

Lawyers in these legal fights needed boxing gloves

Courts of law were created to provide a place for the airing and arbitration of grievances — the state against individuals and individuals against each other. Proceedings in the court room are conducted in an atmosphere of decorum.

Through the years there have been exceptions. Two of them occurred in 1895 and 1921 in Bloomington and Spencer, respectively.

As 1895 was drawing to a close on Dec. 29, attorneys James F. Morgan and W.H. East were giving their best arguments in what *The* (Bloomington) *World* called "a trivial law suit." The judge was John W. Dixon.

The newspaper did not reveal the particulars of the suit, but in the course of the arguments Morgan lost his detachment. *The World* described what happened next. "The trouble terminated in Morgan dealing W.H. East a heavy blow over the left eye and knocking him down."



LOOKING BACK

By Rose McIlveen

Court habitués fled for the doorways, while Dixon was so surprised that he forgot to levy a contempt of court ruling against Morgan. Incredibly, after less agitated observers separated Morgan and East, the trial continued.

Assault and battery is assault and battery, wherever it occurs. East understood the legal wisdom that suggests that "a lawyer who represents himself has a fool for a client." He engaged an impressive battery of the Monroe County bar — Duncan & Batman, Fulk & Corr and Judge A.M. Cunning.

East thought the injury to his head and dignity was worth \$3,000, saying, "he has suffered much physical pain by reason of being assaulted and has been humiliated to the extent of the amount sued for."

Morgan was arrested, and the case was to appear in the mayor's court. *The World* did not share the outcome with its readers in subsequent issues, but Morgan no doubt paid for forgetting himself.

The outcome of another court room brawl was carried by the *Daily Telephone* of Oct. 25, 1921. The reporter was vastly amused by the events in Special Judge Frank A. Sims' court in Spencer.

Suggesting that Bloomington attorney, J.E. Henley, was the up to the weight to the likes of boxer Jack Dempsey, the newspaper gave its readers a blow-by-blow description of what happened. "Mr. Henley and Mr. (Willis) Hickam are opposing attorneys, and Mr.

Hickam was on the witness stand at the time. Mr. Henley objected to a question that was asked, and this roused the wrath of Mr. Hickam — and he angrily jumped from the witness chair — and the dove of peace hurriedly hopped off the tower of the building of justice."

Hickam hit Henley several times, Henley attempting to ward off the blows. After his back was literally against the judge's bench, Henley retaliated "and turned loose his powerful right — connecting in the mouth of his opponent and knocking him over two or three chairs and down and out."

Chirped the *Telephone*, "Blood and confusion followed, and after a count of 10, Judge Sims fined both the vanquished and the victor." The fine applied to each attorney was \$10.

So much for courtroom decorum.

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