

LAW PRACTICE IN KANSAS.

The following is a copy of a brief, filed in an action decided in the supreme court of Kansas, by Eugene F. Ware, who is not only a sound and witty lawyer, but a brilliant one as well. It speaks for itself.

In the supreme court, state of Kansas: George Lewis, appellant, vs. The State of Kansas. (Appeal from Atchison, Kansas.)

SYLLABUS.

Law. Paw. Guilt. Wilt. When upon thy frame the law places its majestic paw, though in innocence or guilt, thou art then required to wilt.

STATEMENT OF THE CASE BY THE REPORTER.

This defendant while at large Was arrested on a charge Of burglarious intent, And direct to jail he went.

But somehow he felt misused And through prison walls he oozed, And in some unheard-of shape He effected his escape.

Mark you now, again the law On defendant placed its paw, Like a hand of iron mail, And re-socked him into jail— Which said jail, while so corralled, He by sockage tenure held.

Then the court met and they tried Lewis up and down each side, On the good old-fashioned plan; But the jury cleared the man.

Now, you think that this strange case Ends at just about this place. Nay, not so. Again the law On defendant placed its paw, This time takes him round the cape For effecting his escape. He unable to give bail, Goes reluctantly to jail.

Lewis, tried for this last act, Makes a special plea of fact; "Wrongly did they me arrest, As my trial did attest; And while rightfully at large, Taken on a wrongful charge, I took back from them what they From me wrongly took away."

When this special plea was heard, Thereupon the state demurred.

The defendant then was pained When the Court was heard to say In a cold, impassioned way: "The demurrer is sustained."

Back to jail did Lewis go, But, as liberty is dear, He appeals, and now is here To reverse the judge below. The opinion will contain All the statements that remain.

ARGUMENT AND BRIEF OF APPELLANT.

As a matter, sir, of fact, Who was injured by our act? Any property or man? Point it out, sir, if you can.

Can you seize us when at large On a baseless, trumped-up charge, And if we escape, then say It is crime to get away? When we rightfully regained What was wrongfully obtained?

Please the Court, sir, what is crime? What is right and what is wrong? Is our freedom but a song Or the subject of a rhyme?

ARGUMENT AND BRIEF OF THE ATTORNEY FOR THE STATE.

When the State—that is to say We take liberty away—

When the padlock and the hasp Leave one helpless in our grasp. It's unlawful then that he Even dreams of liberty; Wicked dreams that may in time Grow and ripen into crime, Crime of dark and damning shape That if he, perchance, escape, Evermore remorse will roll O'er his shattered, sin-sick soul.

Please the Court, sir, how can we Manage people who get free?

REPLY OF APPELLANT.

Please the Court, sir, if it's sin Where does turpitude begin?

OPINION OF THE COURT—PER CURIAM.

We—don't—make—law. We are bound To interpret it as found.

The defendant broke away; When arrested he should stay.

This appeal can't be maintained, For the record does not show Error in the court below, And we nothing can infer. Let the judgment be sustained; All the justices concur.

NOTE BY THE REPORTER.

Of the sheriff—rise and sing Glory to our earthly king.

NO PREMIUM FOR LIARS.

The present revenue laws of Nebraska are merely a protective tariff to encourage the pernicious industry of manufacturing lies. The present system of tax levying and tax collecting in this state ought to be abolished.

Under its inspiration mendacity has become epidemic. The biggest liar is rewarded with the least taxation.

Under this system of swindles, precinct assessors, in the open daylight, assemble at the court house and deliberately agree to the lies they will officially relate under their oaths of office. They arrange to put horses at ten dollars, cows at five, and hogs at two-fifty a head or at some other absurdly ridiculous valuation.

They likewise determine to call a dollar twenty-five cents for the purpose of assessment.

This compact for telling lies is made every year in every county in Nebraska. The law, however, declares that all property shall be assessed at its selling or exchangeable value. But in Otoe county the precinct assessors declare that if this provision be adhered to and rigidly observed, in assessing and collecting revenues, we shall be obliged to pay more than our share of state taxes because Nemaha on the south of Otoe and Cass on the north of Otoe never comply with this provision of the law. In fact everybody knows that nobody obeys this law.

The whole present system should be erased from our statute books. The actual value of all property, real and personal, should be given in by all owners. The truth should be told.

There should be only one assessor for each county. That assessor should have power to appoint deputies and authority

to revise their returns. One man, one mind, should bring about just and uniform valuations for each county.

The revenue raised directly for the maintenance of the state government should be by taxation on lands, real estate only, and for this purpose there ought to be a valuation—made to stand for five years—by the auditor of the state, or some officer of the executive branch of the government at Lincoln.

If Nebraska could achieve a just and equitable revenue law at the coming session of the legislature the good name, high credit, and financial solidity of the citizens individually and the commonwealth as a concrete, and composite also, would amaze the world. In the clear light of plain truth, as to its property, real and personal, Nebraska will demonstrate her wealth to be five to ten times greater than it seems when lighted up by liars competing—with each other—to see who shall pay the smallest sum into the public treasury.

General John C. Cowin, an eminent lawyer, a princely personality and a character without blemish, is kindly and proudly named by some of his numerous friends in Omaha for United States senator. General Cowin would make no Nebraskan ashamed by the ability, dignity and sense of duty which he would carry into that high and honorable position. He is a splendid type of citizenship.

Lincoln and Lancaster county politicians and people seem very generally to believe that the probabilities of electing their distinguished and popular fellow citizen, D. E. Thompson, to the United States senate are constantly increasing. Otoe county and Nebraska City folks are in strong faith that Judge Hayward will be elected next month to the United States senate.

J. Sterling Morton wields a Damascus blade of finest steel in THE CONSERVATIVE, in his thrusts, guards and lunges upon the vulnerable armor of the 16-toilers. We are so charmed by his brilliant charges and counter charges upon the foe that we forget, for the time being, his early education whereby he was stranded on the free trade reef, as against the American doctrine of protection.—Pawnee City Republican.

THE CONSERVATIVE, by J. Sterling Morton, is probably the only journal of its character in the West. It is devoted to a discussion of current events and the editorial ability displayed is equal to any publication in the country. It is certainly a valuable publication and well worth the price.—Gage County Democrat.

Jim Corbett is as dead as free silver.—Atchison Globe.

What is the need of putting it so very strongly?