

“A Pioneer Justice Court” *

IN

Minnesota
Pioneer Sketches

From the Personal Recollections and Observations of a Pioneer Resident

By

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Illustrated

Minneapolis, Minnesota.
H. H. S. ROWELL, PUBLISHER
The Housekeeper Press
1904

***MLHP Editor: This chapter appeared on pages 294-298 of this volume of reminiscences by Frank George O'Brien, a Minneapolis journalist. It has been reformatted. It is complete. O'Brien's spelling and punctuation have not been changed.**

A PIONEER JUSTICE COURT

“Hello, Judge!” exclaimed Deacon W., a daily caller at the office of the city justice, as he set his wheelbarrow carefully down outside the door, while he went into the office to rest himself and fill his pipe from the box of tobacco that was always in evidence on the judge’s table. After scratching several matches, also the property of the court, to obtain a light, he opened up the conversation as follows:

“Judge, I’m on my way down town to the store, to sell my last wheelbarrow load of watermelons and if I git as good a price as I did for the last, the patch will fetch me in a snug little sum. You recollect, Judge, what I got out of this same patch last year? Forgotten, have you? I haven’t. I got ‘nuff to buy four plump cords of tamarack, which kept me in wood for the kitchen stove all winter; for the heater I used those grubs that cost me only \$2.50 a load—but they did not come out of the melon money.”

“By the way,” remarked the judge, “hadn’t you better bring in one of the melons and let us sample it? Here’s Mac, Al and I, unquestioned authority on almost everything, and especially on melons, and our testimonials might help you on your next season’s sales.” (Mac and Al need no introduction to old timers, nor does the judge.)

“Couldn’t think of it, Judge,” soberly replied the deacon, “notwithstanding me and wife do appreciate the many baskets full of grapes you have so kindly insisted on us taking home, but you know, Judge, how it is, the seeds came all the way from Fredonia, N. Y., by express, which made them very expensive, and me and mother have done a sight of work on the patch, keeping down the weeds and also looking sharp after the boys stealing them; so you [295] see, as well as I, that we can’t afford to cut one, even for ourselves, let alone treating.”

Deacon W. was known by everyone in the village to be quite well-to-do and all-fired stingy. It was next thing to taking his life to relax his grip on the fraction of anything that in the aggregate represented dollars. The judge was well aware of this peculiarity of the deacon’s, and so were Mac and Al, and all they longed for was an opportunity to get a cinch in some

way on Deacon W., which they did. In regard to the modus operandi I will proceed to enlighten you.

The judge engaged the deacon in conversation, and after he was thoroughly interested, cautiously pointed in the direction of the melons and gave a wink that was immediately interpreted by Mac and Al. They did not, however, deem it prudent for both to leave the office, lest the deacon's suspicions might be aroused; so Mac stepped boldly up to where the two were talking excitedly on some denominational question, relative to infant baptism or an equally important matter, and proceeded forthwith to give his version of the text in dispute.

During this heated discussion Al slipped quietly out at the back door, and was not slow in secreting the six plump "Long Island watermelons" in the kitchen of Mr. Jeff's house, which was next door to the judge's office. Mrs. Jeff, who quickly grasped the situation, lent ready assistance in the mischief.

Al was not out of the office more than five minutes, when he slyly returned, no notice of his absence having been taken by the deacon, as he at once joined in the discussion.

When the conversation began to lag the deacon rose from his chair, at the same time taking a look at his bull's-eye watch and remarked, "Guess I'd better be going; I've had a good smoke, and think I've got the best of the argument. That's a plagued heavy load, I tell you, and I needed the rest I've had for the remainder of the trip. [296] Them six melons weigh twenty pounds apiece, add to this the weight of the wheelbarrow, and it isn't fun by any means to wheel them through sand-burs in this hot August.

After knocking the ashes from his pipe into the pocket of his waistcoat, he lazily sauntered out of the front door of the office, there to discover an empty wheelbarrow, and not a soul in sight to accuse of the theft of the melons.

Sympathizers were what the deacon wanted in those trying moments, and such he had in the judge, Mac and Al, who tendered their services

willingly in an attempt to ferret out the thieves and place them in the firm grip of the law.

Search was instituted about the premises—under the sidewalk and along the river-bank, as the melons might possibly be secreted near by. All this was of no avail, and the search was about being given up as a bad job, when, who should sleepily emerge from the front door of his house but Mr. Jeff, he having an hour previous gone into his parlor to lie down on the sofa and take his usual after-dinner nap. He was on this account totally ignorant of the prank his chums were playing on the deacon, and also of the part his wife had taken in the matter. As Jeff neared the office, Al gave expression to a “Mum-mum,” loud enough for the deacon to hear, as he meant he should, at the same time casting a suspicious glance at Jeff and a knowing one at the others.

This was enough for the deacon, who grasped the situation as fully as was intended, and without hesitation pounced upon innocent Jeff, accusing him of stealing his melons. To this Jeff took exception in vigorous and irreligious language, emphasizing the fact that he would knock the deacon’s drasted teeth down his throat if he dared to repeat the accusation. “What do I want with your blasted cholera-breeding truck, I’ like to know?” he savagely replied, shaking his fist in the trembling deacon’s face.

Matters were becoming serious, in fact, so much so, that [297] the accuser felt like withdrawing from the contest and giving up all hope of recovering his property, when Al came to his rescue with the following timely advice, which was accepted by the deacon as the correct thing and the only ostensible way in which justice could be meted out to all concerned.

“Have Jeff placed under arrest,” said Al, “as his appearance indicates a guilty conscience.” A warrant was speedily placed in the hands of the constable, and Mr. Jeff was immediately brought before his honor, who consented to give the case a hearing that afternoon.

After a thorough going over of all the evidence, wholly circumstantial, it was found that a preponderance of this evidence was in favor of the plaintiff; but the judge, after spending half an hour looking up decisions

bearing on similar cases, and obtained from volumes of Wisconsin's cooperative laws and back numbers of the Congressional Records, he rendered a verdict for the defense, and stated for the benefit of the plaintiff that the court would stand the cost of the action. A few minutes later the deacon could have been seen making a beeline for home with an empty wheelbarrow, and about the same time, or perhaps a little later, you might have observed at least a dozen men and one solitary woman, seated around the judge's office, busily engaged, not in deciphering some intricate case of legal evidence, but in eating watermelons, these same representing the costs in the case of "Deacon W. vs. Jeff."

It was a wonder to the deacon ever afterward, since he knew the disposition of the community to make him pay in full for value received, how it was that the court could bring itself to bear the expense of this suit; but he attributed it to the judge's sympathy and characteristic generosity.

Suffice it to say, Deacon W. never received information as to how his melons disappeared, the perpetrators of the crime all being sworn to secrecy, as well as the partakers thereof. [298]

"Where ignorance is bliss, 'tis folly to be wise."

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P. S.—It is not necessary to inform the reader, that after a month of profound secrecy, the practical jokers presented Deacon W. with a sum of money—the full value, if not more—of the stolen watermelons which they had so much enjoyed. ■

