

the mere fact that uncanceled tickets of the value of \$3 or \$4 were found on the defendant when he came in on his train was not criminal. He claimed the discharge of the accused.

Judge Laney ordered that the defendant be discharged.

The prosecution stated that the case against George Chugg was not as strong as that against John, and the latter case, together with the charge against Mrs. Chugg, was dismissed.

THE "DEAD" CAME TO LIFE.

Some intensely interesting criminal law cases have been related to a representative of the *Omaha Bee* during the past week.

Judge Baldwin, with a career of more than forty years at the Bar, proved to be one of the most valuable contributors.

"One of the most remarkable cases that has ever come to my notice," said Judge Baldwin, "was that of the two Boorns, who were convicted years ago in the Supreme Court of Vermont, in Bennington County, of the murder of Russel Colvin. It appears that Colvin, who was a brother-in-law of the prisoners, was a person of weak mind, and was considered burdensome to the family of the prisoners, who were obliged to support him; that at the time of his disappearance, he was in a distant field where the prisoners were at work; and a violent quarrel had broken out between them, and that one of them had struck him a severe blow on the back of the head with a club, which felled him to the ground. Some suspicions arose at the time that he was murdered, and these suspicions were increased by the finding of his hat in the same field a few months afterward. These suspicions in progress of time subsided, but later, one of the neighbors having repeatedly dreamed of the murder with great minuteness of circumstance, both in regard to the missing man's death and the concealment of the remains, the Boorns were vehemently accused and generally believed guilty of the murder. After a close search, the pocket-knife of Colvin and a button of his clothes were found in an old open cellar in the same field in which he had last been seen, and in a hollow stump not many rods from it were discovered two nails and a number of bones believed to be those of a man.

"Just prior to their trial friends of the Boorns far about them said that the evidence against them was too unmistakably plain for them to longer hold out and urged them to make a clean breast of the entire matter, holding that if they did so they would undoubtedly get their sentence of death—which was sure to be the result of their trial—commuted to imprisonment for life.

"The men were tried and sentenced to be hanged. Their friends renewed their request that they make a full confession. One of them finally complied with the request, detailing a long story of just how the murder had been committed. The other confessed, but with great

reluctance and doggedness, and would not go into details.

"The one who had made the full confession had the sentence of death commuted, while the sentence of the penalty of the law was ordered carried out in the case of the other.

"As the day of execution approached the doomed man made a declaration that he and his brother had lied—lied outrageously—and that for his part he would not risk facing his maker with so awful a lie upon his soul. The declaration was received simply as an act of supreme cowardice in the face of death, and caused all but two or three of the most intimate friends of the maker of it to turn against him, so plain—to their minds and the mind of the entire community—was that both men were guilty beyond all possible doubt.

"The last sunrise but one for the doomed man was just flooding his Vermont home when, who should appear at the door but Russel Colvin—the man for the murder of whom Boorn was upon the morrow to be executed.

"The explanation of the whole matter," added Judge Baldwin, "is simple in its character.

"The two Boorns had jumped upon Colvin in the field and beaten him. He had escaped from them leaving his hat behind, and so overpowered was he with fear that he continued his flight until he found himself in New Jersey. At the last moment he had learned that one of his persecutors was about to be hanged as his murderer, and although he had suffered great brutality at his hands, Colvin immediately hastened back to save the unlucky fellow's neck. As for the confessions which the Boorns made—particularly the full and very explicit one—they were made for one purpose—that of trying to save their necks.

"While addressing the jury in a criminal case a few years ago," continued the Judge, "I found myself at a loss for a suitable story with which to illustrate the great and supreme need existing for calm judgment and a complete investigation, particularly when human life is at stake, and so I manufactured this one:

"A passenger train was pulling into the station of a little New England town. The engineer had seen many years of continuous service on that particular run and was known and honored as a reliable man, and it was known to an inch where he would stop his engine upon reaching the town.

"A great celebration was held in the town, one day, and when the train came in the track for fifty feet ahead of the point where the old-time engineer had always stopped his train was crowded with men, women and children, so great a confidence did all have in the power and rule of the old engineer to always stop his engine at the one particular spot.

"But on the festal day, when the train came in—horrors of all horrors! Instead of stopping at the usual spot, it plowed on through the dense mass of humanity, grinding the life from out of a score of human beings,

and stopping only when its wheels had found no more human blood to drink.

"Curses deep and black as were ever uttered were rained down upon the engineer. Then came cries of 'Lynch him! Lynch him!'

"A rope was procured, but before it could be wound about his neck some of the cooler heads in the mad-dened mob counseled less haste—advised that the 'fiend of an engineer' he given a moment or two to explain.

"With his face as white as a specter the engineer stepped to the platform of his cab, and looked the turbulent sea of infuriated humanity full in the face. But he was speechless.

"'Enough,' hissed the crowd. 'His crime has stricken him dumb! Put the rope about his neck—the bloody monster!'

"'Never! For God's sake, never!' shouted the fireman, whose trained eyes had been eagerly scanning the more important mechanism of the locomotive.

"'Here!' he continued, holding aloft a little broken bolt not an inch and a half in length. 'Here is the cause of the accident—a broken bolt at the throttle!'

"And so it proved to be, when those who had counseled discretion in the wreaking of vengeance upon the engineer had made an examination.

"I believe," concluded the Judge, "that I won one of the greatest cases of my life on that little bit of fiction, and what do you think! After court had adjourned, a fine-appearing, gray-haired old gentleman came forward and grasping my hand exclaimed:

"'You told the story well, Judge, you told it well! I was right in that crowd at the time of the accident and saw the whole thing.'"

THE TRULY BRAVE.

Who is the truly brave?

The boy with self-control,
Who curbs his temper and his tongue,
And though he may be big and strong,
Would scorn to do the slightest wrong
To any living soul.

Who is the truly brave?

The boy who can forgive,
And look as though he had not heard
The mocking jest, the angry word,
Who, though his spirit may be stirred,
Yet tries in peace to live.

Who is the truly brave?

The boy whose daily walk
Is always honest, pure and bright,
Who cannot lie, who will not flatter,
But stand up boldly for the right,
And shuns unholy talk.

Who is the truly brave?

The boy who fears to sin,
Who knows no other sort of fear,
But strives to keep his conscience clear,
Nor heeds his comrade's taunt or jeer,
If he hath peace within.

Who is the truly brave?

The boy who dares to pray,
And, humbly kneeling, seeks the face
Of God, and asks supplies of grace
To help him run the Christian race,
And walk in wisdom's way.

—The Churchman.