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Dictaphun

Dicta Editorial Board

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SIC SEMPER TYRANIS*

The clamor of the populace cannot be denied. Four (4) readers demanded the continuance of our series of moribund Colorado bar humor. Despite the fact that plural sufferage *(sic)* allowed the Editor three (3) of those votes—in fact because of that fact—we have consented to lift a few more of the ancient gems. The dilema lies in this: There are few more to steal. We reserve alone for next months weary chore a story reported to us by Judge Denison. So be it—

No. 17—HO, HUM!

Our spies report that from the organization of the State until 1881 (five years—count 'em) Thomas M. Bowen was judge of the Fourth District. Mining had enriched him and a term or two in Congress was also his lot. In Washington he received letters from his constituents and others, soliciting aid for this and the other. An Arizona cemetery, it is charged, wrote him for $500 for a fence around the local God's acre. To which the ornament of statecraft replied: "I do not see the necessity for a fence around the cemetery. It has been my observation that those on the outside do not want in, and those on the inside cannot get out."

And likely he concluded: "If at any other time I can be of service to you, do not hesitate to command me." And sent it under frank.

No. 18—TIME PROVES WISDOM TO BE SUCH

Shortly after the Cleveland (Harrison to Democrats) panic, the Denver Bar Association was organized under, and, so it is said, by virtue of the laws of the State of Colorado. No qualification for membership was found in the articles and upon the occasion of the first meeting serious debate was had upon the right of those present to become members. George C. (Dean) Manly (Senator to you) moved that by-laws defining the properties to be had by members be adopted and a committee be appointed to pass upon applications, including those present. S. S. (Sunset) Cox of Ohio's (Cox's of Ohio) Red

Headed Rooster of the Rockies, viz., James B. Belford, rose and shouted: "I protest, I protest. When our forefathers established this government at Plymouth Rock, they did not hesitate to announce the pronunciamento to the whole world, 'We are the Saints!' " And so, on second of the late T. E. Watters, Mr. Manly's "Preposterous" suggestion was tabled.

Everyone became a charter member—except Manly! He is now a member.

No. 19—STATE BOARD v. MILLER, 90 COLO. 193

Jacob Fillius, now of the Denver Bar, was first mayor of Georgetown. The charter of that city was granted by Congress itself and provided, *inter alia,* that the mayor should be also the magistrate.

As a maxim of jurisprudence Judge Fillius pronounced a fine of $10 and costs ($8) for the offense of drunkeness. There was no court held on Sunday and His Honor objected to being awakened on Saturday nights. Hence he arranged with the Marshal that offenders against sobriety and the ordinance in such cases made and provided be freed upon deposit with the Marshal of $18, thus relieving them of imprisonment over Sunday and allowing them the joyful prospect of going to work early on Monday. Monday mornings, when court convened, the Marshal would account for an arrest in the shape of a prisoner or cash, $18.

One Monday the Marshal was charged with four arrests. He produced $54 and no prisoner; also one set of false teeth. In response to the demanded explanation the Marshal averred that an arrested miner had no money and had deposited his removable molars as hostage.

And about noon (the honest Marshal!) the teeth were redeemed and Georgetown got the $18.

No. 20—NOR FROM NEWSPAPERS?

In the dear, dead days when the Rush Bill (XXth Amendment to you neophytes) was before the Supreme Court, Judge Hallett took particular pleasure in refusing to recognize verifications by notaries public of the City and County of Denver. Truth was, he didn't like notaries anyway. The day (wonder to behold) that the Supreme Court reversed itself and held the amendment to be valid, Theodore H. Thomas, of revered memory, presented a petition for discharge of a bankrupt, sworn to before one of Hallett's betes noires.

Hallett: Mr. Thomas, your petition is obnoxious to the objection it is sworn to before an officer not authorized to administer an oath.

Thomas: Your honor, the newsboys are shouting that the Supreme Court has sustained the constitutionality of the amendment this morning. I hear them crying the news through the window. Does not the Court?

Hallett: This Court does not take its law from newsboys, Sir!

No. 21—THIS HAPPENED TO BEN SWEET IN LATER DAYS

Before Hallett, J. Augustus H. Martin, of counsel for orator.

Hizzoner: Mr. Martin, your bill lacks weight.

Martin: May it please the Court, I am confident I have stated a cause of action. Etc., etc., Martin proceeding at great length to sustain his position; the Court, as usual, hearing the presentation with the utmost patience, as was the custom of the judge. And, after fifteen minutes, when Martin had argued jurisdiction, ultimate fact and law—

Hallett: Your bill lacks weight, sir. It does not weigh at least 14 pounds to the ream, sir, as required by the rule of this Court.

No. 22—SO BOWEN BECAME A U. S. SENATOR

The late Chief Justice Charles D. Hayt and Elijah J. Hamm, both good friends of Judge Thomas M. Bowen and, as a consequence, subject to the exercise of Bowen's ready wit, were trying a case before Bowen. A Mexican juror asked to be excused. "Me no understan' good inglis," said the Mexican. "Oh," said Judge Bowen, "that's all right; neither Mr. Hayt nor Mr. Hamm speak good English."

No. 23—TRUE, BROTHER

In *Cheesman v. Shreeve,* 40 Fed. 796, Phillips, J., remarked: "There must be something in the altitude of that (Battle) mountain, or in the depth of its mines, wonderfully prolific of falsifiers and orators." And, after the trial: "The witnesses in this case in the order of their ability at prevarication are to be classified as liars, damned liars and expert witnesses."

HOLD YOUR BREATH UNTIL THE NOVEMBER ISSUE—WE KNOW YOU HOPE WE DO.