

THE HOTEL CLERK ON THE UNWRITTEN LAW

BY IRVING S. COBB

"Wot d'ye think about this here Unwritten Law?" asked the House Detective.

"Who—Teddy?" said the Hotel Clerk. "or do you mean the other Unwritten Law that's been adopted as a First Aid to Murder?"

"Wasn't the other kind," explained the House Detective. "Wot 'ye think of it?"

"Well, that depends," said the Hotel Clerk. "Not having said anything lately my mind is still open to conviction either way or both ways. But if the painful duty had devolved upon me of working seven or eight of those neat Colt's 45-caliber buttonholes in some fellow citizen's clothes while he was still wearing the clothes, I would undoubtedly be checking for the Unwritten Law in a clear, piercing tone of voice.

"I've noticed, Larry, that the people who've suffered the abrupt loss of relatives or close friends through the operation of the Unwritten Law in connection with an automobile gun or something of that sort, are not, as a rule, highly enthusiastic over its workings. But, of course, they are not to be more or less provided, and judging by the majority of the verdicts here lately, these sentiments cannot be shared by the citizens at large, not to say the murderers at large, that being the gratifying state in which most of our best-known murderers find themselves at this present writing.

"Twas some Southern Judge wot first set up the Unwritten Law, wasn't it?" asked the House Detective.

"I think maybe it was," said the Hotel Clerk. "But since 'twas brought East we've added many more improvements that it's own father wouldn't know it now if he met it in the middle of the Big Road. The hot-blooded Southerner was more or less primitive in his application of it, and besides he went on that great underlying principle of all North American homicide events that the dead man must have been to blame some how or he wouldn't be so dead. So let's kindly give everybody else a clean bill of health and go home from the Court-house relocking.

"But by lengthening it out so as to make it justifiable to shoot a man for writing much notes to your wife or somebody else's wife, or for having pink slide whiskers, or for wearing a top hat with a green veer, or for putting on tan shoes with a dinner coat, or for a great variety of other causes, we've given the Unwritten Law a great boost with all classes. Larry Burdette is still regarded as a debased calling, unless turned in connection with a railroad merger or a National bank; in which event it isn't burglary any more, and is merely a matter of yeomen in a deservedly unpopular as a group because of their utility per-



LEADING AUTHORITIES RECOMMEND CATCHING YOUR VICTIM ON A ROOF GARDEN WHILE WATCHING A PLAY.

sonal habits and bad table manners. But under the new dispensation, murder is rapidly becoming our commonest complaint and our National pastime, and our great combination in and outdoor sport all at the same time.

"You don't need to worry about an alibi any more. Alibis always were uncertain and liable to bog down in the middle at an unexpected moment. You don't need to waste your coin on alibi, because the best an alibi can guarantee you is an indefinite trip to the state bug and fish hatchery. You don't even have to spend time and money proving to the satisfaction of the jury that the deceased came to his death by catching a cold from the draught that blew through some pistol holes in a wall or that he succumbed to a chronic af-

fection of the heart, with which the mere incidental fact of your having shot a large, ragged convict in his diaphragm had absolutely nothing to do.

"Yes, sir, Larry, the unwritten law corrects those defects in the old-fashioned style of defense. It wouldn't do to try to write it now, because with all its phrases properly treated 'twould make a volume like the record in a Government suit, against the Standard Oil Company. There are so many different methods of execution, too, and that commends it to the careful and discriminating killer. Some of the leading authorities favor catching your victim while he's sitting on a roof garden looking at a play, and some insist that you can get the best general results by surprising him when he's in a bathing-

suit armed with nothing but the key to the bathroom door. But there's at least one old-fashioned firm who says that if you can slip up behind the other fellow when he's talking to a lady on the street, and plug him in the rear collar button with a soft-nose bullet, it's just the same as mauling a hundred acres. So, you see, all you've got to do is to pay your money

and take your choice, and you can't go far wrong if you pick the right kind of a lawyer."

"Why will a jury fall for the Unwritten Law guff when it's simply a case of cold-blooded killing?" inquired the Hotel Clerk.

"Well, it's customary for a jury to fall for something, Larry," said the Hotel Clerk. "and I suppose it might just as

well be a nice poetical, romantic, charitable ruse plea, such as the Unwritten Law that takes all the pressure off the brain, instead of a complicated defense like emotional insanity or dementia praecox. The names of sleeping cars and requires more or less thinking. Anyway, there's something about getting on a jury in a murder trial that appeals to the human intellect and leaves it in the deplorable state of a capized cup custard. You take the average juror before he gets to be a juror and let him see in his real estate office or his shoe store, or his delicatessen shop or his what not, transacting the ordinary affairs of life. And then let a gentleman slip inside in a frock coat, with a law book under his arm and as a preliminary to buying a lot or a pair of felt insoles or a liver-wurst or something, let this gentleman lean with a two-hour oration touching on the inherent love of home and country which burns in every human breast or should do so, unless the fire is defective, and then go on to speak of The Flag, The God and Old For-ies, and the Billows Blue Canopy of Heaven and the Bill of Rights and Paul Revere's Ride and the Last Days of Pompeii and few others perfectly pertinent topics. What would the proprietor of said premises do? Would he stand for it? He would not. He'd either call for the watch or else beat the man the counter, and the eloquent juror vacillating map with some of the portable desk fixtures.

"But when he's up for jury service, it's different. A Deputy Sheriff wearing a made the comes round and summons him and he goes to a courthouse and sits in a corridor where the wind blows free for a couple of days waiting for his turn. Why he mounts the witness stand and holds up his right hand and a court attendant says three hurried grunts at the solemn ceremony called administering the oath. After which he sits down in an exposed place where several hundred strangers can look at him and wonder why he wears that kind of whiskers. And while the sketch artists are drawing criminal libels of him, the lawyers on both sides and the Judge take turns asking him if he reads the papers, and if so, why, and has he got any opinions on this subject, or any other subject, and does he keep a cow, and did he ever vote the Hearst ticket, and are any of his children red-headed, and other similar questions; all this being done, d'ye understand, with a view to ascertaining whether he ought to serve in a murder trial. But after suffering great pain for awhile, he qualifies, and the Judge tells him that he is performing the highest duty of citizenship and that a great deal has been trusted upon him, and then, to show he means it, orders the Sheriff to lock him and his eleven fellow-malefactors up very tight and keep an eye on 'em."

"Well, after eight or nine weeks the prisoner's available cash begins to run low, and his learned counsel decides it's

time to close the case. So he makes the same summing-up speech that ad long array hair when the late Coke began the study of law. We've had improvements in everything else in the world, this last fifty years, except the speech that a lawyer makes to a jury in a murder trial. Probably it gave satisfaction the first time, and nobody has seen fit to change it since. It's partly the language of flowers and partly the defendant's little child and partly the flora and fauna of this hemisphere and partly the Declaration of Independence, and at rare intervals a little something, maybe, about the case itself. It's you or me, Larry, sitting at a safe distance, it sounds like the distressing symptoms of a man who's swallowed Webster's Unabridged and has then been seized with violent nausea, but if we're on a jury we sit there in the jury box, our faces ajar and our orbs bulged out, wearing the bright intelligent expressions of a school of goggle-eyed perch, and just sopping it up through every pore.

"So the Judge charged the jury in language that was expressly thought up by the Supreme Court with a view to keeping anybody from understanding a blamed thing about it. Now comes the Momentous Moment when the Fate of the Accused is Put in the Hands of His Twelve Jurors. See any reliable newspaper headline? The jurors retire. The prisoner endures the frightful strain as best he may by taking a refreshing nap in the sheriff's office, and the alert newspaper reporters, ever upon the qui vive to catch the fastest word, go off somewhere and play 5-cent limit poker. And thus the breathless world awaits the verdict.

"And what do the conscientious and intelligent jurors do? 'I'll tell you what they do, Larry. They go into the jury room and after the foreman has looked at his watch to see when he can catch a train for home, somebody says: 'Why should we mix into this unhappy affair? The prisoner at the bar never did anything to me, and he's never done anything in the extreme and the chair not much better. Besides deceased might have been dead anyhow by now—'he lived on an automobile road and had a patent medicine as the evidence showed. So it being none of our business anyway, I move that we do it' asks one of these overly particular jurors who sometimes keeps a murder jury out for as long as an hour and a half. 'We'll lay it on the Unwritten Law,' says the quick-witted foreman. 'Fine,' says the first speaker. 'Let us now give three cheers for the dear old Unwritten Law.' And in 15 minutes from that time, Larry, the acquitted man, with the glad cries of the local populace rising in his grateful ears and the red-checked vindicator still damp upon his cheeks, is on his way to the nearest hardware store to see what improvements the Smith & Wesson people have thought up while he was in jail. 'Sometimes it seems to me like it might be a good idea to lynch a few murderers,' said the House Detective.

"Or a few jurors," said the Hotel Clerk.

THE BIG DOBBY A BLANK BY EDWARD FOR

SAY, what do you make out of this pluto-inventor business, anyway? Has the big-money bunch got us down on the mat with our wind shut off and our pockets inside out, or is it just campaign piffle? Are we ghost dappin', or wait dreamin', or what? It sure has me twisted up in a knot, and I don't know whether I stand with the criminal rich or the predatory poor.

"That's all on account of a little mix-up I was rano into at the Hotel Perazzar the other day. I've been thinkin' it over since, and it's left me with my feet in the air. No, you didn't hear anything about it in the papers, but say, there's more or less of it in one of them big joints every week that would fill a whole issue.

"Look at the population we've got—over two thousand, countin' the help! Why, drop us down somewhere out in Iowa, and spread us around in separate houses, and there'd be enough of us for a third-class car, and a police force and a board of trade. Bunched the way we are, all up and down in stories, with every cubic foot accounted for, we don't cut much of a figure except on the checkbooks. You hear about the Perazzar only when some swell gives a fancy dinner, or when he gets frisky in the public dining-room.

"And anything in the shape of noise soon has the muffer put on it. We've got a whole squad of two-handed, soft-spoken gents who don't have anything else to do, and our champagne runner extinguisher is Danny Reardon. He sees the crowd in the cafe, you might think he was a corporation lawyer studyin' how to spend his next fee; but let some amateur try to get on the pedestal, or have Danny get his eye on some Bridgport dressmaker drawin' designs of the latest Paris fashions in the tearoom, and you see him wake up. Nothing seems to get by him.

"So I was some surprised to find him havin' an argument with a couple of parties away up on our floor. Anyone could see with one eye that he was a pair of but-lins, and I was sure that the gent in the black frock coat and the white tie had sky pilot wrote all over him; and the Perazzar ain't just the place an out-of-town minister would pick to stop at, unless he wanted to blow a year's salary into a week's board.

"Anyway, his running mate was a dead give away. He looked like he might have just left a bench in the Oriental Lodging-house down at Chatham Square. He's a thin, sawky, pale-haired youth, with tired eyes and a limp lower jaw that leaves his half open all the time; and his costume looks like it had been made up from back-door contributions—a faded coat three sizes too small, a forty fat vest, and a pair of shiny black whipcord pants that some one had been married in about twenty years back.

"What gets me is why such a specimen should be trillin' around with a clean, decent-lookin' chap like this minister. Maybe that's why I come to take any notice of their little debate. There's some men, though, that you always give a second look at, and this minister was one of that kind. I was sure he wasn't until I see how he tops Danny by a head that I notices how well built he is, and I figures that if he was only in condition, and knew how to handle himself, he could put up a good lively scrap. Something about his jaw hints that to me; but of course, him bein' a Bible-pounder, I don't expect anything of the kind.

"Yes, I understand all that, Danny was tellin' me; but you'd better come down to the office, just the same. 'My dear man,' says the minister, 'I have been to the office, as I told you before, and I could get no satisfaction there. The person I wish to see is on the ninth floor. They say he is out. I doubt it; and, as I have come 400 miles just to have a word with him, I insist on a chance to see him.' 'Sure!' says Danny. 'You'll get your

chance, only it's against the rules to allow strangers above the ground floor. Now, you come along with me and you'll be all right. With that Danny gets a grip on the gent's arm and starts to walk him to the elevator. But he don't go far. The next thing Danny knows he's been sent splinin' against the other wall. Course, he wa'n't lookin' for any such move; but it was done slick and prompt.

"Sorry," says I, "but I must ask his cuffs back in place; but I must ask you to keep your hands off."

"I see what Danny was up to then. He looks as cool as a soda fountain; but he's red behind his ears, and he's fishin' the chain nippers out of his side pocket. I knows that in about five minutes the gent in the frock coat will have both hands out of business. Even at that, it looks like an even bet, with somebody gettin' hurt more or less. And if he didn't hate to see that spunky minister get muzzed up, just for objectin' to talking the quiet run out, so I pushes to the front with my hand to the parson, as though he was some one I'd been lookin' for. 'So you showed up, eh?—why—er—'

"Yes, I know," says I, leadin' him off. "You can tell me about that later. Bring your friend right in; this is my room. It's all right, Danny; mistakes will happen."

"And before any of 'em knows what's up, Danny is left outside with his mouth open, while I've towed the pair of strays into our sittin' room, and shoed Stades out of the way. The minister looks kind of dazed; but he keeps his head well."

"Really," says he, gazin' around, "I am sure there must be some misunderstanding." "You're right," says I, "and it was gettin' worse every minute. About two shakes more, and you'd been the center of a local disturbance that would have landed you before the police sergeant."

"Danny had the bracelets all out," says I. "The conundrum is, though, why I should do the goat act, instead of lettin' you two and now I guess it's up to you to give an account." "H'm," says he. "It ain't quite clear; but while you have, in a way, made yourself responsible for me, may I ask whom I have to thank for—"

"I'm Shorty McCabe," says I. "I can guess why," says I. "But now let's get down to how you two happen to be loose on the seventh floor of the Perazzar and so far from Mossy Dell."

of the late Loring Rankin, president of the Consolidated—

"That's Bobby Brut," says I. "Don't you catch onto the Brut, eh? You would if you read the champagne labels. Friend of yours, is he?"

"But right there the Rev. Mr. Hooker turns balky. He hints that his business with Bobby is private and personal, and he ain't anxious to lay it before a third party. He'd told 'em the same at the desk, when some one from Bobby's rooms had 'phoned for details about the card, and then he'd got the turn-down. But he wa'n't the kind that stayed down. He's got to see Mr. Rankin or be at the bines ahead upstairs; and Danny, it seems, hadn't got on his track until he was well started.

"Excuse me," says I, "but you're missin' the point by a mile. It ain't how long you want to stay, but what you're here for. You got to remember that things is run different on Fifth-avenue, from what they are on Fearless-st. Mossy Dell. You might be a book agent, or a bomb-thrower, for all the folks at the desk know. So the only way to get next to anyone here is to show your name on take the decision. Now if you want to try runnin' the outside guard again, I'll call Danny back. But you'll make a mess of it. He thinks that what ever for a minute, lookin' me square in the eye all the time, and all of a sudden he puts out his hand."

"You're right," says he. "I was hot-headed and let my zeal get the better of my common sense. Thank you, Mr. McCabe."

"That's all right," says I. "You go down to the office and put your case to 'em straight."

"No," says he, shruggin' his shoulders, "that wouldn't do at all. I suppose I've come on a fool's errand. Kromacher, we'll go back."

"I don't know," says I. "I've adopted a big fancy."

"But say, he's so dead in earnest about it, and he talks so sensibly about other things, besides appearin' so white clear through, that I can't help likin' the cuss."

"Look here," says I. "This is way out of my line, and it strikes me as a batty proposition anyway; but if you're still anxious to have a chin with Bobby, maybe I can fix it."

"Thank you, thank you!" says he, givin' me the greatest of grips. "It's a good deal easier than I'd thought. All I does is get one of Bobby's rattles on the house 'phone, tell who I am, and say I was 'thinkin' of droppin' up with a couple of friends for a short call, if Bobby's agreeable. Seems he was, for inside of two minutes we're on our way up in the elevator."

"Got any idea of the simple way a half-baked young plute can live in a place like the Perazzar? He has a special use—about 20 rooms, I should judge—and there was hired hands standin' around in every corner, and a pilot in over the Persian rug, with the preacher blinkin' his eyes to keep from seein' some of the statuary and oil paintings."

"An' when he comes to a big room with an eastern exposure, furnished like a show window, Sittin' at a big mahogany desk in the middle is a young chap in a padded silk dressin' gown, and I remembers him for the Bobby Brut I used to see floatin' around with the Tray-Mages at the lobster parlor."

"He has a couple of decks of cards laid out in front of him and I guess he's havin' a go at Canfield solitaire. Bobby Brut, he stands a soldier-faced jockey who holds up his hand for us to wait."

"Bobby don't look up at all. He's shittin' the cards, and he tries to be nervous. All of a sudden the jockey claps his hand down on a pipe and says, 'Beg pardon, sir; but you can't do 'em yet. You just wait till I get my animals trained. You wait!' Then he claps his hands and hollers, 'Atkins! Set 'em going!'

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