

Josh. had studied surveying theoretically, but had never set a compass, while I had some practical knowledge of the subject, so it was agreed that he should hold himself out as a surveyor, without advising the public of his want of practice, and that when he got a job I would go along to carry the hind end of the chain, and quietly give him any instructions he might need in starting. Spring was glad to go along to carry the fore end of the chain, for he seemed to be as glad to earn a dollar as I was. We found our starting point perhaps a mile north of the town, east of the north branch in the timber, and ran north. At noon we came back to town for our dinners, and as we passed the clerk's office on our way, Col. Hamilton came out and told us of a man who wanted to bring an action in attachment. We both wanted the case, of course, but agreed that we would eat our dinners and return to our work, and the Colonel was to send the client after us, and we would trust to luck as to which he would come upon first, who, of course would get the case. We told the Colonel that we would be found in that alder swamp, to which he was to direct the client. I thought that my position at the hind end of the chain would give me the advantage, for the man would most likely strike our trail where we entered the swamp, and so must necessarily follow it up, and come upon me first. We went back to our work, but made very slow progress in the dense thicket, all being idle most of the time except the axe-men. So soon as they had cleared the way sufficiently to let us advance we did so, and then sat down to wait. While thus sitting on a log, I heard a crashing in the brush, and guessed instantly that it was the coveted client. He was fighting his way slowly through the thicket, but making directly for the choppers. I thought the game was lost, but when he got opposite me, not more than twenty feet away, the devil took control of my hands, and I lifted the handful of steel pins in my right hand and dropped them into my left, which made a pretty loud ringing noise. Instantly the noise in the brush stopped, as if the traveller was in the attitude of listening. The sight could not penetrate more than half the distance between us, and the blows with the axes still continued. This, I apprehended, must soon start the man on his way to them, so I gave the stakes another ringing clash into my left hand, when the man started directly toward me, and asked me if I was a lawyer. I felt guilty of having broken the spirit of our agreement, if not the letter, and regretted what I had done; but it was then too late to repair the wrong. I said yes, and we started for the clerk's office together, and on the way he stated his case to me. A man owed him some money, who was a non-resident, but had some property which he wished to attach. We went to the clerk's office, where I prepared the necessary papers, and procured the writ of attachment, which was duly served by the time the surveying party returned. Spring was employed the next day by John Bates to interplead.

In May, 1834, the case was tried before the first petit jury ever impanelled in the Cook Circuit Court, when Spring beat me and got the verdict. I got my judgment by default against the debtor, but could never find a thing out of which I could collect it, and, as my own client never showed up again, I got nothing except a small retaining fee, while Spring got a good fee and a good client; so the laugh was on his side at the end, which I think he enjoyed almost as much as he did the fee.