

settled countries—but I believe few, if any, realized more true delight and satisfaction, than did this “Party of Pleasure in a Bark Canoe.”

The present “State of Wisconsin,” although formerly a part of the Territory of Michigan, was for many years rather an *appendage* than a component part of that Territory. Michigan had a Supreme Court, consisting of three Judges; its sessions were held but semi-annually, at Detroit, and this part of the Territory derived no advantages from this “august and learned body.” Criminals had to be conveyed thence for trial, and controversies, involving large amounts, were there adjudicated. The *Judiciary* of this portion of the Territory, at that period, was composed of “County Courts” and Justices of the Peace. The “Courts” consisted of three Judges, none of whom were lawyers; their jurisdiction, both civil and criminal, was limited. The Justices of the Peace were such as could be selected from among those who were capable of reading and writing. In the year 1823, Congress passed an act establishing what was called “The additional Judicial District,” comprising the counties of Brown, Michilimackinac and Crawford, and the Hon. James D. Doty was appointed Judge by President Monroe, and held the office for about nine years.

In 1824, things had assumed a more orderly and regular character; justice was administered according to the established rules and practice of other states, and of the common law. But in the *subordinate*, or Justices’ Courts, many singular incidents transpired, and decisions made, which to the *actors*, at the time, seemed to be “all right,” and in strict conformity with their notions of justice; but to modern practitioners, they would appear, however, to conflict with the strict rules of evidence, and encroach upon the rights of the citizen. I will illustrate, by relating the proceedings that took place in two cases tried before Justices’ Courts in the western part of the State, about the year 1830. A plaintiff was, at that time, permitted to sue his debtor by warrant, and, on judgment being obtained, to issue execution against and imprison the