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MY SCHOOLMASTER; OR, BLACKSTONE MADE EASY.

Ten years of my life had rolled away, when, one beautiful morning, in the month of September, I was informed by my aunt that she intended to send me that day to the only schoolmaster in the neighborhood, who lived about four miles from our residence, and that I must at once prepare myself to go.

Of the gentleman who kept the school, I knew nothing, except that from one or two of my acquaintances I had heard of his rigor in exacting discipline, and had once, at the village church, met with an opportunity of seeing his person. Before, however, I was many months older, I had acquired that intimate acquaintance with all his ways and actions, both past and present, which a pupil only attains of his pedagogue, and this much about him I am ready to verify. He had been a lawyer in his youth, that is, like hundreds of young men of that and the present day, he had studied law with the intention of following the practice; but on becoming more fully acquainted with it, and finding that in this science appalling difficulties must be surmounted to obtain success, he prudently resolved to abandon it, for the more romantic but calumniated occupation of school keeping. I say calumniated, because this profession is abused and considered somewhat degrading, when a second thought would convince any one of its nobleness and elevation. I do not mean to go into an eulogy upon schoolmasters, but merely to lament en passant, that their true value is so little considered and their influence over the rising generation so little appreciated. It will be my purpose now to mention one of the peculiarities which characterized his system of instruction, and exercised a great influence over me.

My old schoolmaster, as I have said, had been a lawyer, and the study of that science had produced upon his mind the singular conviction, that law should apply to all bodies or societies on a small scale, as well as to nations: and the science of law, such as detailed by the learned Blackstone, he had discovered to be particularly applicable to his old-
field school. At this period of my life, I con-
dered study to be decidedly a humbug—a species of durance vile which my parents had undergone before me, (at least they said so,) and which, by a continuance of the same custom, was now to be endured by me. I need, therefore, scarcely say that the thermometer of my natural love and affection towards the human species fell considerably, when the scale came to be applied to that portion of the race denominated schoolmasters. But, as I had never been to a schoolmaster, though I had graduated under a schoolmistress, and having frequently heard my playmates relate, with a shudder, some of his horrible flagellations and incarcerations, I naturally viewed this potent personage with a religious awe—a holy horror—which was much increased by the imperturbable gravity of his appearance. It is no wonder, therefore, that I felt a little nervous at the arrival of the momentous day on which I was to be inducted into this temple of Minerva; a temple which, as I afterwards found, had ample claims to be dedicated to many other of the gods and goddesses.

A mysterious note, sealed and given me by my aunt, was the only passport that accompanied me down the long lane to the schoolhouse, which appeared to me to be indeed the broad road leading to destruction. I knocked timidly at the door—it was opened, and I went in. But, alas! as soon as I entered, I was horror-struck—my direst anticipations were in a moment realized, and I beheld a boy much older than myself writhing in the arms of the schoolmaster, and undergoing the severest penalties of the law; or, as the boys called it, "satisfying the execution." The boys, taking advantage of the din, were giggling and laughing; throwing playthings across the room in exchange for an apple; leaping over and tripping up one another, and luxuriating in all imaginable excesses. As for me, my head became dizzy—my vision failed, and I attempted to rush into the open air, and be free once more; but the heavy door had swung to, and the elevated latch baffled all my feeble efforts to raise it. Yes—I was a prisoner. Just at this moment, the stunning noise ceased. Its encouraging effect upon me was electrical. I looked round and beheld every one in his seat perfectly still. The storm had ceased—the roaring stream had again lapsed into the murmuring brook, and nothing was heard, save a monotonous and continual hum that fell upon my ear like the distant moan of the spinning-wheel. I was startled from the stupor in which I had been thrown, by the voice of the schoolmaster, who had just perceived me, and was summoning me to place myself within a convenient distance of his august personage; or, in his language, to be initiated at the bar of the court. I walked up without hesitation, knowing that my aunt had made all arrangements with him, and expecting a few inquiries as to my proficiency in the studies which are usually taught, and on which I had bestowed some little attention. I accordingly caused the pictorial illustrations of Europe, Asia and Africa to pass in instant review before my mind, not forgetting Lindley Murray's definition of grammar, and scanning particularly the most complex portions of the multiplication table. Judge of my surprise and disgust, when, instead of hearing a question pertinent to some of these, I was asked, in a stentorian voice—"What is law?" Now, although like every body else in the world, I had heard something about the law and its vast powers, still I had serious misgivings as to my individual capacity to give a correct definition of the aforesaid science. I could see that the boys near me, compassionate my situation, were trying to tell me, and the whispered word—"rulafaction"—fell distinctly on my ear; but, as I was profoundly ignorant of the meaning of any such word, I deemed it prudent to disregard it, and was fain to tell him I did not know. "Well, sir," was the immediate reply, "the law is a rule of action prescribed by the supreme power in a state, commanding what is right, and prohibiting what is wrong." This was delivered with the volubility of frequent repetition, and was immediately followed by these practical applications—"Well, sir, I am the supreme power; this school is the state, and this rule of action," exhibiting a stout, flexible ferule, "is!"—"the law," answered I with confidence. "Yes sir, right, very right; this is the law, and this is the way it acts"—whack-ing it down emphatically upon the bench. All this was performed with a seriousness and gravity that would have put a judge to the blush, and was immediately followed in the same strain by an interrogatory, the answer of which I fondly flattered myself admitted of no doubt or cavil—"What is the greatest book that ever was written?" I answered with promptness, but with a reverence my aunt had impressed upon me—"the Bible." This staggered him, for he could neither deny nor gainsay it, but he plainly desired an answer like that to his first question—expressive of total ignorance. He was, therefore, compelled to modify his question, and asked me with more harshness of manner, "What is the next greatest book in the world?" This threw me again upon my haunches; but of all the books I had ever read, the claims of Parley's Tales of Africa, and Mother Goose's Melodies shone preeminently above all the rest. While, therefore, I was cautiously weighing these two, and the Lion Hunt of Parley and Peter Piper of the melodies were striving to work the ascen-dancy, I was startled by a direction, the purport of which was, that if I did not know I had better say so. I accordingly banished all thoughts of these delightful books and again plead total ignorance. An answer, as before, was of course expected; but it was too important to be trusted to
words only, without more tangible evidence of what the greatest book was. A large stone was therefore produced, and I was asked what it was, and what was its color. I answered readily. "Yes, sir," said he, "stone-black, or black-stone; recollect that Blackstone is the greatest book that ever was written." "Now, sir," added he, "you know what law is; take care that you do not incur any of its penalties, for the law is no respecter of persons, and every wrong hath its appropriate remedy."

Being thus, edified and indoctrinated into the definition of law, a science with which I certainly had not expected to have any connexion, before entering the schoolhouse, I was led to my seat, and, after handing me a book, and pointing out a lesson, the schoolmaster left me to take up some other business. On taking my seat, and reflecting on what had passed, I began to think my schoolmaster the strangest being in existence. I, however, said nothing about his mode of treatment or examination, concluding that was the proper and customary way of managing matters, and charitably imputing my want of apprehension to my own inexperience. I had hardly begun to apply myself steadily to my book, before I had an opportunity of witnessing a practical operation of some of this scholastic law. It appeared, that one of the boys had taken and appropriated to his own use the grammar of another, for which, or rather for justice, he was called upon to perform. "Yes," he replied, after the boy had stated the case, "an action of trover and conversion will lie—here is the capias ad respondendum, a writ which is to compel an appearance at the beginning of a suit—serve it on him to appear to-morrow at the court—justitia fiat, nila et calum."

The boy seemed to understand the process perfectly, handed the slip of paper, which was the writ, to the offender, and returned to his seat. The case was docketed, and thus ended the matter for the present. But to me it was all a mystery, and I ventured to ask the one next to me the meaning of this seemingly farcical operation. My companion gave me a look, expressive at once of surprise and contempt for my ignorance, but went on to inform me that Humphrey Brown had brought an action of trover and conversion against Robert Hitesby, (for having found and converted to his own use,) and that one or the other would certainly receive a whipping to-morrow. I found out afterwards that the mode of conducting it was this: a writ was issued, summoning the offender or defendant to appear at the next court, and answer the charge. If he failed to come, judgment at once went against him by default, and he was inevitably flogged, unless some excellent reason was given for his absence. If he did come, the declaration was generally made out fictio legis, in imagination, and the cause brought for trial, when the defendant pleaded anything he chose; but, in most cases, the general issue or a denial of the charge, after which the master or the chancellor, as he had now become, decided the case according to the evidence—that is, in the manner that best suited his inclination. If it went against the defendant, he was to make satisfaction, and receive a certain number of stripes; if against the plaintiff, the law (being the said ferule) inflicted costs, which was five stripes in all cases.

All these things excited my curiosity to the utmost, and eagerly did I await the approaching day to witness the called court and its operations. I found that this singular phenomenon a schoolmaster had introduced into his school, was what I afterwards discovered to be the regular practice of the courts; having divided the causes into criminal and civil—and instituted two courts—the common law and the chancery or equity, of which he was respectively both judge and chancellor. He contrived, however, to bring most of the cases under chancery jurisdiction, whether in violation of actual custom or not, because in that court he was saved the trouble of a jury, and it would have been too great a violation of all precedent to have proceeded at common law without the intervention of a jury. Besides, in chancery, he delivered his decrees without any reserve; for he liked a summary process, and after the decree was pronounced, would issue execution, and serve and execute it himself, which invariably ended in his chastising somebody. He, therefore, combined in his own person the chancellor, judge, jury, sheriff, and executioner, and "satisfying the execution" seemed always to give him the greatest pleasure; a process, for which we all, jointly and severally, entertained the most thorough and unmitigated disgust.

This singular man was remarkably tall, being nearly seven feet in height,—he always wore a suit of rusty black,—possessed an eye as cold and piercing as a rattlesnake's—and his arms, which were of surpassing length, played about horizontally in their sockets, like the feelers of a polypus. He was never known to smile, and his features possessed a fixedness and rigidity which was the same under all situations and circumstances. The imaginary circle, described by the end of his middle finger during a revolution of his arm, he determined the bar of the common law court, and any person standing within that line was said to be at the bar of the court. In one corner of the room, a space about four feet square, was partitioned off by a number of bars, forming a lattice work, which he used to tell each new scholar was the place for holding his court of chancery—so called, he would add, from cancelli—bars, placed crosswise to keep off the crowd, and not as Lord Coke saith from cancellarius—the lord chancellor. Against the wall, in a conspicuous part of the room, hung a code of crimes with their respective punishments annexed, varying in degree according to the hein-
It said, the crime of telling a lie, or perjury, as it was styled, was deemed the most unpardonable; inso much, that the punishment adjudged proper, and placed opposite on the list, was the dreadful word—"outrawry;" which, being interpreted, meant everlasting and eternal expulsion from the school. But the punishments varied with the character of the offences—some of which were standing on one foot and holding up the other—being compressed against the wall with your face towards it—and wearing a ball and chain. This code he occasionally revised, being himself the law-giver and supreme power, and possessing, as he frequently told us, the royal prerogative of being incapable of committing any wrong.

The next day, being the day for the called court, I watched with great interest, looking anxiously for this monster to appear; for, as to what sort of a thing this court might be, my ideas were exceedingly indefinite, and I scarcely knew whether to consider it as something corporeal or incorporeal. Everything passed off in regular order—that is, the lessons were prepared and recited as in other schools—the playtime came and ended, and my nervousness at the mention of the court began gradually to wear off. I began to suspect that it was all a joke at last; but then the seriousness with which the boys had spoken of it during playtime, and the total absence of anything like jest about the countenance of the pedagogue, banished the thought from my mind. The day wore on, and the evening sun was fast verging towards the horizon—the cattle without were slowly wending their way homeward—and the soothing silence which prevailed was only occasionally broken by the distant bark of the watch-dog, as he roused himself to enter on his nightly vigils. All around bespoke peace and quiet. I was sitting with my back to the school, charmed with the scene, and in the reverie dreaming of home and happiness, when suddenly the school, in which silence had reigned, gave forth a slight rustle—like the woods momentarily fanned by the passing breeze. The previous quiet had been such that this disturbed me; and, on looking around, I immediately perceived the teacher slowly elevating himself to his full height, when, like the statue of Memnon, he immediately gave forth these remarkable sounds: "Oyez—oyez—oyez—silence is commanded on the pain of imprisonment, whilst the honorable judge of this court is sitting— all persons having business in this court draw near, and if any have a plea to enter, or a suit to prosecute, let them come forth, and they shall be heard—God save the supreme power in the state."

"First case on the docket," he continued, "supreme power against Sommerville—assault and battery—action on the case for damages—action brought by supreme power. Josiah Thundercliff," for that was his name, "counsel for the plaintiff—let the parties appear at the bar of the court;" but the parties were already there, having long ago learnt by bitter experience the penalties of a non-appearance. Now, this case had arisen in the following manner. During the play-time of some preceding day a difficulty had arisen between two boys by the names of Hill and Sommerville, which, agreeably to the ninth article of the juvenile code of honor, had been settled by a regular fist-cuff.

Unfortunately, the master had witnessed it, and thereby rendered all hope of evasion or escape utterly impossible. In other schools, such as I afterwards attended, immediate chastisement would have been inflicted on the offender, and the matter dropped; but here it was different: a considerable time (the law's delay) had to elapse before any notice could be taken of it, and then, in cold blood, after the subject had been nearly forgotten, the offender was to receive punishment; or, as the master termed it, Sommerville, the defendant, having incurred the penalties, was now to receive the pains of the law—that memorable and justly despised ferule, which, as he told us over and over again, not only commanded what was right, but prohibited what was wrong. Such being the state of affairs, he proceeded to state, that this was "a case of battery which, according to the great Blackstone, is the unlawful beating of another, and is liable to two actions, one at the suit of the supreme power, the other at the suit of the party injured. The latter having failed to prosecute, the former receives damages"—whereupon having delivered all this in a rapid, monotonous tone, similar to that in which he had pronounced the opening benediction of the court, judgment was forthwith entered up—the execution issued and satisfied, and the parties discharged from custody—all of which was done in the short space of about three minutes. Many other actions were heard and dispatched, occupying an incredibly small degree of time; but these had arisen from circumstances which transpired before I had become a scholar, and I felt the most interest in the trover and conversion case, which had been docketed the day before, and was about to be tried. In this case, the parties were summoned as before, and the plaintiff informed by the teacher (for probably the hundredth time,) that here an action, either of detinue or trover, would lie; the first to recover the identical thing lost or detained; the second to recover its equivalent in damages, together with the costs—adding, interrogatively, that it was optional with him to have either action he preferred. To this the plaintiff replied, that an "accord," had taken place, and the book been delivered—"thereby," said the judge, "judgment goes against you, Hitesby, for the costs only. So saying, he forthwith inflicted the five stripes upon the defendant, and the parties were discharged. Thus he proceeded through all the cases on the
docket, which gave rise, according to their different natures, to all kinds of actions, in all of which the offence had only to be made out and proved, and then the punishment assigned by the code was forthwith inflicted.

Thus were cases continually arising, which were always docketed for the next court, or for the succeeding one, if the parties for any good cause were then absent. The details of these courts were similar to that just described, except that the suits and corresponding actions constantly varied through nuisance, trespass, waste, &c., insomuch that the part of Blackstone relating to actions, was in a short period completely gone through with. I shall, therefore, report one more case only, which was the last of note that occurred before I left the school. Mr. Thundercut had a favorite cat which he usually kept near his person, and who, reciprocating the attachment, established her lodgings at his feet, having acquired, by long practice, a happy dexterity in maintaining her position, and yet avoiding the eccentric and dangerous evolutions to which his pedal extremities seemed sometimes to be involuntarily subjected. Now, although we had never been told so, each of us had an innate presentiment, that, under existing circumstances, to harm that cat would be productive of consequences of a serious, and perhaps melancholy nature. Puss, therefore, enjoyed a religious exemption from all the thousand ills that other cats fall heir to, except that once a new and mischievous pupil cropped her ears; this, however, was soon passed over, the master being unable, even by the most liberal construction of Blackstone, to make it out a case of "mayhem." But one day an unlucky stone, thrown by a large and strong boy, shattered puss' head to atoms; thus, at a blow, scattering to the four winds the nine lives with which the feline tribe are said to be endowed. Play-time ended. The bell rang, and all were in their places except the cat and the offender. On missing them, and learning the facts of the case, the master forthwith went into the yard, and returned with the mutilated body of his beloved cat. Sorrow was not depicted on his countenance:—regret did not agitate a muscle, but slowly raising the animal by the tail and viewing it attentively for some time, he at last exclaimed—"Felony! by all the sages of the law." This crime, he told us, if accidentally committed, was a case of cat-slaughter, and if purposely, absolute murder. He decided that it was a crime of such magnitude that it ought to be tried by a jury, and on the next day we saw entered on the penal code—"for killing a cat—two hundred and fifty stripes and three days incarceration." The offender, however, never returned, and thus the demands of the law went for once unsatisfied.

This will serve as a specimen of the course of discipline pursued by this original pedagogue, and it may, at the first glance, seem to have been par-