

Early Indiana Trials.
REMINISCENCE BY HON. S. H. SMITH

NO. 2.

At the March term (1820) of the Dearborn circuit court, Judge Eggleston took his seat on the bench, as the successor of the Hon. John West. The Judge was a young Virginia lawyer, a cousin of the Hon. William Brewster, of the United States Senate. He was a fine scholar, and a well read lawyer. His integrity and moral courage were above suspicion, while his impartiality commanded the approbation of all. He will long be remembered by the writer, one of the young members of the profession, for the Judge was unwilling to hear all that could be said by the humblest member of the bar, and when he decided, even against him, his manner gave courage to increase preparation for the next case. I received my license to practice law from his hand, after a short examination in person. His remarks in signing the license made a deep impression upon me. My means were exhausted, and it was a question of life or death with me. The Judge kindly remarked: "Mr. Smith, I will sign your license, but you are only prepared to commence the study; don't be discouraged, but persevere in your studies and you may yet stand high in your profession."

The March term (1820) of the Dearborn Circuit Court was memorable for the trial of Fuller for killing Warren Palmer. Warren, the deceased, was my room fellow at our boarding house. While a student, he was a young, pleasant man, of good reputation. Fuller was his senior in years, also highly respectable. These young men, it seems, became attached to a young, though not handsome, girl, with a broad English accent, and both proposed marriage. The young lady preferred Warren, and rejected Fuller, who, in the moment of excited feelings, shot Warren with a pistol, first offering him one to defend himself. The ball entered the left breast and penetrated the heart. Warren fell dead. I was not very far off, but saw his vest afterwards, with a bullet hole through it. As these young men were highly respected in Lawrenceburg, especially Fuller, who was a great favorite, the trial excited unusual interest. I was present at the trial. The young Judge took his seat upon the bench for the first time. The prisoner was brought into court by Capt. Thomas Longly, the sheriff, and took his seat in the box. He was dressed in black, except his white vest; his countenance was composed, and his eyes steady. Mr. Amos Lane and Mr. John T. East appeared for the State, and Messrs. Daniel J. Caswell, Charles Dewy, Samuel Q. Richardson, and Merritt S. Craig were of counsel for the prisoner. The jury were unani-

versely for the condemned. The young Judge, after overruling a motion for a new trial, pronounced a most impressive and solemn sentence of death by hanging upon the prisoner. The court room was filled to overflowing with both men and women. All were much affected and many tears were shed. The prisoner looked pale and agitated, yet it was apparent that he was not without hope. The execution was fixed at a distant day by the Court to afford an opportunity to test the legality of the conviction in the Supreme Court. The judgment was affirmed by the last judicial tribunal and the record returned. The people of Dearborn almost in mass signed a petition to the Governor for the pardon of Fuller, and such were his hopes that he refused to escape from prison, when he could have done so. Time rolled on, and brought the fatal hour, but no pardon, and Fuller was publicly executed in the presence of thousands. This case will long be remembered in old Dearborn.

The mind of the reader, and my own recollections, may require rest from this deep tragedy, by relating other cases of a more comical character. Shortly after the trial of Fuller, the Court called the case of Michael O'Bryan, indicated for the larceny of a watch property of Jemmy O'Regan. The prisoner appeared in the box. He was a little pokey-marked Irishman, who was evidently acquainted with the "dear cratur," as well as the private resting places in the out-houses of the city. In the witness stand sat Jemmy O'Regan, the prosecuting witness—asmall, rather good looking Irishman, with a flaming red head, and one eye that looked as if it had been put in with red putty; the other had long taken leave of his countenance. Gen. James Dill was the clerk of arraigns. The General was a distinguished connecting specimen of the last and the present generations—a perfect gentleman, with a fine ruffled shirt, blue pants and a long queue down his back, and with a solemn look and a voice that would almost drown the dead. The General speaking to the prisoner said, "Michael O'Bryan, stand up and hold up your hand." "I will just do that." "Are ye as you say me?" "You are indicted for stealing Jemmy O'Regan's watch; are ye guilty or not guilty?" Michael, bowing to the floor. "Not guilty, My Lord!" This brought down the house, as the saying goes.

The case was submitted to the Court without a jury. Jemmy was sworn, and was the only witness. He went on to identify the watch he had given the number and maker's name, and then with tears in his eyes, "It is the same watch we had mother gave me when I left Ireland, peace to her soul!" The identity was completely proved, but still the larceny was not traced to Michael O'Bryan. Judge Eggleston— "Jemmy O'Regan did you find the watch upon Michael?" "Sir, your honor?" Judge—I say did you find the watch with him?" Jemmy with the most indignant contempt in his eye, looking the Judge in the face, "Find the watch upon him?" and didn't I tell your Honor that it was the watch my old mother gave me in Ireland? Had I found him with it, do ye think I would have troubled your Honor with him?" Judge, "The prisoner must be acquitted, on the

ground that there is no evidence that he ever saw the watch." Jemmy—"and how could he see it, your Honor when he was drunk and asleep on the floor all the while he stole it."

I left Dearborn immediately after these trials with my license, arrived at Versailles, Ripley county, the next day, and fairly entered into professional life. My shingle was exposed to the gaze of the passers by for some days, but no client called. My landlord of course looked for his dollar and a quarter at the end of the week, his boarding price, and I began to doubt whether the profession of the law was what I had supposed, the road to wealth and fame, when a loud knock at the door aroused my attention, and in stepped a man of a most Herculean frame, apparently much exercised, and asked if the "Squire" was within; I said yes; he says he "have a very important case, Squire, and have come to see you." This was indeed music to my ears, the first of the kind I had ever heard. The case was stated: A neighbor had, without asking, bored one of his sugar trees. "If he had asked it," said the client, "he might have bored a dozen of them, and welcome!" Hero was a plain case, the action brought, and warmly contested by Merritt S. Craig, my worthy competitor for wealth and fame at Versailles. I had left the office of the Justice, after my first speech, and was eating dinner at my boarding house, when I rushed my client and announced the result, in his stentorian voice, "Squire, we have beat him, verdict 123 cents, good, but, Squire, I want you to stick to him, as he now swears he will plunge into this; here is your fee, of \$2.50." This was my first client, my first case, and my first fee.

REVIEW OF THE CINCINNATI MARKET.
Carefully corrected for this paper by *John A. Colter, Grocer and Commission Merchant, south-east corner of Main and Seventh streets, Cincinnati, Ohio.*

INDIANAPOLIS MARKETS.
WHOLESALE.

INDIANAPOLIS MARKETS.
INDIANAPOLIS, July 7, 1857.
BUTTER, 1 lb. 10¢; 12 lb. 80¢; 25 lb. 75¢; 50 lb. 65¢; 100 lb. 55¢; 200 lb. 50¢; 500 lb. 45¢; 1,000 lb. 40¢; 2,000 lb. 35¢; 5,000 lb. 30¢; 10,000 lb. 28¢; 20,000 lb. 26¢; 50,000 lb. 24¢; 100,000 lb. 22¢; 200,000 lb. 20¢; 500,000 lb. 18¢; 1,000,000 lb. 16¢; 2,000,000 lb. 14¢; 5,000,000 lb. 12¢; 10,000,000 lb. 10¢; 20,000,000 lb. 8¢; 50,000,000 lb. 6¢; 100,000,000 lb. 5¢; 200,000,000 lb. 4¢; 500,000,000 lb. 3¢; 1,000,000,000 lb. 2¢; 2,000,000,000 lb. 1¢; 5,000,000,000 lb. 80¢; 10,000,000,000 lb. 60¢; 20,000,000,000 lb. 40¢; 50,000,000,000 lb. 30¢; 100,000,000,000 lb. 25¢; 200,000,000,000 lb. 20¢; 500,000,000,000 lb. 18¢; 1,000,000,000,000 lb. 16¢; 2,000,000,000,000 lb. 14¢; 5,000,000,000,000 lb. 12¢; 10,000,000,000,000 lb. 10¢; 20,000,000,000,000 lb. 8¢; 50,000,000,000,000 lb. 6¢; 100,000,000,000,000 lb. 5¢; 200,000,000,000,000 lb. 4¢; 500,000,000,000,000 lb. 3¢; 1,000,000,000,000,000 lb. 2¢; 2,000,000,000,000,000 lb. 1¢; 5,000,000,000,000,000 lb. 80¢; 10,000,000,000,000,000 lb. 60¢; 20,000,000,000,000,000 lb. 40¢; 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