

# SANDYLAND CHRONICLE

Vol. 10 – No. 1 [sandman43@att.net](mailto:sandman43@att.net) January, 2010

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## THE JUDGE'S DECISION

The following is from a newspaper article published in the *Nevada County Picayune* in 1910. Newspapers often used "filler material" in their papers along with the local, state, and national news. Some of these articles are interesting to read and this one caught my eye. It is likely to cause some discussion, especially with married couples, so I hope no major arguments result from reading this article. Remember that these cases happened 100 years ago in certain states. The same cases might result in a different decision these days depending on the state and the particular judge who was deciding them. Sounds like good material for "Judge Judy" or "The People's Court".

### **A case in New York (Loudes vs. Loudes) Is a wife entitled to her husband's pay?**

Mrs. Loudes asked the court to direct her husband to give her a certain amount weekly out of his \$15 pay envelope. She said he only gave her 50 cents a day for herself and their two children and she wanted more. Mr. Loudes stated, "My wife wants me to turn my pay envelope over to her every Saturday night, sealed. She wants me to give her every cent I earn and make me beg her to hand me a nickel every time I want a cigar or a glass of beer or car fare. That's not a respectable position for a husband and father to occupy".

The court agreed with Mr. Loudes. "To require your husband to turn his unopened pay envelope over to you every week would amount to tyranny of the sort most dangerous to the perpetuation of the home as the sacred institution it is today. A wife has no right to make such demands upon her husband. The husband is the sole owner of the funds".

### **The court went even further and considered the following-- Does the wife have the right to go through her husband's pockets?**

On this question, the judge decided in favor of the wife. "If a man has the right sort of wife, I see not the slightest objection to his allowing her full freedom in going into his pockets while he sleeps or under any other circumstances. The trouble with my wife is that she doesn't get enough when she goes into my pockets."

But the pocket question was not part of the case, so that question was left up in the air. A husband could always bring up the judge's phrase "the right sort of wife" to say that the right sort of wife wouldn't go through his pockets. However, in other cases similar to this, the judges all ruled that the wife can go through her husband's pockets.

In one case in New York, Mrs. Adolph Schwartz sued her husband because she had

## THE SANDYLAND CHRONICLE

searched her husband's pockets and found letters from "that other woman". The court decided it was perfectly legal for the wife to go through her husband's pockets.

In Omaha, the case was more serious. Henry Mills sued for divorce and alleged cruelty mainly because she systematically searched his pockets for his wages, leaving him only 15 cents a day. If Mills wanted more money, he had to tell his wife what he intended spending it for, which was the cruelest kind of cruelty, according to Mills. The court dismissed the case, saying that it was the wife's privilege. "Man and his wife are one, and the property that belongs to one is also the property of the other; so, if a wife takes money from the pocket of her husband without first putting him in fear, it would be impossible to make a charge of robbery from the person, pocket-picking, or even common larceny. Case dismissed."

In Washington, D. C., George Ridgeway was arrested on his wife's complaint because she feared bodily injury when he discovered she had been ransacking his pockets for the last nickel. The judge stated, "It shows the interest the woman has in the man. It shows that the woman loves the man. A woman who does not go through her husband's pockets does not love him. They all do it."

The situation is different when a third person is involved. Miss Anna Chapman gave her gold watch to John White to take to be repaired. In the search of her husband's pockets, Mrs. White found the watch and confiscated it. Miss Chapman had her arrested. The judge gave the watch back to Miss Chapman and released Mrs. White from custody. Mr. White got angry words from both of them.

### **Another question:**

#### **How much money should a husband give his wife from his earnings?**

In Missouri, the rule is 20 percent. A woman charged her husband with disturbing the peace. She said he didn't give her enough money from his \$60 per month pay. After both sides were heard, the court ruled, "After the rent and the household expenses have been paid, you ought to give your wife three dollars a week. She's entitled to that much. She takes care of the children and she never goes out of the house. She'll save more money than you will out of that three dollars a week." The husband complained that his wife took money from under his pillow while he slept. The judge answered, "Your wife must give her 20 percent regularly".

#### **Do you have to pay back money you borrow from your wife?**

There is no other side to this question. The wife can't borrow from her husband; he always gives it to her. The courts ruled that a husband must pay back money he borrows from his wife and that the statute of limitations does not apply in such cases.

In an Indiana case, a woman sued her husband for \$2200 he had borrowed from her. They quarreled and separated. He refused to return the money, and after many years, she sued him and won.

## **THE SANDYLAND CHRONICLE**

### **The mother-in-law question--Can the husband's mother come and stay as long as she pleases just because her daughter is lonesome?**

The courts were unanimous on this question. Mother must go, no matter on which side of the house she comes from.

A New Jersey farmer married a trained nurse and took her home. His mother, who also lived on the farm with them, told the new bride to "feed the hogs and put in your spare time working on the farm". The young wife rebelled. The husband sided with his mother and his new wife left him. She then sued for separate maintenance. He stated that he was perfectly willing to provide her a home, but that his mother would continue to live with them.

The judge ruled that the mother-in-law could not be boss and would have to go, or else the man would have to provide another home for his wife.

### **How much work should a wife be required to do?**

In Ohio, she can get off with little or none. A housewife may sleep late, let the dishes go unwashed, refuse to mend her husband's clothes, neglect to sweep, and still be considered a true and loving helpmate. James Young sued for a divorce on these grounds, and the judge dismissed the case and rejected his request for a divorce. "A man's wife is not his servant" was the gist of his decision.

In New Jersey, a woman charged her husband with choking her. The husband claimed she was never at home. "Many times I've come home from work only to be told to get my own supper. I've often washed the dishes and made the beds for fear my friends might drop in and see everything upset".

The judge stated, "A married woman has a perfect right to go out when she pleases, and should not be expected to spend all her time in drudgery." And to rub it in on the husband, he had to pay a \$10 fine.

### **Can the wife take money from a husband's bank account?**

New Jersey protects the husband's bank account from the wife. She can go through his pockets and can work or not as she pleases, but his savings are off limits. This was decided in a case in which a wife withdrew \$600 from her husband's account and placed it in her own name. The husband got an injunction restraining his wife from spending a cent of his money.

### **Some other decisions--**

You may slap your wife, but you can't pinch her--at least in Chicago. A husband may swear at his wife was the decision in one case in which a wife wanted her husband put in jail for swearing at her and threatening all sorts of things which he didn't do. The judge refused to issue a warrant on such charges.

## THE SANDYLAND CHRONICLE

In Massachusetts, a woman had her husband arrested for assault and battery because he tickled her in the ribs. The court dismissed the case without prejudice.

In a New York case, a man came home and found his wife “cutting up”, as he put it, and decided to discipline her. He laid her across his knee and administered a good spanking. Then he sued for separation on the grounds that his wife was addicted to the use of liquor. The judge ordered the wife to live with the husband and the husband to pay his wife \$15 a week. In other words, the spanking didn’t count.

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### “TAR HEEL” DUNN

Almost everyone has heard the older folks tell of some person they knew growing up that might be called “a character”. I often heard my dad and uncle talk of one such person they grew up with -- a fellow known as “Tar Heel” Dunn.

I always thought the name was interesting and wondered how someone might get such a nickname. Back in those days just about everyone seemed to have a nickname for some reason.

The Dunns lived about a half mile from my Dad’s home in the small community known locally as Goose Ankle located about four miles southwest of Bluff City in Nevada County. Families were large in those days. The children usually walked to Gum Grove School as a group--a distance of almost two miles. The boys of the community played, hunted, and fished together in their spare time. As I was growing up, I heard my dad and uncle tell of some of their experiences growing up and figured there were probably a lot more stories left untold. It seems kids had more fun in those days even though times were hard.

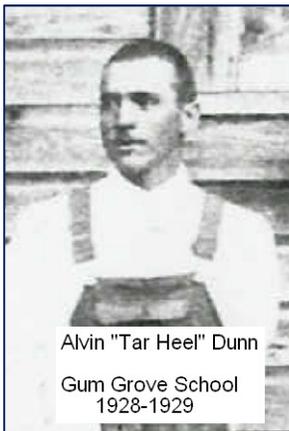
The years passed and the old stories began to fade. My father had passed away in 1986 and I could no longer ask him about his early days in Goose Ankle. Then in 1989, my younger brother for some reason took a tape recorder down to our Aunt Myrtie Irvin’s house in Camden and recorded an interview with her and her husband, Hartwell Irvin. I am so glad that he did this because they are both gone now, but we still have their voices on tape telling stories of growing up during the days of the Great Depression. Nothing beats hearing the stories from folks who actually lived through those hard times.

My brother asked them lots of questions which they seemed happy to talk about. I think they really enjoyed the memories his questions brought back to them. I knew he would probably ask them about “Tar Heel” Dunn because we had heard my dad mention him as we were growing up. I recently replayed the taped interview and decided to transcribe this part word for word. To get the full effect, you would have to listen to the tape to hear the laughter as they told the story. Here is the explanation my Uncle Hartwell Irvin gave of how “Tar Heel” Dunn got his nickname. His real name was Alvin Carlos Dunn.

*Question: The real reason I'm doing this is to hear the story of "Tar Heel" Dunn. What's the real story on that and how did he get that name?*

## THE SANDYLAND CHRONICLE

*Answer: Well, he was the same age as my younger brother, and of course, they came on during the Depression and they used to do a lot of hunting at night. They would hunt possum, coon, or anything the dog would tree. They worked hard during the summer and would cut wood or something like that in the winter. They would sometimes go bird thrashing. People would clear up new ground and pile the brush up in brush heaps. When the weather got cold, the birds would go in the brush heaps to roost to get out of the wind. So we would split up some long rich pine splinters and tie four or five in a bundle and tie a string around them so we could hold them. The splinters would be sticking up sort of spread out, and we would light them and they would just get to burning bigger and bigger and after awhile, the resin would start cooking out and dripping on you. Old "Tar" happened to have on a pair of shoes (it was about zero that night), and some of that pine resin dropped into his shoe and it was still blazing and they gave him the name "Tar Heel". He wore that name, and still does, around people who know him. Of course, he's an old man now. I haven't seen him in years. But anyway, that's the kind of thing we would do for entertainment.*



*In the spring, we would go to the creek and set out fish hooks, but we still used those pine torches so we could run our hooks at night. We would stay all night at the creek. I remember one night, one of the guys by the name of "Hack" Norman--I don't know how he got that name. His real name was Haskell Norman, but they called him "Hack". Somebody in the community--I think it was "Tar Heel"--had worked off a churn of home brew. He would work it off in the wintertime and set his jug in a sawdust pile. It would be hot down there, you know, and that beer was worked off and "Tar" and Haskell were the two worst ones to drink. A bunch of us went to the creek that night. "Hack" and "Tar" were the ones doing the drinking--drinking "Tar Heel's" home brew, but "Hack"--he got pretty well loaded. All of us carried biscuits with butter or sausage or something like that to eat for supper. Some of them thought "Hack" was putting on more than he was really drunk, but supertime come, and one of the boys caught a toad frog and pulled open one of the biscuits and put that frog in that biscuit and told old "Hack"--says, "Hack, here a biscuit sandwich for you." and he bit into that frog. And that was the kind of thing that went on every time we would get together.*

*"Tar" had a natural talent for electricity. Electricity was pretty simple in those days. There were generators on cars and T-models had magnetos..... He would take those magnetos and build him a generator. He would put a little pulley on the generator and use an old car wheel (without the tire) for the big pulley and use a leather strap between the pulleys which would run in the groove in the car wheel. He put a crank on the car wheel and would turn the crank to get the generator revved up. He would use this to electrocute his mama's chickens. He could kill a chicken with it. One time he tried to electrocute a big chicken snake, but it didn't work. Maybe it was because of the scales, but it wouldn't work on the snake. That's how he entertained himself--doing things like that. He was pretty good at building stuff like that. That would have been Greek to the other boys up there because they never fooled around with electricity. But old "Tar"--I guess he could have electrocuted a man if he could have turned the crank fast enough.*

## THE SANDYLAND CHRONICLE

Well, that's just a few of the stories from this taped interview. I would recommend that you take the time to do a taped interview with your older relatives while they are still around. You will be glad you did in later years. I just wish I had done something like this fifty years ago. We didn't have a tape recorder back then, but I could have written some things down if I had just taken the trouble to do it.

Maybe I'll share a few more stories from this taped interview with you in a later issue.

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### CONTINUING TO LOOK BACK

#### “Life in Zambia, Africa”

A look back at village life tells me that life is changing some, but some things never seem to change that much. Perhaps I should define a village for you as we see it. Very often a village begins when an extended family wants to live together. The search for a good location begins, and when this is found, the grounds are cleared, and their huts are erected. A fence of poles and grass is usually built around the place. They keep the yards around their huts very neat and clean, using brooms like my sister and I used when we cleaned our yard at Bluff City. My thought is they want to keep the yards clean and clear so they might see the snakes or other unwanted guests. Their cooking is done outside, and for the most part the women and girls carry the wood from the forest on their heads. It is not uncommon to see clay or iron pots scattered about on the ground.

I mentioned snakes or other unwanted guests. Snakes are something we have to take for granted—they will be with us always! Unfortunately we do not know their hiding places, so we have to watch our steps very carefully. One morning when I went into the living room, Lloyd was holding up a snake and told me it was

in the chair where I had been sitting the night before! Is it hard for you to imagine we certainly tried to cover up all the cracks and crevices??

I recall vividly our first visits to one of these villages to attend worship services. I noticed as we traveled along the way that cornfields were being plowed in preparation for planting, and small piles of manure had been hauled to the field and dumped to be used as fertilizer. I could see that improvements were taking place in rural Zambia at that time.

Upon arriving at the church building, we noticed that it was well made—by village standards. The walls were of sun dried brick, and the roof was thatched with grass. Almost

## THE SANDYLAND CHRONICLE

immediately we were met by a group of well dressed people, and it was obvious to us there was sincerity in their welcome and greeting. When visiting a village, the residents always give the first greeting, and this must be exchanged before any conversation is begun. There are rules, and one is that a woman must take the initiative and offer her hand first. We really enjoyed the food and fellowship, and as we left, they sobbed a chant of farewell which to us was very touching. I am confident the chicken population was greatly decreased due to our visit that particular day!

I have always been interested in the lives of children, and I think you will be interested in some insight into the lives of village children. Bear in mind—this is rural Africa! When not in school, the children have very little to do with the exception of chores they are given. Young girls help their mothers, and this begins at a very early age. They learn to carry water, firewood and others things on their head—and in most cases these are carried a long way! Boys are not required to do much at home, but they do sometimes herd cattle or fish if they live near water. Some boys become very proficient at hunting with a catapult (sling shot).

Children will create their own recreation. They are constantly in search of “things” that they might use to make a toy. A few strands of wire will make a nice car. They like to play ball if they can find a ball or something to use as a ball. Other toys are made from clay or wood. A pile of cans can be used for a bowling match. They also like tug-of-war and other games of skill. Girls carry dolls (sticks or stones!) on their backs like their mothers carry babies. Boys will create villages using sticks and grass.

Village children are a happy lot, and usually they stay very active. They make a lot of noise, have fun, and get dirty just like children everywhere!

The adults are, of necessity, very active with all the work they have to do without the help of the many conveniences we enjoy in our day-to-day activities.

Today I must say goodbye for now, but I did not adopt the village way, so.....

That’s all, folks,

Pearl Louise Henson

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Dear Mr. McKelvy,

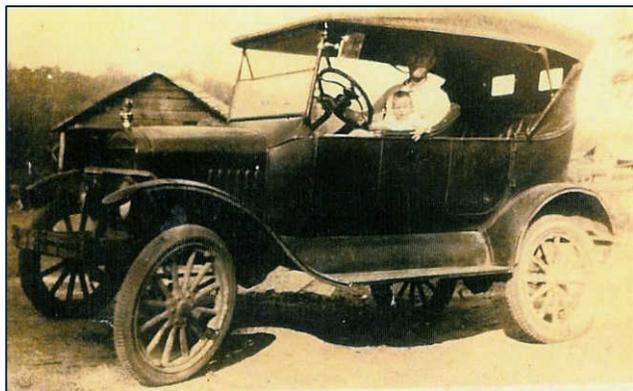
I am sending a copy of a picture of my Daddy’s 1925 Model T Ford car. The picture was taken by my mother, Rose Dumas Walker’s new box Kodak camera.

Daddy also had a Model T truck that he used on our farm which was located in the big curve between Andy Meador’s and Katie Moore’s homes in Bluff City.

Daddy made frequent trips to El Dorado taking fruit, vegetables, eggs, chickens, hogs, and whatever was available to the oil field workers during the oil boom.

## THE SANDYLAND CHRONICLE

In 1927, he bought the Dr. Tompkins home in the curve of the road to White Oak Lake State Park and the road to Gum Grove. He soon built a service station--selling gas, oil, tires, fan belts, spark plugs, groceries, candy, and soda pop. He even had a barber chair--haircuts 25 cents or less for men, women, and children. On the same property, he built a "shop" to repair cars, "shoe"



horses, and grind corn. Next he built an ice house insulated with sawdust near Upton's store.

Note the wooden spokes on the car wheel. I learned recently that wire spokes were used in 1927.

Thanks for letting me tell my story. Pictured in the car is my father, Thomas Jefferson Walker (1879-1968) holding me. (I was born in 1925). *Bernadine Walker Gillespie*

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### ANOTHER SKELETON FOR THE FUTURE

**Written by the Boughton correspondent for the 3-28-1935 issue of *The Nevada News***

We see an article in the papers about a skeleton of a prehistoric monster being dug from the hills near Okolona, estimated to be many millions of years old. Perhaps we do not realize it, but probably one of the greatest of all monsters is in the making now.

We refer to the spot where the government buried twelve hundred head of cattle not long ago. A few hundred years from now some back-woodser will discover a gigantic monster. This monster will be unearthed. Its grave will have covered a space of more than an acre. Its back will have been covered with 2400 horns. During its life the monster walked on 4800 hoofs, and probably died of hunger, after having eaten the earth bare of all vegetation. It will be estimated to be millions of years old and lived before primitive man inhabited the earth. Its neck will be lined for about a mile with teeth. All this is supposition, but it may be fact then.

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**Answer to What Is It? on page 6-----**This is a cream separator once used on farms. Milk was put in the container and allowed to sit for awhile until the cream rose to the top. You could look through the little window on the side and see how it was doing. You then opened the valve at the bottom and drained the milk leaving the cream. The cream was usually put in metal cream cans and taken to market. I was told that Garrett's store in Prescott was a buyer for cream. You could also use the cream to make butter for home use. More sophisticated cream separators came along later. This particular model could be purchased from Sears-Roebuck for a few dollars.