For some reason or another the sheriff would not permit anyone to see him. The grand jury met



PLEASANT ANDERSON.

and adjourned without indicting any of the persons who had helped to hang Pleasant Anderson. A number of years afterward the forger and Sunday school superintendent was stricken down in his cell. On his deathbed he confessed that he had murdered Christian McAllister, and that Pleasant Anderson had not even known anything about it. What good did the confession do Pleasant Anderson? He was dead.

In May, 1885, John Crew mysteriously disappeared from a little Michigan town. It was supposed that he had been murdered, and suspicion fell upon John Van Nimman, a brother-in-law of the missing man. Circumstantial evidence governed the prosecution of Van Nimman; he was convicted and sentenced to life imprisonment. He served ten years in the Jackson prison, Michigan. Crew was not dead at all. In his wanderings about the world he one day happened to read in an old paper the story of his murder by poor John Van Nimman. Thereupon in April, 1894, he set about to get Van Nimman out of prison. The unfortunate man has presented a claim to the state for his ten years' services.

A young New York butcher named David Wolfe was sentenced in 1887 to serve six years in Sing Sing prison for forgery. William Gross, who was in reality guilty of the crime, confessed after a few years and was sent to the Elmira reformatory. Wolfe's friends made a desperate effort to have him released from his undeserved agony, and retained a lawyer. Governor Flower pardoned him, but that was all.

In 1892 an assistant district attorney in New York city said he knew two men who had served seven years in Sing Sing, on sentences of fifteen and twenty years respectively, who were innocent. One of the men for whom the prisoners were "erroneously identified" confessed the crime on his deathbed. The attorney wanted to know how to get the innocent men out of prison. The law made all provisions to get men into jail, but none to get them out. The governor came to the rescue of the convicts.

Also, No.

Slim (superciliously)—"Some men are all muscle and no brains."  
Miss Tiller—"And some are not even vice versa."—Detroit Free Press.

THE WOMAN'S WORLD.

INTERESTING GOSSIP FOR MAID AND MATRON.

The Care of the Kitchen—The Girl That Pleases—Wherein French Women Excel—The Right Sort of Mother—Fashion Echoes—Herald Hints.

The cleanliness of all the kitchen furniture is of the greatest importance; more than in any other part of the house freedom from dust, etc., becomes an absolute necessity for the welfare of the family and the wholesomeness of the food. The larder, cupboards and receptacles generally should be regularly and frequently attended to, with method and conscientiousness. Copper utensils are by many deemed source of much extra work, but that can only be the case in kitchens where the different vessels are not thoroughly cleaned after each time of using. Procrustianism is an old-time enemy, and will not spare the cook or scullery maid any more than any one else. If copper and other shining metals, were properly dealt with every time they are washed up, the labor would not be worth mentioning. A mixture of bran salt and vinegar is excellent for brightening copper. It is especially the bottoms of cooking utensils that are often allowed to become quite black; and as they have to be placed on the fire repeatedly it is not necessary to clean them every time. Nothing hinders the proceedings more than the burnt substance in question. It is non-conductor of heat, and should be carefully removed. The aluminum articles, which are gaining ground in a good many places, are delightful in many ways, though their price is at present still somewhat prohibitive for many. They are very bright, durable and decidedly an improvement to the appearance of the shelves or pot-board. Hot water and soap are the best cleansers for that metal.

A set of brown jars, with covers to match, should be placed at the disposal of every cook; they are so convenient as receptacles for such things as sugar, rice, etc., and are no trouble to keep clean. The patent holder for lifting basins containing hot substances (which would otherwise be difficult to hold without the help of a cloth) is a great desideratum; it is a most practical apparatus, very strong and the clips are well padded with India rubber, so that the tightest grip will not break the china. Colanders, hair sieves, flannel bags



ARTISTIC TEA GOWNS.

for jellies, tammies and such things should be available in every household, and the greater the variety of food required by a particular family the larger should be the assortment of such necessary adjuncts to careful and dainty cooking. Here, again, cleanliness is absolutely indispensable; and when a sieve has been used it should be rinsed with boiling water. If not thoroughly washed at once, as many things ruin the hair and wire if they are allowed to remain upon it. As to frying baskets, it is hardly necessary to suggest to our readers that they are invaluable; the advantage of using them has so often been brought forward in these columns that a simple reminder will suffice to prevent their omission from a list of cooking implements.

Very often the table knife, large or small size, has to do duty for a multitude of operations, whereas for peeling, for instance, for trimming fillets, cutlets, etc., totally different blades are required. Then, again, for slicing cucumbers etc., the little knife with the arrangement on the blade that determines the thickness of the slice is quite the most convenient thing to have, whilst for other purposes other distinct blades are almost a necessity. Of course, these implements are not really indispensable, but certainly they add in no small degree to the comfort of these using them.—Philadelphia Record.

The Girl That Pleases.

Popular opinion declares that a girl to please must necessarily be attractive and pretty. Experience, however, convinces one that the girl who pleases possesses a refinement, charm and grace essentially her own. In dress she is simple, neat and clean, and she never uses a pin where a button is lacking or a few stitches have been broken. Her hands, instead of being small and lily white, are usually red and large, and sometimes you will notice a roughness of the palms which mutely tell a tale of love and labor for an invalid mother, or, as sometimes is the case, work for an indifferent and cruel step-parent. But notwithstanding the size and color of her hand, her touch is soft and firm—a touch that sends a thrill of pleasure through you.

Whatever her duties are, she knows them, and does not quail if she finds them disagreeable and difficult. Her whole being is so full of cheerfulness and content that the weary mind her presence is like a ray of sunshine. She is the particular friend whom sunny persons, men and women, are proud to claim.

Unless you are willing, she never

talks, and when she does her conversation is very pleasant. But the moment she detects pain or displeasure she dexterously changes the subject without incurring a painful silence. She is greatly interested in your doings, and if you are in trouble will listen attentively without any criticism or rebuke, and very often will advise and warn you. Her success is mostly due to the fact that she is not



A Serviceable Hat.

introspective and self-conscious, but loving, kind, true, patient, gentle and meek.—Hypatia Boyd in Evening Wisconsin.

Household Hints.

Cold boiled rice, cut in slices and toasted until the surface is charred, is just as good as powdered charcoal for sour stomachs, and more palatable.

A bed room or sitting room furnished entirely in white enamel wood is apt to become very tiresome to the eye, and to break the monotony a few pieces of darker wood are used. Mahogany or cherry afford the most pleasing and decided contrast.



Tweed and Black Lace.

Large oysters are very nice baked in the shell. Dip them in melted butter, sprinkle with a little parsley chopped very fine, then with pepper, and put in the shells. Add to each a little lemon juice and a covering of fine bread crumbs, set the shells in a quick oven, and bake until the crumbs are browned. Serve in the shells.

A new filling for sandwiches made for company occasions has finely chopped almonds mixed with cold boiled chicken that is cut into tiny pieces. Season to taste with salt and pepper, and moisten with a little thick, sweet cream, until you have a paste that will spread nicely. Use with thin slices of either brown or white bread.



Fashion Echoes. Plaid silks and ribbons are in favor again. Effective in trimming and economical they undoubtedly are, as a little goes a great way. A garment all plaid is hideous, but a judicious use of it is exceedingly pretty.

Brass and steel ornaments will continue in use in buckles rather larger than good taste suggests. Buttons that look like brooches made of Parisian diamonds will be used for Louis XVI. hats and coats.

LIFE'S SUNNY SIDE.

SOME JESTS OF THE PASSING HOUR.

Bright Scintillations of Wit From the Pens of the Professional Fun Makers—Humorous Reading for Young and Old.

Some little time ago an elderly man called at the shop of a Mr. Muirhead, a jeweler in Glasgow, and said that he had come for his watch, which had been left to be repaired. As Mr. Muirhead had no remembrance at the moment of having done business with the man, he asked when he had left the article.

"Oh," said the other, "I didna leave it in this shop, for ye were over by in Nelson street when ye got it."

"That must have been a long time ago," said Mr. Muirhead, "for we left Nelson street in 1878; that is seventeen years since."

"But I left it wi' ye for a' that," said the man.

He was asked for the name and number of the watch, which he described, and on opening the repository it was found safe and sound.

Exactly twenty-two years had passed away since the man handed the watch in for repair, yet he called for it at the end of that time as if he had only left it the preceding week.—Pearson's Weekly.

Another Whiskey Trust.



They Understood Each Other. "Look here, you're drunk," declared Jones, as he confronted his bear-eyed cook. "What do you mean by coming home in this condition?"

The wobbling cook commenced to whimper.

"Sure, sir, I haven't touched a drop, I'm a self-respectin' decent lady, sir," she moaned. "Oh, that I'd ever see the day that I'd be tawid I was drunk."

"Oh, none of that. You can't fool me," growled Jones. "I've been there too often myself."

"Sure, then, Mr. Jones, we understand each other, don't we?" And the cook nodded her head and wiped away her tears and beamed on Jones.—San Francisco Evening Post.

Rather Unexpected Advice.

Her Mother—Bessie, dear, I am very sorry to see my little girl show such a lack of respect for her seniors. When a neighbor comes to call on us you should sit quietly and not speak unless you are spoken to. You do not mean to be disrespectful, I am sure, but you should think of the impression you are making on our neighbors, and you will try hereafter, I hope, to—

Bessie—You had better look out, mamma. You'll talk yourself to death. —Boston Transcript.

Biblical.



After Man Came Woman. Teacher—In what year was the battle of Waterloo fought? Pupils—I don't know.

Teacher—It is simple enough if you only would learn how to cultivate artificial memory. Remember the twelve apostles. Add half that number to them. That is eighteen. Multiply that by 100. That's 1800. Take the twelve apostles again. Add a quarter of their number to them. That is 1815. That is the date. Quite simple, you see, to remember dates if you will only adopt my system.—American Youth.

How He Judged Character. "So you want a situation?" said the business man.

"Yes, sir," replied the applicant. "Hum—do you ever go fishing?"

"Occasionally."

"When were you fishing last?"

"Day before yesterday."

"Catch anything?"

"Not a thing."

"You can come to work next Monday if you like. If you keep on telling the truth like that you may be a partner in the firm one of these days."—Washington Star.

Cruelty. "Oh, dear," sobbed Mrs. Humminum. "I knew 't would come to this, but I didn't expect it so soon."

"Has your husband been mistreated?"

ing you?" asked her visitor, solemnly. "Yes," she sobbed. "He says I want my own way all the time." "And won't he let you have it?" "That's the worst of it. He says that he doesn't care if I have my own way all the time; but that I won't make up my mind w'hat it is."—Washington Star.

An Appalling Condition. "Did you ride about Mexico celebrating her independence day just recently?" said Mr. Dolan.

"Oh, did," replied Mrs. Dolan. "An' phwat av it?"

"Oh, nothin' much. Only O'm glad O'd live there. Think av a country so much behind hand that the Fourth av July comes in Siptimber!"—Washington Star.

Not to Blame. "Hear the wild waves beating on the shore?" said the hotel clerk who has spasms of poetry.

"Yes," replied the landlord, who was looking over his profit-and-loss account; "the poor things ain't so much to blame; not after the example of those summer guests have set 'em."—Washington Star.

Jenious of Philadelphia. "What are you so cross about?" said one card sharp to another.

"That duffer did me out of \$10," he growled.

"That's nothing. You'll get it back off the next man that you meet."

"Oh, it isn't the money that makes me mad. It's the disgrace of the thing. The cove said he was from Philadelphia."—Detroit Free Press.

Professional Courtesy. Two doctors met on the street.

"I feel sorry for you. You ought not to be out in this kind of weather. You are a sick man," said Dr. Hister.

"I am feeling very well," replied Dr. Snonover.

"What doctor is treating you?"

"I am prescribing for myself."

"You shouldn't do that. You are liable to be arrested for attempting suicide."—Texas Siftings.

Artificial Leg for a Canine. Nearly a year ago a valuable Newfoundland dog belonging to Max Heale of Norfolk and valued at \$400 had one of his legs cut off by a coal train, and it was decided at the time to shoot the animal, but Dr. Ralph Bendon went to work and arranged a leather leg with such success that the dog now walks as well as ever.—Newport News-Commercial.

Would Necessitate a Tailor's Bill. "Smudley's best girl gave him a tall hat as a present on his birthday, and he's awfully embarrassed."

"Why, tell him to brace up and wear it."

"Oh, it isn't that; you see he has nothing but short coats to wear with it."—Chicago Record.

A Played-Out Cyclist. First Cyclist—Are you pneumatic-tired or cushion-tired? Second Cyclist—Damn tired!

Very Doubtful Assurance. Away out West: Conductor—See here, we don't stop at that station. Tenderfoot—But you see my ticket calls for you to stop there. Conductor (after a moment)—Well, let it go; we'll probably be held up along there somewhere, anyhow.—Chicago Record.

In the Alps. On reaching a certain point the driver turned round on his seat and observed to the passengers:

"From this point the road is only accessible to mules and donkeys; I must therefore ask the gentlemen to get out and proceed on foot."—Feuille d'Avie de Vevey.

Not Always Symmetrical. "Has Clara taken to wearing bicycle bloomers yet, Jennie?"

"No, not yet. I don't think she will, either. Do you, Mame?"

"No, those sawdust leggings they sell are so unreliable."—New York Recorder.

A Place for Everything. Its Mother—Oh, John, John! What shall we do? Baby has swallowed his rattle.

Its Father—Do nothing. Now he'll always have it with him, and we won't have to be forever looking for it when he cries.—Town and Country Journal.

Moved. Tourist—Everybody Irish here? Native—Yes. We used to have one Chinaman.

Tourist—What became of him? Native—He moved to make it unanimous.—Detroit Tribune.

Additional Torture. It will arrest com-

stages, and drive

amed. It is man-

er Medicine Co., 15

New York, and sold

for.

"What, again?"—Life.

When Ignorance is Blis-

She (dreadfully)—Only fancy a man, from to-morrow we shall be married. He (absentely)—Well, let's be happy while we can.—Illustrated Bits

MISSION SPANY, He (absentely)—Well, let's be happy while we can.—Illustrated Bits