

The Scrap book.

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THE SCRAP BOOK

Vol. III.

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CONCORD—APRIL 19.

BY RALPH WALDO EMERSON.

A Hymn Sung at the Dedication of the Monument at Concord, Massachusetts,
April 19, 1836, on the Sixty-First Anniversary of the Engagement
that Marked the Opening of the Revolutionary War.



Y the rude bridge that arched
the flood,
Their flag to April's breeze
unfurled,
Here once the embattled farmers
stood,
And fired the shot heard round
the world.

The foe long since in silence slept;
Alike the conqueror silent sleeps;
And Time the ruined bridge has swept
Down the dark stream which seaward creeps.

On this green bank, by this soft stream,
We set to-day a votive stone,
That memory may their deed redeem,
When, like our sires, our sons are gone.

Spirit, that made those heroes dare
To die, or leave their children free,
Bid Time and Nature gently spare
The shaft we raise to them and thee.

Talks With Our Readers.

In this Department the Editor of THE SCRAP BOOK Answers
Letters, Replies to Criticisms, and Chats Informally With
Those Who Read the Magazine.

A CORRESPONDENT, writing from Kalamazoo, Michigan, asks a question which we answer with pleasure:

It would be appreciated if you would explain in THE SCRAP BOOK the origin of the legal expressions "admitted to the bar" and "before the bar."

Some Legal Questions.

These terms are of English origin. The "bar" in question is the barrier or railing which separates the judge and the other officers of the court from the rest of the court-room. In earlier days, the parties to a suit presented themselves before this bar, accompanied by their counsel. A lawyer, after keeping the required number of terms at the Inns of Court, and passing a satisfactory examination, was then entitled to appear before the bar on behalf of a client, or, in other words, he was "admitted to the bar." The English word "barrister" suggests the technical meaning of this word.



LEGAL questions seem to be interesting a good many of our correspondents at the present time. Here, for instance, is a letter from a gentleman in Asheville, North Carolina, which we print in full:

Law, Written and Unwritten.

As a lawyer I should like to except to your definition of "unwritten" law in the February number, as misleading. You say "an unwritten law is that which derives its force from the practically unanimous sentiment of any community, when it has not been formulated by any legislative body and set upon the statute book."

Now, historically speaking, the ancient law of England was divided into the *lex scripta* and the *lex non scripta*. The latter, or unwritten law, was supposed to reside in the "breath of the judge." It grew up from immemorial custom, and some of our States to-day have no written statute defining larceny, arson, etc., but only the punishment therefor, the definition being well known for centuries. The "unwritten law" which your correspondent wants to know about is something entirely different. A sentiment which condones the illegal hanging of a horse-thief without trial when the statute prescribes something else, is not law, but rather anti-law, because it is a well-settled rule of construction that the *lex scripta* when enacted always supersedes the unwritten law.

A more accurate definition of the term "unwritten law," in the sense in which the Altoona lady no doubt means to use the term, would be a custom generally accepted by the community which permits or condones a punishment for an offense, which punishment is contrary to the law of the land.

The distinction which this gentleman makes between the written and the unwritten law is, of course, historically correct, and represents the strictly legal view, though what he calls "unwritten law" is more usually known as the "common law." The question, however, which we answered in the February number was

to have the assistance of any reader who can help us. Here, for example, is a letter from Oswego, New York :

"Shakespeare at Rocky Gulch."

I desire asking a personal favor of you. Some years ago I picked up in a hotel in Idaho a copy of what I remember as the *Northwestern Magazine*—possibly I am mistaken in the title. In it was a short skit which I consider the wittiest short skit I ever read. It was entitled "Shakespeare at Rocky Gulch." I believe it was by that admirable writer, William Wallace Cook.

Mr. Cook, to whom this letter has been referred, informs us that he does not recollect having written such a story. Perhaps, therefore, some of our readers can supply the missing information.

The second inquiry comes from Columbus, Ohio :

I am a constant reader of *THE SCRAP BOOK*, and I want to inquire about an old book that I read fifty years ago, "The Pirates' Own Book." It was of about six or seven hundred pages, octavo size, containing the life of Kidd, of Vincent Benevides, of the Ladrone pirates, and of Chinese pirates—in short, the history of all the pirates of the world. The book was circulated mostly on the steamboats on the Western rivers. At that time these boats were the chief modes of travel.

We must confess that we cannot at present answer this interesting question. If there happens to be among our readers any specialist in piracy and piratical literature, or any former pirate who has retired from business, whatever information he may give on the subject of this book will be thankfully received no less by ourselves than by our correspondent in Columbus. He also asks about another work entitled "Lives of Highwaymen," and about a pamphlet published in 1856, called "Desperadoes of the New World," by one Charles Summerfield, of Texas.



WE had supposed that "Crazy Lulu" was finally restored to the legal gentleman in Tekamah, Nebraska, through the kind offices of a reader whose letter was published in our last issue. It appears, however, that this affair is not wholly settled as yet. A clergyman writes us to inquire whether the aforesaid legal gentleman is not mistaken about the young person's name. He writes :

Two Demented Young Ladies.

Is not the poem in question one called "Crazy Agnes," which I wrote at about the time to which he refers?

We really cannot take the responsibility of answering this question. The whole thing is getting much too complicated. Whether she was Agnes or Lulu we do not know. The only fact that seems to be thoroughly established is that the lady was not quite right in her mind.



A SUBSCRIBER in Meriden, Connecticut, sends us the following inquiry :

Can you tell me who invented the universal language called Esperanto? Also, can you give me an outline of the language? I hear a great deal about it in these days, and wish that *THE SCRAP BOOK* would supply some information.

Esperanto was invented by a Russian scholar named Zamenhof, who about 1887 put forth a sketch of it over a pseudonym, "Dr. Esperanto" ("Dr. Hopeful").

The Esperanto Movement.

This sketch was translated into English by an American named Phillips, and was published in this country in 1889. In 1891, Zamenhof published at Nuremberg a more elaborate work, which is the basis of all the books that have since been written on the subject. The space at our disposal does not permit us to summarize the principles of the language here; but we refer our questioner to the book by J. O'Connor, entitled "Esperanto; The Universal Language," which appeared from

the press of the F. H. Revell Company in New York in 1903. This book contains a grammar of the language, a collection of practical exercises in its use, and two vocabularies.

We have under consideration the establishment of a department in this magazine relating to Esperanto, and we should be glad to learn from our readers whether they would be interested in such a department.



AN Iowan who signs himself "Boswell" has a grievance, and also a touch of hero-worship, both of which are apparent in a letter which he has written to us and which we proceed to publish at full length:

Iowa's Doughty Governor.

In the January number of *THE SCRAP BOOK* there is to be seen this heading, "What January will bring." I fail to find enumerated therein anything about Iowa. It is true that a Governor was installed in office in this State. It is true that he is a Republican, and it is true that he has probably more enemies in his own party, and more partizans following his banner, than any other individual in American politics to-day. As an orator, he is second to none in the United States, and we have heard New England's and the South's matchless orators. As a lawyer, this Iowa Governor, ere he entered politics, stood at the very head of his profession, and was acknowledged to be one of the ablest jury lawyers in the State that produced a Dillon, a Wright, a Cole, and a Wilson. As a politician, he has already shown that the nation's ablest are but ponds (*sic*) compared with this prince of political diplomats. Senator Elkins will second this statement.

This Governor's speech on the field of Andersonville Prison was one of the most eloquent ever delivered in the world. His pen utterances and reviews show him to be a man of the highest brain-power, skilled in mental resources. In personal appearance he is to-day probably the handsomest man in public life in the world. His voice has all the charms of a beautiful woman's, and his eyes the liquid depths of a deer's of the forest. In personal courage he has led the forlorn hope, faced frightful odds, rallied the flagging line, caught up the trailing banner and carried it by his own power and valor to victory. The name of this man and Governor is Albert B. Cummins. I presume you never heard of him.

Naturally, we have heard of him. It is rather cruel to suppose that we have never heard of a prince of political diplomats, in comparison with whom the nation's ablest are but ponds. (A striking metaphor, that!) Our failure to mention the inauguration of the Governor of Iowa was due to an oversight which we greatly regret. In fact, we have discontinued the department of announcements, for the reason that we found it practically impossible to secure, sufficiently far in advance, material that would be of interest in the West and South. But surely, Governor Cummins has lost nothing by our omission, since that omission has called forth so glowingly eloquent a tribute from "Boswell." We can honestly say that we have never read any more remarkable piece of rhetoric.



HERE is a question which is often asked but which we are requested once again to answer:

Is it correct to talk about a "Welsh rabbit," or should it be "Welsh rarebit"? I have an impression that this question may have come up before, but I don't know how the best authorities have decided it.

The best authorities are somewhat cautious about deciding it in a positive way. We believe, however, that "Welsh rabbit" was the original form. Toasted cheese

Welsh Rabbit Or Rarebit?

is proverbially a dainty that is relished by the Welsh; and so this article of diet was humorously called a Welsh rabbit just as frogs are sometimes spoken of as "French chickens," and as codfish are often styled "Cape Cod turkeys." Later on, some purist without any sense of humor and with a fondness for etymology probably came along and invented the explanation that "rabbit" was corrupted from "rarebit."