

"On the day of the hearing," said Thurman afterwards when relating the story, "my client and I drove over to the scene of trial. The court-room was crowded with farmers and people of the neighborhood, who were there to look on. The plaintiff put on three or four witnesses, but one after another, as they testified, it was plain and clear that they knew nothing of the merits of the controversy. The plaintiff's testimony in no sense established the case, and the old Dutch justice was desperate. The plaintiff had no lawyer, and the Dutch justice conducted that side of the case pretty much himself. But ask what questions he might of the plaintiff and his witnesses, he couldn't bring out the testimony necessary to found the case. After the plaintiff's testimony was practically all in, the old Dutch justice looked at me and remarked, as if experimenting to see if I would make any objection:

"'While it is onusual for a gourt to give destimony in a gase vich pends before it, I know a good deal about dis gontroversy myseluf. If dere is no objection by the defendant, I will swear myseluf und gife my evidence.'

"I made no objection, as I was curious to see what the old Dutch rascal would do. Infering consent from my silence, our judge gravely arose, and, holding up his right hand, at his own hoarse command he administered the usual oath to tell the truth, the whole truth, and nothing but the truth, in the case then and there being tried. After this very comfortable arrangement he sat down, and proceeded to relate a story which entirely picked up all of the plaintiff's dropped stitches, and made, in-

deed, a perfect case against my client. While the justice was glibly giving his evidence a farmer who stood just behind my chair whispered to me:

"'Just hear that old rascal lie, and the beauty of it all is there isn't a man in the room who'd believe him under oath.'

"This gave me an idea, and I thought I might as well have a little fun out of the situation while drifting to a judgment against my client. I asked the farmer in a whisper if he were willing to take the stand and testify that the old Dutch justice's reputation for truth and veracity was bad. He said that he would, and that a dozen more in the room would be perfectly willing to do the same.

"'Ferry vell,' remarked His Honor, 'produce your vitnesses.' "One after the other six gentlemen whose names I called arose and were sworn. One after the other got up on the stand and testified that they had long known the Dutch justice, giving his name; that they knew his reputation for truth and veracity in the community where he resided; that it was bad, and that from that reputation they would not believe him under oath. At this point I rested, and informed His Honor that I had nothing further to present. Throughout the testimony impeaching him of untruth he had preserved an air of mild indifference. One would never have known by looking at him that he was the party under discussion at all. When I told him that my evidence was all in, he braced up to decide the case. "'Der blaintiff, mit his first four vitnesses, vitch includes himself,' said His Honor, 'makes nodings out of his side of der