

rette's not coming to the election and voting for his candidate, and declared that he would be revenged on him.

There was a law at that time in Michigan preventing stud horses from running at large when over eighteen months of age, under a penalty of ten dollars for each offence, "if willingly or wilfully at large." At this time the water was high in the Mississippi, and the old village of Prairie du Chien was an island. One morning shortly after the election, Mr. Rolette with his men brought me two horses of the aforesaid description, and hitched them before my door. I was then a Justice of the Peace. Rolette entered my house under considerable apparent excitement, saying, he had brought me two horses that were running at large contrary to law. I answered him, that I did not want the horses, nor was I going to take charge of them. Mr. Rolette then asked, as they were at large contrary to law, what was to be done? I answered, that I would have nothing to do with the horses, and should not take charge of them; but if he wished to make a complaint against their owners, I was bound to take notice of it. Mr. Rolette then concluded to make such complaint against Barrette, the owner of one of the horses, and let the other off, as he had no pique to gratify in his case. Process was accordingly issued against Barrette, and soon returned served. On the day of trial, a man by the name of Perkins, heretofore spoken of, seeing that the suit was brought by an apparently wealthy man to oppress a poor one, volunteered his services to assist in defending him, and on calling the case the defendant demanded a jury. The Legislature of Michigan had some two or three years before this reduced the jury before a Justice of the Peace to six, and the year preceding this trial, they had repealed that law, without any saving clause. Under these circumstances, I decided that the repeal of the law revived the old one of twelve jurors, and accordingly had a jury of that number summoned and sworn. It so happened that there were some Americans on the jury, and as the trial proceeded, the defendant admitted that his horse was at large, but not "willingly or wilfully," and proved that his horse was old, and had been worked