

Bypaths of Kansas History

AN EARLY-DAY COURT SCENE IN WICHITA

From the *Wichita City Eagle*, April 6, 1876.

The first term of the District Court began on the 13th day of June [1870]. It was held in the attic of a livery stable, nearly opposite the Empire House. Hon. W. R. Brown, of the 9th district, which included Sedgwick county, was the Judge. . . . The court room was provided with one chair which was occupied by his honor the Judge. The table for the accommodation of the lawyers consisted of two goods boxes set "end for end." The seats for the bar consisted of a two by six cottonwood scantling resting at each end on cracker boxes, and placed at a convenient distance from the table, and along which ranged the lawyers. Behind the boxes sat the Judge in his solitary chair with his right heel resting gracefully over his left knee, his right elbow resting upon the arm of the chair, and his chin firmly planted in his right hand, and his left hand in his pants pocket. The seats for the bystanders consisted of the same material and pattern as that for the bar, and ranged around the wall.

The trial docket consisted of a single sheet of foolscap paper, and the bar docket and the journal of the same. The cases at issue were three: one a murder case, one a State case against . . . Alexander Jester, charged with an assault with intent to kill, and the other a divorce case. The divorce case was tried, witnesses examined and a decree for the plaintiff, which was the husband. It was developed on the trial that the defendant in her playful mood had kicked the plaintiff out of bed and compelled him to sleep on the floor, and as they lived in a dug out, this was adjudged a sufficient "ground" to justify a divorce. The case of murder was taken, by change of venue, to Butler county. In the assault case the defendant interposed a motion to "squash" the information, which was done. It is a curious fact that no record of the proceedings of that court was made, and not even the scratch of a pen remains to tell the fact of the granting of that divorce.

SOCIAL LIFE IN COWLEY COUNTY IN 1873

From the *Winfield Courier*, November 13, 1873.

One of the roughest gatherings that ever met in Cowley county to chase the scratch of cat-gut round the room assembled at Hoerneman's on Little Dutch creek last Monday night. About sixty persons were present; crammed into a room some fourteen by twenty feet in size, in the centre of which two sets in cotillion were compelled to "all saschey." The honest sons and daughters of the soil were there in plain garbs; widows and widowers in whom the blaze of passion had burned the carbon of life to a cinder, were there trigged by art to hide nature's truth; chins were there that showed the eider down of tender teens, and the heavy hand of time's reproach; the tender maid just swelling with the truth of nature's possibilities, and the mother holding the unweaned offspring to her bosom, were there. The polished gentleman of travel, who speaks five languages correctly and fluently, and the tobacco

chewing bumper who could not speak one, were there; the mild and harmless, the swaggering and armed, and the "gay young man from town," were all there. To set the meaner elements of that heterogenous mass well in motion whisky was introduced. In a little while it could be smelled in the air, upon their breaths and clothes, seen in their eyes, and noticed in their "balance all," and down the throats of half the party. Even the cat-gut caught it, and slewed among the minor and major keys in reckless disregard of "tone." Halters to teams were cut, whips stolen, the road strewn with fence posts, three or four fights ensued, pistols drawn and bedlam mirrored. We have told enough; numerous other little things happened that won't do to tell.

PRICES CURRENT IN FORD COUNTY IN 1893

From "Concord Items" in *The Globe-Republican*, Dodge City, January 6, 1893.

NOTICE TO ALL WHOM IT MAY CONCERN:—There will be an election of new officers on February 31, 1893, of the Hugging Society. Applications for membership will be received on the date named. Here is the scale of prices and benefits: Girls under 16 are not in it; from 16 to 20, 50 cents; from 20 to 24, 75 cents; school marms, 12½ cents; another man's wife, \$1.00; widows according to looks from 10 cents to \$3.00; old maids, three cents or two for a nickel. Not any time limit. Preachers are not charged. Editors pay in advertising, but are not allowed to participate until everybody else is through and even then are not allowed to squeeze anybody but old maids and school marms.

THE ROAD OVERSEER

From the *Irving Leader*, May 2, 1895.

A road overseer, my son, is a man elected by the people of a road district to make diligent search and plow up every piece of good road he can find. Each new one elected is also expected to kick on the road machinery purchased by the old board of township trustees and keep kicking until new is purchased. It is his duty also to leave such machinery out in the weather as much as possible so that it will be sufficiently eaten by rust to insure the next year's kick and purchase. No well regulated road overseer should repair any bridge or culvert until he has let the common herd drive around it through the mud for at least one year and not longer than two years. A road overseer who is well onto his job will never let the road get out of repair in front of his own premises—other roads in the district can take care of themselves. He is not supposed to be very particular about the condition of the road in front of his enemy's house—for this reason keep on the good side of the road overseer. Never run to this autocrat of the neighborhood with a tale of woe about the terrible condition of your road—he may notice it himself in a year or two. The road overseer cannot be legally held responsible for the dampness of the highway after a heavy rain. God bless the road overseer.