

WAR HAS ESTABLISHED LAWS.

Bound To Be Respected By Belligerent Nations—Poison and Assassination Are Strictly Prohibited—Prisoners Must Not Be Punished For Trying To Escape—Under Certain Circumstances A Paroled Officer Must Return and Give Himself Up.

Our own war with Spain was of such short duration that it scarcely gave the American public time to become acquainted with the rules of civilized warfare. Therefore the questions which were agitated during the Transvaal war concerning the "legality" of the use of poison, the seizure of grain cargoes, the seizure of hospital trains, etc., have been little understood here, says the Cincinnati Enquirer. Perhaps there has been no complete understanding of them ever there, for the dispatches say that Gen. Cronje has found reason to

goods. Russians were allowed during the Crimean war to live quietly both in England and France, but in 1870 hostile strangers were ordered out of France at a few days' notice.

WAR'S PRIME OBJECT.

But war is not a relation of man to man, but of state to state, and its object, politically speaking, is the redress by force of a national injury, while from a military point of view, it is to procure the complete submission of the enemy as quickly and as cheaply as possible. There are certain laws of the game, the general principle being that in the mode of carrying on the war no

greater harm shall be done to the enemy than necessity requires for the purpose of bringing him to terms.

This principle excludes gratuitous barbarities and every description of cruelty and insult that serves only to exasperate the sufferings of or increase the hatred of the enemy without weakening his strength or tending to procure his submission.

Naturally the use of poison is prohibited; so is assassination; with regard to this latter point, a small force may penetrate into the enemy's camp, and take the general prisoner, or even kill him, without infringing any of the customs of war, or subjecting themselves, if taken, to be treated otherwise than as prisoners of war.

The enemy may be destroyed by all legitimate means, and the users of high explosives are as much entitled to quarter as anybody else.

NO RULE FOR NONCOMBATANTS.

A humane commander will endeavor not to hurt noncombatants, but no rule can be laid down on the subject. The United States instructions say that it is lawful, though an extreme measure, to turn back noncombatants, in order to expedite a surrender, when the commander has expelled them in order to have the less mouths to fill.

The enemy consist of first, armed forces; second, unarmed population. The former may be destroyed as long as they resist; the latter are immune, unless they divest themselves of their noncombatant character. Quarter should never be refused to men who surrender, unless they have been guilty of such violation of the customs of war as would of itself expose them to the penalty of death; and, even when so guilty, the should, whenever practicable, be taken prisoners, and put on

WAR THAT CLOSELY RESEMBLES MURDER.



This photograph of a British trooper of General Freese's army taking a shot at an unsuspecting Boer illustrates the nature of much of the fighting in South Africa. The scout remains concealed until he sees something to shoot at and then quietly picks off his man, who does not know from whence the bullet came. This kind of fighting, though it is perfectly fair, closely resembles assassination.

their trial, as it is seldom justifiable for a combatant to take the law into his own hands against an unresisting enemy. Of course, the wounded of the enemy are to be cared for second only to caring for one's own wounded. Prisoners may not be compelled to aid their captors in military operations, but they may be employed in any other manner suitable to their condition.

PRISONERS MAY TRY TO ESCAPE.

Unless they have given a promise not to attempt to escape they are justified in making the attempt.

In the act of escaping they may be shot or otherwise killed, but, if retaken, are not liable to any punishment for the attempt. On the other hand, a rising among prisoners in order to effect

LADYSMITH CAMP—IS IT DOOMED TO FALL?



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a general escape may be rigorously punished, even with death. A nation is not guilty of any breach of the customs of war if it refuses to exchange its prisoners, but detains them until the close of the war.

Prisoners who are released on parole generally pledge themselves against active service against the enemy during the existing war, but they may drill recruits, quell disturbances, or fight

AMBASSADOR CHOATE.



Our representative in London is in constant cable communication with Washington concerning the seizure of American foodstuffs by British warships at the Cape. The British backdown on Ambassador Choate's firm representations was a qualified one and further seizures may at any time reopen the question in a way that will strain the tension to the breaking point. The skilful handling of this delicate matter by Mr. Choate has so far prevented any actual display of warfare feeling between America and England, but much depends upon our ambassador's diplomacy in the future.

belligerents who are unconnected with the paroling enemy. Paroling is a voluntary contract; the captor is not obliged to offer to parole a prisoner of war, and a prisoner may, if he choose, remain in captivity. A prisoner who gives his parole has no authority to pledge himself never to serve against a particular enemy. The pledge must be confined to a limited time, and the laws of the prisoner's own country may make further restrictions.

PAROLES ARE INVOLABLE.

If a prisoner makes an engagement which is not approved of by his own government he is bound to return and surrender himself to the enemy.

A soldier cannot, according to the English practice, give his parole except through a commissioned officer. As a general rule a commanding officer has an implied authority to give his parole on behalf of himself and the officers and men under his command, but an inferior officer ought not to give parole either for himself or his men without the authority of a superior officer, if such an officer be within reach. A state has no power to force its subjects to act contrary to their parole, but it may punish those who have given their paroles contrary to the law of their country. A recaptured prisoner who has violated his parole may be punished with death. Such a course is unusual except in an aggravated case.

The noncombatant population of the enemy's country cannot be made to join the ranks; it has been the practice of war, sanctioned by necessity, on making reasonable payment, to compel their services as guides, drivers and workmen.

THE FOUNDER OF LADYSMITH SIR HARRY GEORGE W. SMITH

Sir Harry George Wakelyn Smith, Bart., who gave the name to the town of Harrismith in the Orange Free State, was descended from an old Cambridge-shire family residing at Whittlesey, in the Isle of Ely, some six miles from Peterborough. His father, a surgeon,

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And as the soldiers bore dead bodies by He called them untouchable knaves, un-mannerly.

To bring a slovenly unhandsome corpse Betwixt the wind and his nobility.

Sir Harry (like Hotspur)—Then all smarting with his wounds being cold To be so pestered with a popinjay.

Jumped out of bed and kicked the young doctor down the stairs. This was a breach of military discipline for which he was brought before the duke and admonished, but the duke secretly laughed at the circumstance. Sir Harry was at the siege of Badajos; here a very interesting incident occurred. He was standing with the general and staff when a Spanish countess and her young sister came to the general for protection. Sir Harry was smitten by the charms of the younger of the fair petitioners; this ripened into love, and she eventually became his wife—Lady Smith, from whom comes the name of the town of "Ladysmith," now so famous.

At Waterloo Sir Harry Smith was brigade major; his brother Thomas was adjutant of the Rifle brigade.

Sir Harry was a good soldier, and showed great skill and bravery in the Sikh wars. At the battle of Allwal (which was entirely his battle, and for which he was created a baronet, with a pension to Lady Smith), he defeated the Sikhs with great slaughter. Wherever he went there was fighting to be done, and he almost died in harness.

Lady Smith accompanied him wherever he went. She was at the battle of Chillianwallah, and received a medal, which is still in the possession of the family. Lady Gough was also at this severe fight.

On his return from his victories against the Sikhs a banquet was given him at his native place—Whittlesey. When returning thanks he quoted the well-known lines:

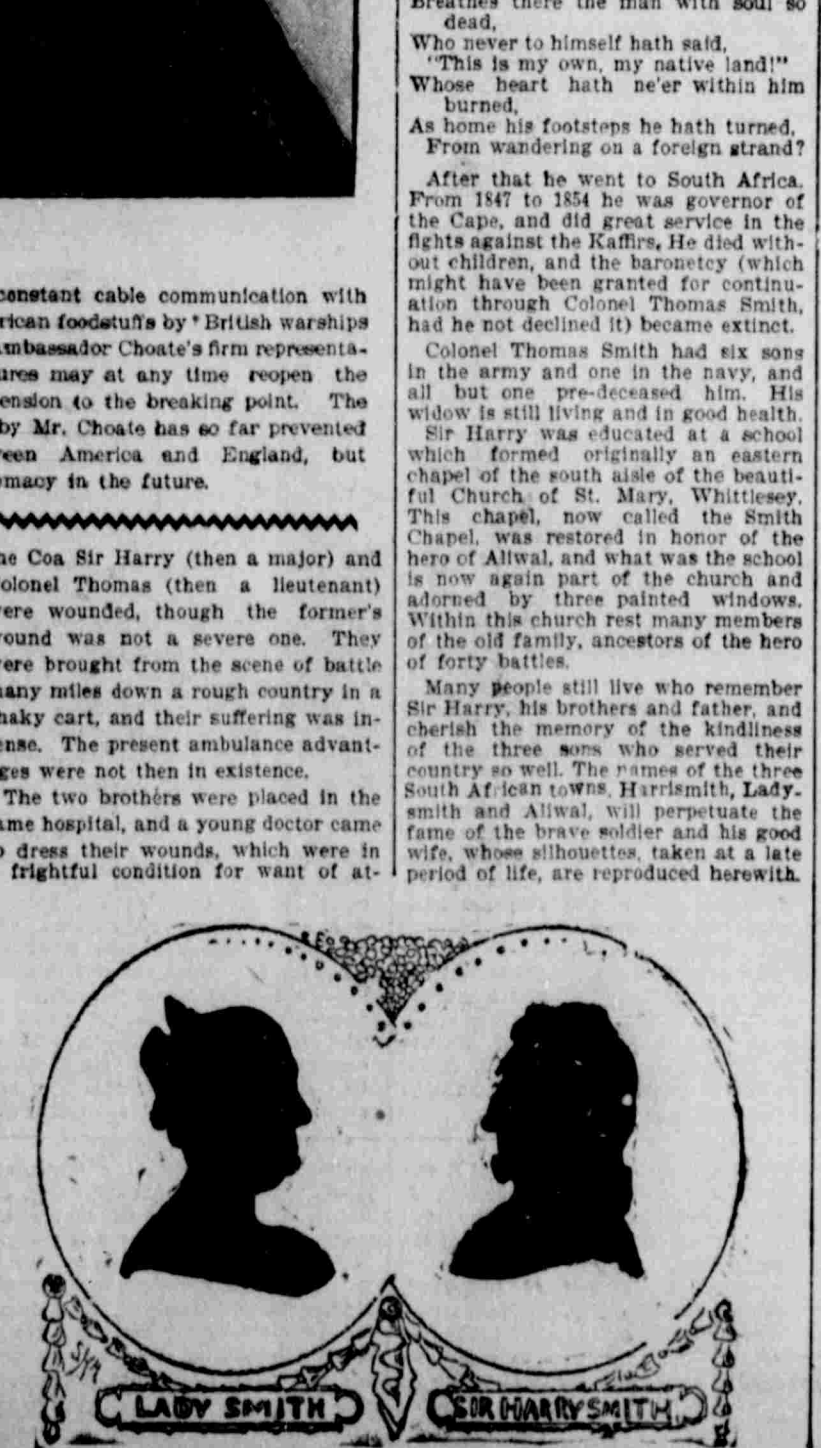
Breathes there the man with soul so dead,
Who never to himself hath said,
"This is my own, my native land!"
Whose heart hath ne'er within him burned,
As home his footsteps he hath turned,
From wandering on a foreign strand?

After that he went to South Africa. From 1847 to 1854 he was governor of the Cape, and did great service in the fights against the Kaffirs. He died without children, and the baronetcy (which might have been granted for continuation through Colonel Thomas Smith, had he not declined it) became extinct.

Colonel Thomas Smith had six sons in the army and one in the navy, and all but one pre-deceased him. His widow is still living and in good health.

Sir Harry was educated at a school which formed originally an eastern chapel of the south aisle of the beautiful Church of St. Mary, Whittlesey. This chapel, now called the Smith Chapel, was restored in honor of the hero of Allwal, and what was the school is now again part of the church and adorned by three painted windows. Within this church rest many members of the old family, ancestors of the hero of forty battles.

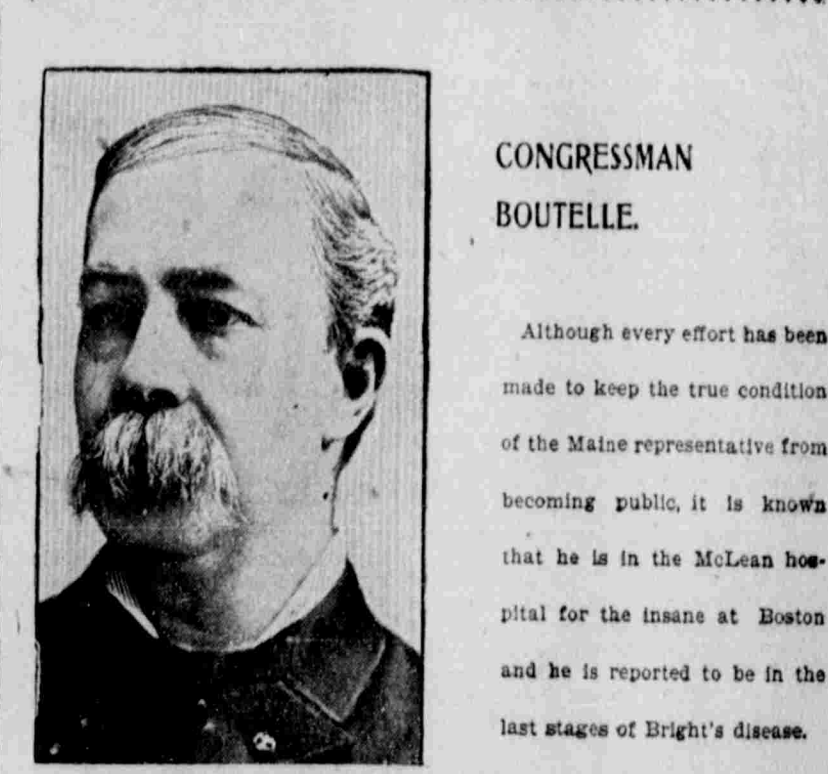
Many people still live who remember Sir Harry, his brothers and father, and cherish the memory of the kindness of the three sons who served their country so well. The names of the three South African towns, Harrismith, Ladysmith and Allwal, will perpetuate the fame of the brave soldier and his good wife, whose silhouettes, taken at a late period of life, are reproduced herewith.



RACE OF PEOPLE BEFORE THE CLIFF DWELLERS

Important Scientific Discoveries Made in Southwestern Colorado, Where Mounds Indicate that Millions of People Once Lived.

Thomas H. Wigglesworth, the veteran civil engineer who has assisted in the construction of a score of railways in the West, is in the city from his ranch in southwestern Colorado, says the Denver News. Rumors of railway construction brought the veteran from his seclusion, but while he has been absent from his former haunts, he has not been entirely idle. He has built several irrigation canals for the govern-



CONGRESSMAN BOUTELLE.

Although every effort has been made to keep the true condition of the Maine representative from becoming public, it is known that he is in the McLean hospital for the insane at Boston and he is reported to be in the last stages of Bright's disease.

ment in the newly opened Indian reservation. In the course of his work the interest of the civil engineer was aroused by the numerous ruins of a former race of men in the valleys, and he made observations which are both novel and interesting.

Mr. Wigglesworth is of the opinion, after studying the conditions for many months, that the cliff dwellers were not the only race inhabiting Montezuma and other counties of southwestern Colorado previous to the advent of the Indian. He has discovered what to him is indisputable evidence of an older human life. It is his opinion that the forerunners of the cliff dwellers lived in the fertile valleys and inhabited adobe houses instead of houses of stone. Evidence of such structures are distributed through scores of valleys and wide mountain canyons.

"The mud houses," said Mr. Wigglesworth, at the Albany Hotel yesterday, "occupied sites on the level ground and were surrounded by fields of grain. I have dug through mounds seventy-five feet long and thirty feet wide, which represent the remains of one of the large adobe structures.

TWO-STORIED BUILDINGS.

"In carrying forward the work on the large canal recently ordered by the government for the Utes we uncovered the foundation of a circular structure which had one story under ground. It is my opinion that the principal houses of these unknown people were two stories in height—one story above ground and one story below. The ruins which we excavated are perfectly round, and the foundation is as solid as the day it was completed. It was apparently built tens of thousands of years ago. I can point out hundreds of mounds of a nature similar to the one we opened. We uncovered the most beautiful vase of antique workman-

MAJOR ARMES BEING WATCHED.



Major Armes, the former United States cavalry officer, photographed above, is said to be organizing a large filibustering expedition in aid of the Boers. Major Armes, who lives in Washington, says he will go to the Transvaal at the head of a force of 20,000 men, many of them veterans of the civil war. The British government will request the United States authorities to prevent the expedition starting.