



# THE CURSE OF THE HERETIC

BY

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ILLUSTRATIONS BY ROLLIN KIRBY

THE old priest said: "My child, make not cast-iron rules, ever. Or, if occasion arise when you think you must make them, seize the earliest opportunity that your returning good sense presents to smash them again. To make them, I suppose, is human, even Christian-like; but to break them, divine.

"I have made them once or twice in my own life," he said, "and solemnly vowed to keep them. I always broke my vow without compunction. The last time that I dealt in the rigid cast-iron article was when I took up the Mission in a settlement, mainly German, in the back woods of Wisconsin — a parish that went by the not choice but appropriate name of Hobson's Hole. It was a God-forsaken tract

of country, sure enough; and Hobson deserved ill of his kind for first creating this hole.

"I wasn't the first priest sent to Hobson's Hole. There was an old man, a French Canadian named Perier, sent there before me — an old man who died after five years of it — died, practically speaking, of starvation; for the settlers who drifted into Hobson's Hole considered, to use the expression of one of them, that they had struggle enough on their hands without fighting the devil also, and they didn't want to prejudice that gentleman against them by subsidizing a priest. They fell into careless, slovenly habits in Hobson's Hole. They lost energy and ambition, and fast retrograded toward aboriginal conditions.

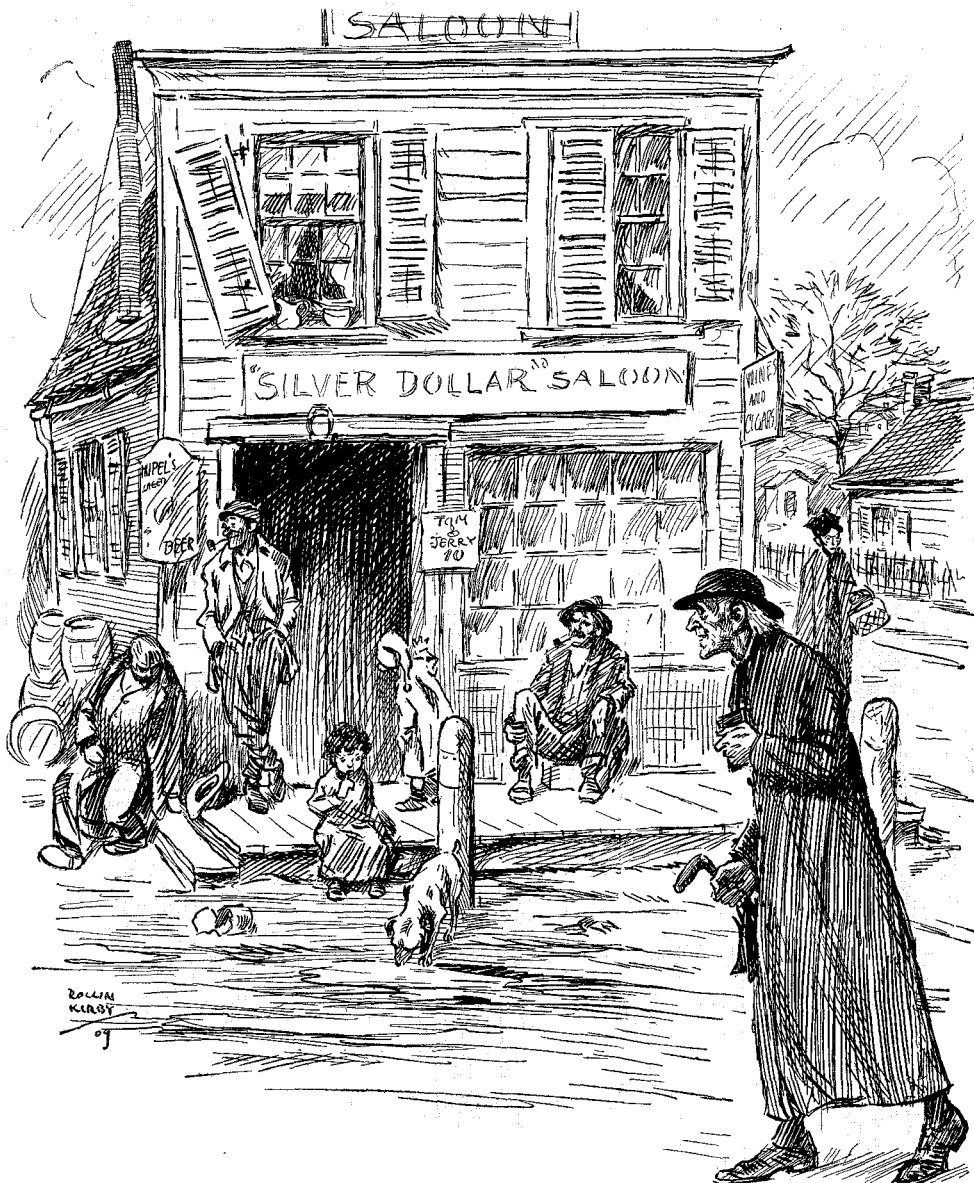
"As the poor old French Canadian who had

been sent there had practically to be supported out of a diocesan fund on which there were already too many calls, the Bishop, properly enough, resolved to send no successor to the man who had died; because he could not support one, and the parishioners evidently didn't want to support one.

"But, behold ye! twelve months had not passed when they were brought to their senses in Hobson's Hole, and realized that, after all, no matter how carelessly they lived, a priest was a mighty consoling thing to have within call

when they made up their minds to strike the long trail. So they petitioned the Bishop to give them another chance, send them a priest, and they would guarantee that he shouldn't want, this time. At first the Bishop was inclined to refuse, and told them flatly that he couldn't bring himself to believe it worth while wasting a good priest upon creatures who, from all he knew of them, could hardly be said to have souls to save. They begged so hard, however, that he promised to reconsider the matter.

"He called myself into consultation, told me



"THERE WAS AN OLD MAN, A FRENCH CANADIAN, SENT THERE BEFORE ME"

the whole circumstances, and asked me whether I would care to venture upon the parish. He anticipated that it would be hopeless to think I could struggle along there at all; but he was wishful to try these people out, and give them no cause for complaint if he had to deprive them again of the administrations of a priest. I said I would go.

"My backbone stiffened by the Bishop's advice and authority, I removed myself to Hobson's Hole—in an aggressive mood, I confess, and armed with just such cast-iron rules as I have been dilating on. The first and chief rule I laid down was that every one who aspired to be of the Church, and to benefit by the priest's ministrations, must make payment of ten dollars a year toward his support. I right heartily abused these people from the altar, because I knew they would appreciate me all the more for it. I upcast to them their treatment of the old man who had gone before me, letting them know that they would not find me so pliable, and recording my vow that, as a servant was worthy of his hire, I certainly, in self-defense, should absolutely and certainly refuse to attend upon the family of any careless, worthless one who did not think it worth while to be a paying parishioner. I knocked fear into their souls, and respect, I tell you. And I must say that a fair number of them came and entered their names in my books immediately, and paid up. My threat not to attend upon the family of any of the delinquents had brought even some of the most careless of them to heel. I saw this, and resolved on no account to spoil its good effect by being induced to break it, under any consideration. I was a man of iron will, and when I made up my mind to do a thing, I saw it through.

"About five weeks passed. I was just getting to know my great parish, and to be deeply interested in it, when, at a very late hour on a Saturday night,—I think it was midnight,—just as I had put out my light and turned into bed, I was awakened by a wild knocking at my door. I jumped out of bed, threw open my window, and leaned forth. I should have said that this was in early December, and there was a heavy cloak of snow on the world. When I looked out, I saw—for it was clear moonlight—a grand sleigh, with a splendid pair of nags in it, standing on the road, and a big, square-shouldered, six-footer fellow on my door-step.

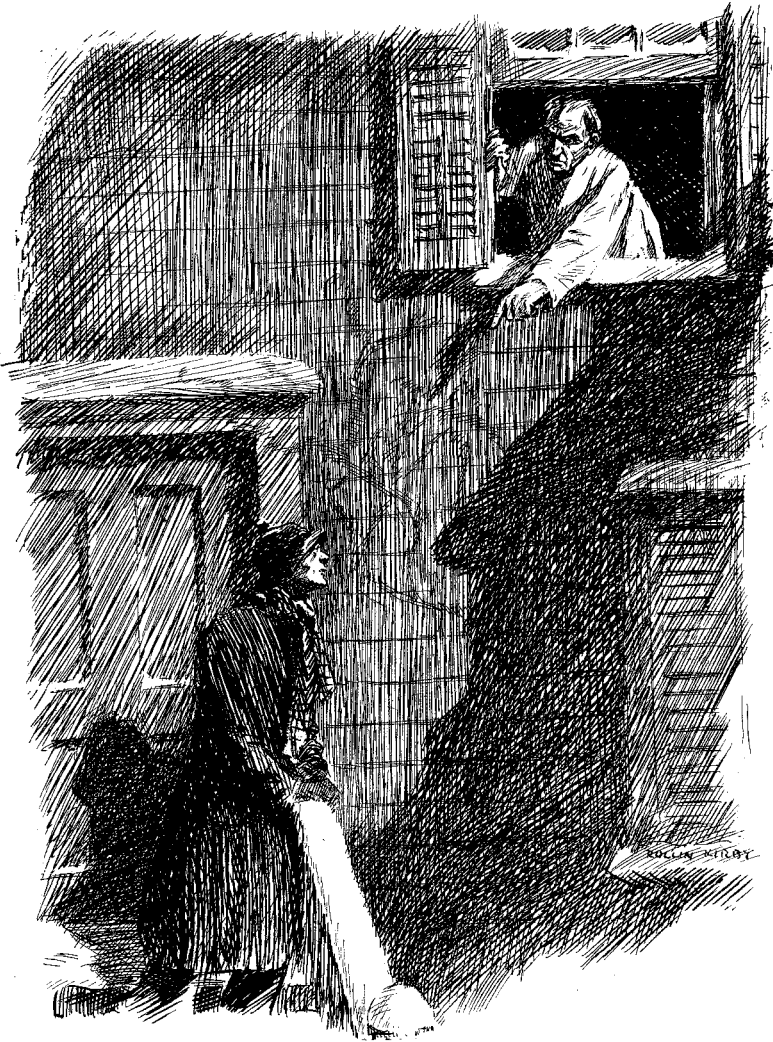
"'Heigh! what's the matter?' I yelled to him. 'Sir,' he said,—and he spoke in tones almost pitifully apologetic,—'my mother has been ill for three months; she took a notion this evening that she should have the priest, and got so anxious for him, all at once, that he must be

sent for instantly—she wouldn't even allow it to be put off till the morning. I'm sorry to get you out of your bed and ask you to come such a journey in the night,—and here he spoke pathetically,—'but you see how it is. The old woman's heart would break if I didn't come now.' I said, 'Who are you, and where do you want me to go?' He said, 'My name is Kieler; we live by Hungry Bush, the very farthest farm in the settlement, a little better than sixteen miles from here.' 'Kieler,' I said reflectively, 'from Hungry Bush. Are you on my books?' He began fingering the lash of his whip. 'I'm afraid we're not, sir—leastways, we haven't been to see you since you came.' 'Were you on my predecessor's books?' He didn't raise his head, but said, still fingering the lash, 'I'm afraid not, sir.' 'And didn't pay anything toward his support?' 'No, sir.' 'And haven't paid anything to me, either?' 'No, sir.' 'What size farm have you, Kieler?' 'A hundred and sixty acres, sir.' 'A hundred and sixty acres—just so. Did you hear the conditions on which I came to this parish? Did you hear the rule I made, and the promise I gave that I would on no account'—and I spake angrily—'attend any one who didn't think it worth while to contribute to my support and the support of the Church?' 'I heard of it, sir,' he said in a timid voice.

"I waxed wroth, and, shaking my fist at the trembling giant, I said, 'You heard of it, and still you—you with your hundred-and-sixty-acre estate, and your grand rig that would make a prince proud—you think that a beggarly ten dollars was of more value to you than a church and the ministration of a priest! and your hundred and sixty acres of mud greater to you than God! And now, in your hour of need, you come and rouse me out of my bed at midnight on a fearful winter's night, and light-heartedly invite me to a trip of sixteen miles over the snows, and through the woods, with you—to your hundred-and-sixty-acre principality! You think,' I thundered at him, 'that a priest is the very dirt under your feet, that you can despise him as the dirt till you have a use for him, and shake him off again like that same dirt when the use is past. What are you better than the heretic,' said I, 'that a priest should concern himself for you? Ah!' I said, with withering sarcasm, 'there are some of you creatures, and if you have souls to save, I doubt if they're worth the trouble of saving.'

"The fellow bent his head in shame, and it gave me joy to see that my lash stung him. 'Give me the ten dollars you owe the Church for this year, before I leave the house. If you'll not of your own accord grant that your priest





“HAVE YOU GOT TEN DOLLARS TO GIVE ME BEFORE I LEAVE THE HOUSE?”

deserves ten dollars a year, I'll compel you to see that he's worth ten dollars a visit!" He said, "Father, I haven't any money on me." "All right," I said; "go home for it, and when you bring it to me I'll go with you. Good night." I drew in my head, and slammed down the window. The last glimpse I had of him, he was standing on the door-step, in the same spot on which he had stood to receive my lashing, but with face upturned, looking to the window. His countenance was pale, and there was on it such a poignantly pathetic appeal as made me instantly slam the shutters, lest my stern resolution should weaken.

"I went into bed—but wasn't well laid down when I jumped up again, and peered through a chink in the shutters. I saw that he was moving toward his sleigh—very, very slowly—going bit by bit, and pausing at every

pace to look back at my window with that same poignant appeal in his pale face. Before yet he reached the sleigh I coerced myself into bed again, gathered myself up, and lay with clenched hands, resolved to force sleep.

"But I couldn't sleep. After half an hour, when I felt sure he was gone, I arose again and looked out. Yes, he was gone. I threw open the shutters and let the moon stream into my room; I walked up and down for a while, the man in me struggling to down the priest in me. The man conquered—for I returned to my bed. I kept my hands still clenched, though; but I was deceiving myself. I had an ache at my heart. I saw that giant's pitiful face looking at me from all corners of the room. And I saw, too, a poor, sick old woman sadly in need of religious consolation. I said angrily and fiercely to myself, 'You worm, where is your resolution

— where is your iron will?' And often as I said this, I again renewed my resolution. But, quick as I did so, the big fellow's pathetic face would stand out of the half-gloom, staring at me. At length — God forgive me — I almost cursed him for not doggedly remaining at my door a while longer than he did — till I should have had time to weaken.

"A single wink I did not sleep. It was joyful relief to me, you may well suppose, when, about five o'clock in the morning, I heard a great and rapid knocking at my door again. I was up and had my head out of the window much more quickly than is usual with me. The moon was now gone, but there was light enough for me to perceive a big six-footer standing on the door-step.

"I had won the day. I resolved to show no signs of having relented. 'Is that you?' I shouted in an angry voice. The reply came: 'I beg your pardon: I'm very sorry to knock you up at this hour, but my brother was here last night for you to come to my mother, who is dying. As we hadn't paid our dues, you wouldn't come.' 'And why should I?' said I defiantly; for I was feeling bold again, now that everything was come right. He did not pay any heed to my challenge. 'I have come now,' he went on, 'and

I have the money with me. I'll be forever grateful to you if you'll come immediately.' 'Ah,' I said, 'I'll teach you God-forsaken ones a lesson!' He made no reply. 'What about your mother?' I barked rather than asked. 'Well, my mother is still fairly, but I think she's sinking. I'd like you to make all the haste you kindly can. She's very uneasy for you.' 'I'll be with you in a jiffy.'

"I assure you, I wasn't long dressing myself. When I came down, I found that the big fellow was of the same height and build as his brother, and like him in features also. He had a different sleigh, and a different pair of ponies in it, and the sleigh and ponies were of the finest. I was rejoiced to find this; for it gave me good excuse to empty on him the last vials of my wrath, and show myself to him in my worst light. 'You've got to pay me,' I said, in as rude a manner as I could, 'before I put a foot in your sleigh.' He took from his pocket and handed me two five-dollar bills; which, with malignant satisfaction, I put away before stepping into the conveyance.

"We swung over the ground, through the woods, in elegant style; for he pushed the ponies for all they were worth. He hardly spoke during the journey, and I, wrapped in my



"HERE, MOTHER, IS THE PRIEST"



"HE DREW BACK FROM THEM AS IF THEY WOULD BESMIRCH HIM"

cloak of disdain, said even less than he. I knew that the fellow was confused with shame, and I wished to let him drain his cup to the last bitter drop.

"When, at length, in the gray dawn, we reached Hungry Bush, I was astonished to find the farm a miserable one, gone derelict, and the house, or, more correctly, hovel, more pitiable than anything I had yet seen in the back woods. I was discomfited. Opposite the door, which hung drunkenly on its hinges, he helped me to alight. His brother, the young man whom I had seen the night before, came running out, doffing his hat, and looking joyful at my coming. He said a word of warm welcome, and adding, 'She's taken a turn for the worse, but this will make her heart happy,' hurried me into a kitchen that was bare, miserable, and cold — from which I stepped into a little low room that was, if anything, more wretched still. Here an old woman was lying on a pallet of straw. She arose on her elbow, with an alarmed exclamation, as I walked into the room. 'Tom?' she said. 'Yes, mother?' my companion replied in a voice full of affection. 'Yes, mother?' and he ran toward her. 'Here, mother, is the priest.' 'Oh, thank God, thank God!' the old woman said, falling back upon the pillow, — 'thank God!' 'Oh, sir,' Tom whispered in my ear, 'you

have rejoiced her heart. Here's a seat for you,' he said, placing a rickety chair by the bed-head. 'I'll leave ye for a while. I'll be waiting in the kitchen without for you, when you want me.'

"The poor old woman was truly rejoiced in her soul, as Tom said. 'Ah, father,' she said, 'I have suffered, thinking I'd have to fight my last fight without your strong help.' I muttered something or other by way of reply. What it was I don't know — for suddenly I felt overcome with shame, and with remorse, and with contempt for myself. It was the first time in my life that I fully realized the mean mortal I am. My thoughts ran upon the two dirty five-dollar bills that I had folded in my pocket. Though I had forced them for the Church's sake, I felt as if I had done it for my own miserable sake. I looked around the room; there was no fire in it. If there had been, I believe I would have put those bills into it and inconsiderately consumed them. I lost little time in giving to the old woman the consolations of religion. I learned from her that her husband had been a German; she was Irish. She had come West five-and-forty years before, and was stuck for thirty years in this unfortunate region, where her husband had died. She had reared up her sons about as wild as the trees of



the primeval forest around them. She could not help it.

"I didn't dally long; I had to get back to my little church in time to say mass this Sunday morning. But, on quitting, I was consoled to know that I left this poor old woman happy, and facing her death calmly — almost joyfully.

"Look here!" I said to the two sons, as they stood in the yard with me, ready to help me into the sleigh. 'Isn't it a shame that two such fine, big, able, strong fellows as you have allowed your farm and your house to fall into such wreck?' Both of them blushed and hung their heads. 'It's disgraceful,' I said.

"Sir," said the older boy, the boy who had driven me over, "sir, we cannot help it. Our father, when he died twenty years ago, left this land mortgaged, and he left us no money; and we have been going in debt every year since."

"What!" said I, "and you big, able fellows, were ye tied to this place when you found you couldn't make it pay? Wasn't America big and wide? And wasn't there money enough in it for the picking up?"

"Yes, sir; that's true," and he shook his head; 'but our poor mother wouldn't move away from here, and we couldn't leave her; neither would she ever consent, herself, to part with either of us. We had to stick here, sir.'

"I was confounded. After a few moments I said angrily: 'What is the reason you have never come to mass, and never driven your poor old mother to mass?'

"Because, sir, we have nothing, only a yoke of oxen, and couldn't drive sixteen miles to mass with that, and make ourselves the laughing-stock of all the Dutchmen, besides."

"And this?" I said in astonishment, putting my hand upon the grand rig that waited me. 'And this?' I said. 'And the other fine rig that Tom drove over last night? — What about these?'

"Sir," Tom said, "they belong to our neighbor, a Yankee farmer, and a Protestant. He forced these rigs on us in driving over for you."

"I could say nothing more. I got into the sleigh. The older brother got in beside me, and drove me back through the woods to my home. When I got off the sleigh at my door, I fingered the bills in my pocket — bills for the possession of which I now inwardly burned with shame. A thought struck me just as I laid my fingers on them, and I said, 'Tell me truth, young man. Where did you get the ten dollars last night?' He blushed and he shuffled his feet. 'Come,' I said, 'give me a straight answer. Where did

you get them?' 'Well, you see, sir,' he said, 'when Tom came back, our Yankee neighbor was waiting, and when he learned that you could not come to see my mother until ten dollars were paid you, he ran home and came back with a fresh rig and with the two five-dollar bills I gave you this morning.' 'Exactly,' I said; 'I thought as much. And he cursed me, too, didn't he?' The poor fellow began to shuffle his feet again. I had sprung an awkward truth on him unawares. 'Oh! he never said — he only said — said —' 'I know, I know,' I said. 'He only said what I deserved. I wish none of us may ever have a worse crime to answer to God for than that hearty curse the Yankee heretic gave me. Here's your ten dollars,' I said: 'it would burn a hole in my pocket if I kept it. I'd go again for you to-morrow night — and five times as far, too — go with free heart and good will.' The young man looked in amazement at the bills I extended toward him. He drew back from them as if afraid they would besmirch him, and he drew himself up to his height. 'Sir!' he said, with magnificent indignation that made me feel abominably small and mean. 'Sure, you wouldn't think I would take them back; for God's sake, don't ask me to do *that*.'

"I have no doubt my little congregation wondered why I was so slow in saying mass that Sunday, and why I seemed so absent-minded when reading out the regulations for the coming month. Before I gave them the parting blessing, I said: 'By the way, I wanted to say to you, regarding the strict rule I laid down for the support of your priest and your Church, that, while on no other possible condition can this rule be infringed, I — I — I want to tell you that, of course, where there's a very urgent case, — an urgent case, I say, — and any poor creature going to die, or where people are very poor — or temporarily short of money — or — or — some other good reason — I must, of course, be called upon without hesitation, and immediately — on the stringent condition that you must pay me again when you're able — stringent condition, remember."

"Another thing, my children' (and I'm sure my congregation marveled at the want of connection, and wondered what was the matter with me at all that morning) — 'all of you have neighbors who do not belong to the same faith as yourselves. Be considerate with them; love them; be generously helpful to them in their need. They are your brothers, after all.'"

# SOME FOLLIES IN OUR CRIMINAL PROCEDURE

BY

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**A**N eye for an eye, a tooth for a tooth, and a life for a life, are the familiar words in which the criminal law of the children of Israel was written.

But fashions in law, like other fashions, change. By the thirteenth century the fashions had changed to so great an extent — so many eyes were required for an eye, so many teeth for a tooth, and so many lives for a life — that the subjects of King John of England found it necessary to wring from him the famous Magna Charta in order to ameliorate the conditions for themselves, their children, and their children's children to come.

Now, however, the pendulum has swung the other way; and though conditions have completely changed, adding to and exaggerating the "ameliorations" have continued to be the fashion through so many ages that, in the United States to-day, *only one life is required for about one hundred lives.*

To be more specific: In 1908, in the city of St. Louis, there were ninety-two homicides and only one legal execution. In Chicago, in the same year (fiscal), there were one hundred and sixty-five homicides and again only one legal execution. Horrible as these murder records appear, St. Louis and Chicago do not stand alone, as will be seen hereafter.

After spending an entire afternoon vainly looking through the reports of the Police Commissioners of New York and other cities for comparative records, I found in an evening paper these messages of blood, all concerning New York and all for the same day, as if asserting that New York should not be left out of any statement dealing with crime:

The homicide bureau has never had its hands so full at any time since its inauguration.

July mysteries bid fair to equal the crops of murders that matured last month.

Clues in the Sigel case have come to an end.

The Bersin murder case, hopeless from the first, is no longer discussed.

The brutal murder of the woman in a Thirteenth Street tenement yesterday bids fair to go unpunished.

The sudden deaths of the two Chinamen, Ung Yow of 124 Stanton Street, and Le Hung Fan of 583 Fulton Street, Brooklyn, according to Chinatown gossip, occurred because they ignored certain regulations promulgated by leaders of the most influential tongs.

No light has been cast on the mysterious death of Giuseppe Pogano, who was shot in his room in the tenement at 228 Christie Street as he was about to go to bed at midnight, July 5.

Various reasons have been given to account for the startling prevalence of crime in this country. The most popular among them are the increase in immigration, and lack of adequate police protection.

As to the first reason, it is consoling to a smug complacency to place the responsibility for present conditions on the foreigner. There is more crime, proportionately, among those of foreign birth in the United States than among our own native-born. Scarcely enough, however, to cause congratulation for on own righteousness. The foreign population of the United States, according to the census of 1900, is about one seventh of the total. The number of homicides committed by foreigners is, for the country at large according to August Drähms, about one sixth. Even in Chicago and Boston, where the foreign population outnumbers that of other large American cities (except New York, which does not publish similar figures), the percentage of foreign-born is 34 and 35 per cent, respectively. Arrests for felonies and more serious offenses