OF A CHOKE TRAP

Peculiar Form of Punishment Is Remembered

IN EARLY INDIANA

How a Giant Was Brought to Terms.

"Reading the early settlement of the Wabash valley, Indiana, by Sanford C. Cox of La Fayette, published in 1860, has caused me to think of what will be the history of the early settlement, etc., of Sedgwick county, Kansas," said Charles V. Ferguson, yesterday.

"When I read the chapter in the above mentioned history of ndiana, giving some of the instances of the early history of Fountain county, Indiana, the home of several men of more than local reputation, such as Daniel W. Vorhees, General Lew Wallace, Joseph E. McDonald and E. E. Netteker (the latter still residing there) and narrating the novel method of "chastising an inebriate—Salutary effects of domestic discipline—Cousin Bob's reply—The Choke-Trap—An incident in the early judicature of Indiana—Squire Tonga—His extensive jurisdiction—Trial and fine of a prisoner—His incarceration—A striking incident, brings up many pleasant recollections.

"Having been born in this county on the immediate banks of the Wabash, about the date of this publication, this piece of history is interesting to me as the rest of the present generation of that county, where they have ever since maintained a 'squire's court and circuit court. The narration is from a letter from 'Cousin Bob,' dated 'Forks of Coal Creek, Fountain County, May 2nd, 1857,' is only one of many interesting bits of the early history of Fountain county:

"'Dear Cousin Bob:—Father has sold his farm here in the woods and talks of moving to the West plain. The whole family are in favor of going there, as soon as we can get ready.

"'We have in our neighborhood another indubitable proof of the old adage, that necessity is the mother of invention, which may be regarded as a parallel to the one related in your story of the choke-trap.

"'There is a little old man named B—— in this vicinity, who is in the habit of getting drunk at every log rolling and house raising he attends, and on coming home at night makes indiscriminate war upon his wife and daughters, and everything that comes in his way.

"'The old lady and daughter bore with his tyranny and maudlin abuse as long as forebearance seemed to be a virtue. For awhile they adopted the doctrine of non-resistance, and would fly from the house on his approach; but they found that this only made him worse. At length they resolved to change the order of things. They held a council of war, in which it was determined that the next time he came home drunk, they would catch him and tie him hand and foot and take him out and tie him fast to a tree, and keep him there until he got duly sober.

"'It was at long until they had a chance to put their decree into execution. True to their plan, when they saw him coming two of them placed themselves behind the door with ropes, and the other caught him by the wrists as he crossed the threshold; he was instantly lassoed. A tussel ensued, but the old woman and girls fell uppermost. They made him fast with the ropes, and dragged him out towards the designated tree.

"'He raved, swore, remonstrated and begged alternately, but to no effect—the laws of the Medes and Persians were not more unalterable than was their determination to punish the stubborn offender. They tied him fast to a tree, and kept him there in limbo the most of the night. Nor did they untie him even after he became sober, until they extracted a promise from him that he would behave himself and keep sober for the future, and not maltreat them for the favor they had conferred upon him and themselves. Two or three applications of this mild and diluted form of lynch law has had an admirable effect in restoring the domestic order and happiness of the family, and corrections the demeanor of the delinquent husband and father. The old woman thinks the plan they pursued far better and less expensive than it would have been if they had gone ten miles to Esquire Make-Peace every few weeks, and got out a writ of assault and battery, or warrant to keep the peace, which would cost the family, besides the trouble and expense of attending as witnesses before the justice and circuit, ten or twenty dollars every month of two, and done no good towards reforming the old man. I reckon she is more than half right. By the by, Bob, I would be much pleased if in your next letter you would rehearse the story of the chape-trap, which I wish to show to Mrs. —— and the girls, to let them see the striking coincidence in the two cases."

"In compliance with the request contained in the letter, 'Cousin Bob' furnished the following version of the choke-trap," an incident in the early judicature of Indiana:

"During the early history of Indiana, about the year 1826, if my memory serves me correctly, in one of the neighborhoods on the east fork of White Water, there occurred a flagrant breach of the peace, which demanded a summary exercise of the laws of the land.

"A certain ungallant offender had flogged his wife in a most barbarous manner, and then drove her from home. Bleeding and weeping, the poor woman appeared before Justice Tonga for redress. The justice wrote out an affidavit, which was signed, sworn to and subscribed in due form, according to the then existing laws of the territory.

"A warrant was soon placed in the hands of a constable, commanding him to arrest, and forthwith bring the offender before Justice Tonga, to answer to the charge preferred against him. After an absence of some five or six hours the constable returned with the prisoner in custody.

"The constable, however, had a vexatious time of it, truly, for the prisoner, who was a man of giant bulk and great muscular power, had frequently on the way, after he had consented peacably to accompany him to the magistrate's office, stopped short and declared he would go no further—observing at the same time that neither he (the constable) nor 'Squire Tonga had any business to meddle with his domestic concerns. It was during one of these vexatious parleys—the constable coaxing and persuading, and the prisoner protesting and swearing back like an unruly ox—that the constable fortunately espied a hunter at a short distance, who was armed and accoutred in rial backwoods style.

"The constable beckoned to the hunter, who came up to his assistance, and who, after hearing the particulars of the affair, cocked his rifle and soon galloped off the prisoner to the 'Squire's office.

"'But this was but the beginning of the trouble in the case. The witnesses were yet to be summoned and brought before the justice—even the complaining witness shad unexpectedly withdrawn from the house and premises of the justice, and was to be looked after.

"'The hunter could not possibly stay long, as his comrades were to meet him at a point down ten or fifteen miles distant that evening. The prisoner was quite sullen, and it was evident that the 'squire could nt keep him safely if the constable and hunter were to leave. And although the 'squire's jurisdiction extended from the west line of Ohio far toward the Rocky mountains, and from the Ohol river north to Green Bay, yet, so sparse was the neighborhood in point of population, and so scattering were the settlers ,that he and his faithful constable found that it would be of of but little use to make a call upon the posse comitatus. But in this critical situation of affairs, the fruitful mind of the justice hit upon a first rate plan to keep the prisoner until the witnesses could be brought. It was simply to pry up the corner of his heavy eight-railed fence, which stood hard by—make a crack two or three rails above the ground—and thrust the prisoner's head through the crack and then take out the pry.

"'As soon as the 'squire made known his plan to the company they, with one accord, resolved to adopt it. The constable immediately rolled out an empty bee-gum for a fulcrum, and applied a fence rail for a lever, up went the fence, the justice took hold of the prisoner's arm and, with the assisting nudges of the hunter, who brought up the rear, rifle in hand, they thrust the prisoner's head through the crack nolens volens, and then took out the prop. There lay the offender safe enough, his head on one side of the fence, and his body on the other. The hunter went on his way, satisfied that he had done signal service to his country—and the constable could now be spared to hunt up the witnesses.

"'The prisoner, in the meantime, although the crack in the fence was fully large enough for his neck without pinching, kept squirming about, and brawling out lustily: Choke-trap! The d——l take your choke-trap!

"'Towards sunset the constable returned with the witnesses. The prisoner was taken from his singular duress, and was regularly tried for his misdemeanor. He was found guilty, mulct in a fine and, as it appeared from the evidence on the trial that the defendant had been guilty aforetime of the same offense, the justice sentenced him to three hours' imprisonment in jail. There being no jail within one hundred miles, the constable and bystanders led the offender to the fence again, rolled up the gum, applied the rail and thrust his head a second time through the fence. There he remained in limbo until 10 o'clock that night; when, after giving security for the fine and costs, he was set at liberty, with not a few cautions that for the future he had better let Betsy alone, or he would get another application of the law and choke trap.'

"The early judicature of Indiana, as above given, if administered in like form in Sedgwick county court, would certainly reduce the number of divorce proceedings for the next ten years compared with the past ten years. Indeed, we think the domestic affairs would be equally as pacific if we had a few 'applications of this mild and diluted form of lynch law.'"

SAUCY RED SQUIRREL.

Nature Kind In Giving Weapons of Defense.

Dame Nature has been unusually kind to the red squirrel. She has provided him with the powerful weapons of offense and defense. She has set in his muscular jaws long cruel teeth which are whetted to a keen edge on the hard-shelled nuts. She has conferred on him claws sharp as needles, and a muscular system which seemingly is controlled by an electric current. There is a wicked wild fire in his bright eye that stamps him the bravest wild thing of the forest. He will fight to the death. He whips the great cousin, the gray squirrel, without effort, and is a match for the large stoat.

When pursued by a dog, he makes a dash for the nearest tree, which he mounts, calling out, "chickaree," as soon as he is out of danger. He does not, like the gray squirrel, seek a hiding place in the top of the tree. No, he is far too bold to hide from a dog. He stops on a low limb, just out of reach, and fairly boils over with rage and fury. He barks, spits and sputters; he makes furious rushes, as if he intended to come right down the tree and "whip that dog." He violently jerks his tail and pounds the limb with his hind feet, a picture of impudent, fiery energy.

Every movement of this little squirrel is accomplished without apparent muscular energy. He seems to float up a tree. If you are near enough you may hear the pricking of his claws on the bark, but you cannot detect a muscular effort. He flashes along the limbs in some mysterous way, never stopping like the gray squirrel, to measure distances before a leap. If he misses and falls, he usually catches by a claw to some twig, thus saving himself. If he falls to the ground it does not harm or disconcert him. He is up the tree in a jiffy, spitefully saying things that sound to the listener very much like swearing.

From the middle of April to the first of September the mall squirrel leads a jolly, rollicking life. He is as restless and noisy as a school boy, and as full of fun. He will hang head down, holding on by his hind claws, just for the fun of the thing. In the tree tops he is a king. He rules the blue-jays and crows, and rates them out of the pine trees whenever he feels disposed.

The gray is no match for the red in the tree-top in a trial for speed. He usually keeps the ground where his long leaps give him the advantage over his fiery little foe. Many a sprinting match of this kind takes place in my dooryard. If a red surprises a gray squirrel stealing food, he sounds his war cry, and in a mad rush is on the gray before he can make off with the bit of food which he has appropriated. The gray, finding that he is hard pressed, runs around the cabin with the red hot at his heels. Round and round they go, the gray silent, the red yelling like a little demon. When the gray has had several narrow escapes, he drops the food and retreats unmolested. The red picks up the food and takes it to a favorite limb, where he devours it, talking to himself, meanwhile, about "that gray thief."—Forest and Farm.

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