

# Foxhound lawsuit turns into a real dogfight

Clint Bodenhamer, well-known fox hunter of Monroe County, was given the opportunity to think about appropriate ways to express his anger in 1923. His "time out" spent at Putnamville, was paid for by the taxpayers of Indiana.

How he got to the state farm could be described as an interesting variation on courthouse behavior. Visitors on opposite sides in lawsuits may glare at each other in the halls of justice, but Bodenhamer stepped over the line.

The issue was a dead dog.

A man by the name of McCarty apparently believed that a man by the name of Goss had killed his (McCarty's) foxhound and wanted legal satisfaction in the circuit court at Martinsville.

Monroe County attorney Q. Austin East was assisting with the defense. The *Martinsville Reporter* of Feb. 19, 1923, described what happened. "Bodenhamer (a witness) took exceptions to questions asked him on



## LOOKING BACK

By Rose McIlveen

cross examination by S.C. Kivett, another attorney, seeming to hold East responsible (for the information that prompted the questions)." After East left the court room on the second floor, he saw Bodenhamer and a man by the name of Dick Duncan standing by the foot of the stairway.

Another account of the incident appeared in the *Bloomington Telephone* of Feb. 20. "When East came downstairs from the court room, Bodenhamer and Duncan approached, remarking 'now we've got you we're going to give you a good licking.' East motioned Bodenhamer and Duncan to step into the sheriff's office which opened off the hall where they were all standing..."

East told a deputy sheriff to arrest Bodenhamer and Duncan, continued the *Telephone*, "But the deputy was only a boy, and he was very much frightened — too much frightened to move." The two men attacked East, and at one point East had Bodenhamer's head under his arm. Meanwhile Duncan struck East several times in the face. Bodenhamer freed himself, but East kicked him across the room.

Well, at that point the Morgan County sheriff arrived and arrested Bodenhamer and Duncan. They were taken into the court room of Judge Bain, who, quite naturally, asked them what they thought they were doing, behaving in such a rowdy fashion in the Morgan County Courthouse. Didn't Bodenhamer know he could be cited for contempt of court?

The *Telephone* article said that the man immediately earned some time for "talking back" to the judge. According to the *Martinsville Reporter*, when questioned by the judge "The latter (Bodenhamer) replied in an

impudent manner, and the court said he would give him thirty days at the penal farm."

Bodenhamer smarted off to the judge again, suggesting that the sentence should be 60 days. The judge obliged him. Not willing to leave well enough alone, Bodenhamer then asked why it couldn't be 120 days. Judge Bain, probably annoyed at that point, was willing and hinted to Bodenhamer that he could increase the sentence again.

After a plea from Bodenhamer and his wife, the sentence boiled down to 30 days and a fine of \$90. Both newspapers agreed that Bodenhamer had been drinking something alcoholic.

Commented the *Telephone*, "Mr. East today bears three or four black marks on his face as the result of the encounter." What about the issue of the dead dog? Reported the newspaper, "The fox hound case was not settled, but was finished Saturday and was taken under advisement by Judge Bain."

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