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*Review of Sex, Murder, and the Unwritten Law:
Courting Judicial Mayhem, Texas Style.* By Bill Neal.

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Sex, Murder, and the Unwritten Law: Courting Judicial Mayhem, Texas Style. By Bill Neal. Foreword by Gordon Morris Bakken. Lubbock: Texas Tech University Press, 2009. xvi + 280 pp. Map, photographs, illustrations, notes, bibliography, index. \$29.95 cloth.

“If, as has often been contended, truth is the first casualty of traditional warfare, then logic, it appears, is the first casualty of sexual warfare.” And with that thematic statement in hand, author Bill Neal is off to the proverbial races with an often delightful, sometimes troubling, and generally entertaining legal discourse on the so-called “unwritten law”: that a cuckolded husband or a woman wronged has the God-given right to avenge or be avenged, even to redress by murder. With a curiously dispassionate, or at least overly serious, foreword by Cal State–Fullerton professor Gordon Morris Bakken, Neal’s tales of adultery, murder, and boundlessly ridiculous “not guilty” verdicts cross several decades from the 1880s over a North Texas path of tornadic sex-and-revenge events.

Looking back through centuries of legal cases and precedents from which this unwritten law evolved, Neal considers six cases that more or less represent that evolution as it stood along the Red River at the turn into the 20th century and beyond. In each, the tragic event itself is played out against the trial that followed, replete with the actual testimony and strategies that eventually produced a stunning but somehow not surprising verdict

exonerating the victim of the adulterous conduct from the charge of murder. In the epilogues for each tale, the author follows the primary figures into their respective futures, offering an occasional perspective on the impact of the judgment rendered.

One of the book's many fascinating contributions is the 1906 address to the American Bar Association by Baton Rouge Judge Thomas J. Kernon, who included, in his attempt to reduce the unwritten law into an oversimplified list, this spectacularly shocking but typical "Law III: Any man who seduces an innocent girl may, without a hearing, be shot or stabbed to death by her, or any relative of hers; and, if deemed necessary by the slayer, such shooting or stabbing may be done in the back, or while laying in wait." As Neal then asserts, "clever pioneer defense lawyers often stretched the boundaries of Judge Kernon's code to accommodate a variety of factual situations."

Neal considers the six sensational cases in his study of the unwritten law as it played itself out in Texas courtrooms by describing each through eyewitness and newspaper accounts, trial testimony, jury verdicts and findings, and outside opinion. The first is the story of the Texarkana shooting of an adulterous preacher by a 63-year-old Confederate veteran for the soiling of his unfaithful wife. During the trial proceedings, both sides leaned heavily on biblical invectives, though none more astounding than the defendant's description of his victim as a "knave, psalm-singing hypocrite" and "base-born libertine." In the end, the defendant was found guilty only of assault and fined \$50. The second tale is that of a wronged young woman, pregnant by a faithless man who had promised to marry her—a particularly

vile ploy to enjoy an innocent girl's treasures—and her recourse by shooting him to death as he sat in a Gainesville courtroom. Two of her wayward pistol shots killed innocent bystanders, but in the end Miss Verna was found not guilty of all three deaths: apparently the crime of seduction of the innocent trumps blood shed even in the environs of the court of justice itself.

In the third story, when Miss Winnie Morris of Quanah, Texas, is corrupted by her boss in 1915, her family joins in on the revenge, three of them shooting miscreant Garland Radford into a pulp while Winnie's mother shouts for a hatchet to finish the familial affair: all were subsequently exonerated by an understanding jury. The fourth story, a Valentine's Day, 1925, murder by the father of the wronged girl, is unfortunately lost in a much-too-long back story of the oil boom of the 1920s. The last two tales are connected through the Ft. Worth oil-rich families of the Wagners and Davises, concluding with perhaps the most sensational Texas trial of the 1970s and the preposterous not guilty rendering for the celebrated Cullen Davis.

Bill Neal, author of *Getting Away with Murder on the Texas Frontier* (2009) and his newest, *Vengeance is Mine: The Scandalous Love Triangle that Triggered the Boyce-Sneed Feud* (2011), again entertains his readers with a lively writing style, an eye for the appealing tale, and a penetrating if sometimes disturbing perspective on the legal system a century ago as it wandered an often bizarre path across the Old South, Texas, and the Great Plains. **Paul N. Spellman**, *Division of Social and Behavioral Science, Wharton County Junior College, Richmond, Texas.*