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N. B. KLAINE, EDITOR AND PUBLISHER.

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SCRAPS OF EARLY HISTORY.

BY THE EDITOR.

There were some unique characters in the early days who conducted the public offices, but who probably discharged their duties with no less integrity and ability than some officials of to-day, in some parts of the country, not confined to the border.

Some twenty years ago it was a proverbial saying among lawyers to refer to an extraordinary proceeding in litigation as necessary for judicial determination, for authority from the Kansas Reports and "McIntosh on fees." McIntosh was police judge in 1876, and also a justice of the peace. Now there was nothing peculiar about this fact, except when the justice had a benevolent disposition and exhibition of mercy he would remit the fine but not the extravagant fees that were always taxed in each case without regard to statutory forms. Perhaps McIntosh had more cupidity than ignorance, and knew no law, which is probable. A sale of hides had been made under an execution from McIntosh's court; and in the return by the constable the charges by this officer were \$1 75, and the justice made claim for fees of \$51 00, which absorbed the proceeds of the sale. This was a judicial robbery not authorized by the statutes nor sanctioned by the plaintiff who sought to recover the amount due him. A righteous indignation was the natural result; and for this unjust "oppression in office," and under pain of being forced to leave the country, or "cough up" his extortion, McIntosh chose both.

The "impeachment" for "extortion in office," against the peace and dignity of the State of Kansas and of the rights and just claims of the party who expected to realize on the sale of the hides, was begun in McIntosh's court. It was perhaps in the nature of a "mandamus," without recourse or appeal to higher authority. It was a sort of lex talionis; and on the one part was Attorney Ed Colborn, who shed brilliancy and rhetoric before the bar in the early days; and Bill Morphy, a lawyer with more gall than legal ability, though generally termed smart. After the two lawyers had exhausted all the authorities except "McIntosh on fees," the case was left for this most unrighteous judge to adjudicate. He rendered his opinion—or "handed it down" as they say in the Supreme Court—in the syllabi as follows: "You will find the \$51 in an envelope in Judge Fringer's safe, marked 'McIntosh on fees'; and it is the opinion of this court that the aforesaid money belongs to the client of Mr. Colborn, and this court waives all further right, title and interest in the same."

From McIntosh's court room to Fringer's store was but a short distance; and Colborn being of nimble foot as well as nimble mind, reached there first. He had made the change from the safe to his pocket of the envelope, when Morphy entered, who was as breathless as a broken winded horse. McIntosh folded his judicial ermine with its taint and dust; and wrapping himself in his cloak of indignation and disgrace; he fled; like the Arab who folded his tent and silently stole away.

Perhaps some people were regarded queer because they were naturally so, or they took advantage of circumstances, or surroundings made them so. At any rate, in the migration of the multitude the peculiar characters drifted with the tide. There was a very unprepossessing disciple of the law who wandered to Dodge in the early 80s, who had some natural ability and a smack of legal learning. He was wanting in dignity, because nature never endowed him with any. To prevent him from becoming a public charge, the people elected him police judge. Judge Burns proved a "holy terror" to evil doers, and the excessive fines in his court made a wholesome dread of the law, in these cases made and provided. Burns was a kind of physical deformity though no fault of his; but the ego stood as proud and courtly as the gowned tribunal that sits under the shadow of the capitol at Washington.

Burns sometimes looked on the wine when it was red; and tarried long at it. He was extremely selfish in this that he never refused a drink. He practiced at the bar too long one night and early morning found him slumbering on the long bench in the

barroom. The noise from the deep nasal passages were even though long and profound, but not quite as deep as the sound of a pipe organ or a stern wheel boat. The ebony hued individual whose first matutinal duty was the emptying of the cuspidors and opening the house to the purifying zephyr blowing where it listeth, removed bench and Burns to the front door; and where the vulgar public gazed long and wonderfully at the prostrate form of the police judge. His form was stretched out as undertakers stretch the dead; and as he did not waken the wags saw a chance for fun. Lighted candles soon adorned where the body of Burns lie, and on his head he wore a crown. The report soon gained currency that Burns was dead. It was not long until the town viewed the sad remains now held in mirthful wake. The coroner had empaneled a jury and was soon inquiring into the causes of the death of the body now before him; and the jury were about to render a verdict—"dead drunk"—when Bobby Burns rose from his couch astonished at the proceeding, and a more sullen man never rose from a debauch.

The iron had entered Burns' soul, and a more relentless judge never before sat in the police court bench. If he had previously given fines with partizan prejudice and excessiveness, he now gave them with wormgall and hate. He had no mercy henceforth because his pride was hurt; and the narrowness of the man was ever his feature in public life.

Burns and family drifted away, but not before without bearing many of the afflictions of life; and the man who set fire to his house in the southeast part of the county, was lately pardoned from the penitentiary. [TO BE CONTINUED.]

The roads of the Western Passenger association have decided that they will run more homeseekers' excursions, on the same basis as the other excursions that have been run this year. One excursion will be run in January, two in February and one each in March and April.

LAST week we printed a letter from Premier Salisbury of England inquiring for Henry Duncan at one time a resident of this county. Mrs. M. C. McMillan who was visiting in the city last week says Mr. Duncan is now a resident of Los Angeles, California. He went from Dodge City to Oklahoma and about a year ago removed to California. It is supposed there is a fortune awaiting him in England.—Council Grove Republican.

Henry Duncan, wanted by the English government, lived here many years. He was a funny old Scotchman with a Bobby Burns accent (perpetual motion type), an unwashed face and a red-headed temper.—Council Grove Republican. Henry Duncan left Dodge City about three years ago for Willow Springs, Oklahoma. He owns property at Salda, Colo. He worked in the Santa Fe yards in Dodge City.

In 1892 Mr. A. L. Goldwater, who owns three retail drug stores in New York City, having learned of the great value of Chamberlain's Cough Remedy for colds, croup and whooping cough, ordered a supply for his customers. It met with so much favor that he soon found it necessary to order more, and during the winter sold over two gross of the remedy. He says it gives the best satisfaction of any cough cure he has ever handled. For sale at 25 and 50 cents per bottle by W. F. Pine.

BUCKLEN'S ARNICA SALVE. THE BEST SALVE in the world for Cuts, Bruises, Sores, Ulcers, Salt Rheum, Fever Sores, Tetter, Chapped Hands, Chilblains, Corns, and all Skin Eruptions, and positively cures Piles, or no pay required. It is guaranteed to give perfect satisfaction or money refunded. Price 25 cts per box. For sale by W. F. Pine.

A young man who does not live a thousand miles from Dodge City blacked his mustache with stove polish by mistake one night recently, and then went to see his best girl. Her friends say her face the next morning looked like a map of Chautauque county with railroads running from her mouth to her ear. He will be more careful next time.

The wife of Mr. D. Robinson, a prominent lumberman of Hartwick, N.Y., was sick with rheumatism for five months. In speaking of it, Mr. Robinson says: "Chamberlain's Pain Balm is the only thing that gave her any rest from pain. For the relief of pain it cannot be beat." Many very bad cases of rheumatism have been cured by it. For sale at 50 cents per bottle by W. F. Pine.

Major C. T. Pictou is manager of the State Hotel, at Denison, Texas, which the traveling men say is one of the best hotels in that section. In speaking of Chamberlain's Colic, Cholera and Diarrhoea Remedy Major Pictou says: "I have used it myself and in my family for several years, and take pleasure in saying that I consider it an infallible cure for diarrhoea and dysentery. I always recommend it, and have frequently administered it to my guests in the hotel, and in every case it has proven itself worthy of unqualified endorsement. For sale by W. F. Pine."

When most needed it is not unusual for your family physician to be away from home. Such was the experience of Mr. J. Y. Schenk, editor of the Caddo, Ind. Ter., Banner, when his little girl, two years of age was threatened with a severe attack of croup. He says: "My wife insisted that I go for the doctor, but as our family physician was out of town I purchased a bottle of Chamberlain's Cough Remedy, which relieved her immediately. I will not be without it in the future." 25 and 50 cent bottles for sale by W. F. Pine.

W. B. SUTTON, who is a quasi candidate for United States Senator, is as full of wind as a pneumatic bicycle tire. Whether it is pumped in or inhaled we are unable to say.—Coolidge Enterprise.

Receiver McEntire of the Wichita & Western railway with general headquarters at Wichita has decided to suspend the operation of thirty-one miles of that line between Cullison and Mullinville, the terminal point. The road will be operated as usual between Wichita and Cullison.

The reason for the present abandonment of the western thirty miles of the line is that the company receives little or nothing in the way of freight or passenger revenue from it.

The Republican majority in Utah on the vote for Governor, as official certified, was 2282—not a very large margin, but sufficient to protect the new State against the dangers of future capture by the Democrats.

Ten years from now the newspapers in eastern Kansas which are now abusing western Kansas will be declaring they always thought western Kansas the garden spot of the earth.—Hutchinson News.

The state irrigation board announces that it is ready to make a test of irrigation in western Kansas next year. That ought to insure plenty of rain.—Hutchinson News.

The fact of most importance about the President's message is that it doesn't contain a single recommendation that is likely to be adopted by Congress.

The railroad will stimulate travel next year.

A Raymond & Whitney California excursion passes here to-morrow evening.

The farmers of western Kansas have the finest wheat prospect for years. This is especially true of Pawnee county.—Larned Eagle.

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