



Transcript for a Reading from
The Flush Times of Alabama and Mississippi
An Audio Program from *This Goodly Land: Alabama's Literary Landscape*

Dr. Dwayne Cox of Auburn University Libraries reads an excerpt from Joseph Glover Baldwin's classic "Old Southwest" humor collection *The Flush Times of Alabama and Mississippi*. Maiben Beard of the Caroline Marshall Draughon Center for the Arts & Humanities is the announcer. This transcript has been edited for readability.

Ms. Beard: Welcome to *This Goodly Land's* series of readings from classic Alabama literature. I'm Maiben Beard.

Our reader today is Dr. Dwayne Cox, Head of Special Collections and Archives, Auburn University Libraries. Dr. Cox will be reading an excerpt from the Alabama classic *The Flush Times of Alabama and Mississippi* by Joseph Glover Baldwin.

Dr. Cox: If there was one thing that Cave liked better than everything else, eating and drinking excepted, it was telling a story; and if he liked telling any one story better than any other, it was the Earthquake Story. This story was, like Frank Plummer's speech on the Wiscasset collectorship, interminable; and, like Frank's speech, the principal part of it bore no imaginable relation to the ostensible subject. No mortal man had ever heard the end of this story: like Coleridge's soliloquies, it branched out with innumerable suggestions, each in its turn the parent of others, and these again breeding a new spawn, so that the further he travelled the less he went on. Like Kit Kunker's dog howling after the singing master and getting tangled up in the tune, the denouement was lost in the episodes. What the story was originally, could not be conjectured; for Cave had gone over the ground so often, that the first and many subsequent traces were rubbed [off] by later footprints. Cave, however, refreshing himself with about a pint of hot-stuff ... began.

...

We can only give it in our way, and only such parts as we can remember, leaving out most of the episodes, the casual explanations and the slang; which is almost the play of Hamlet with the Prince of Denmark omitted. But, thus emasculated, and Cave's gas let off, here goes a report about as faithful as a Congressman's report of his spoken eloquence when nobody was listening in the House.

"Well, Judge, the thing happened in 1834, in Steubenville, Kentucky, where I was raised. I and Ben Hardin were prosecuting the great suit, which probably you have heard of, Susan Beeler vs.

Samuel Whistler, for breach of promise of marriage. The trial came on, and the court-house was crowded. Everybody turned out, men, women, and children; for it was understood I was to close the argument in reply to Tom Marshall and Bob Wickcliffe.

I had been speaking about three hours and a half, and had just got [off] to my full speed—the genius licks were falling pretty heavy. It was an aggravated case. Susan, her mother, and three sisters were crying like babies; her old father, the preacher, was taking on too, pretty solemn; and the women generally were going it pretty strong on the briny line. The court-house was as solemn as a camp-meeting when they are calling up the mourners. I had been giving them a rousing, soul-searching appeal on the moral question, and had been stirring up their consciences with a long pole.

I had touched them a little on the feelings —‘affections’—‘broken-hearts’—‘pining away’—‘patience on a monument,’ and so forth; but I hadn’t probed them deep on these tender points. It isn’t the right way to throw them into spasms of emotion: reaction is apt to come. Ben Hardin cautioned me against this. Says Ben, ‘Cave, tap them gently and milk them of their brine easy. Let the pathetics sink into [them] like a spring shower.’ I saw the sense of it and took the hint. I led them gently along, not drawing more than a tear a minute or so: and when I saw their mouths opening with mine, as I went on, and their eyes following mine, and winking as I winked, I would put it down a little stronger by way of a clincher.”

... Here Cave took another drink of the punch and proceeded.

“I say—old Van Tromp Ramkat was Judge. You knew old Ramkat ...didn't you? No? Well, you ought to have known him. He was the bloodiest tyrant alive. I reckon the old cuss has fined me not less than \$500.”

Sawbridge [asked,] “What for, Cave?”

“Why, for contempt, at ten dollars a clip—that was old Ramkat’s tariff; and if every other man had been fined the same for contempt [by] Van Tromp, the fines would pay off the national debt. Old Ram had a crazy fit for fining persons. He thought he owed it to the people to pay off all the expenses of the judicial system by fines. He was at it all the time. His fines against the sheriff and clerk amounted to not less than ten per cent on their salaries. If a court passed without fining somebody for contempt, he thought it was a failure of court, and he called a special term. Everything was ... contempt: a lawyer couldn’t go out of court without asking leave; and the lawyers proposed, at a bar-meeting, to get a shingle and write on one side of it “In,” and on the other [side] “Out,” like an old field school.

He fined Tid Stiffness, for refusing to testify in a gambling case, \$10; and then asked him again in the politest and most obsequious tones—if he hadn’t better testify? Tid, thinking it a matter of choice, said ‘No.’ Old Ram nodded to the clerk, who set Tid down for another five. Ram got still more polite, and suggested the question again—and kept on till he bid him up to \$250; and then told him what he had done, and then adjourned the case over, with Tid in custody, till next morning.

Tid came into measures when the case was called, and agreed to testify, and wanted old Van to let him off with the fines; but Ram wouldn't hear to it. The clerk, however, suggested that, on looking over the tallies, he found he had scored him down twice on one bid. Ram remarked that, as there seemed to be some question about it, and ... Tid had been a good customer, he would split the difference with him and deduct a [five]; and then, in order to make the change even, he fined old Taxcross, the clerk, five dollars for not making up the entry right; but to let it come light on him, as he had a large family, allowed him to make it off of Tid by making separate entries of the fines—thus swelling [the] fees.

“Oh, I tell you, old Ramkat was the bloodiest tyrant this side of France. I reckon that old cuss [had] cheated my clients out of half a million ... dollars, by arbitrarily and officiously interfering to tell the juries the law, when I had got them all [the way] on the facts. There was no doing anything with him. He would lay the law down so positive, that he could instruct a jury out of a stock—a little, bald-headed, high-heel-booted, hen-pecked son of thunder! Fining and sending to the penitentiary were the chief delights of his insignificant life. Did not the little villain once say, in open court, that the finding of a bill of indictment was [half a] conviction, and it ought to be law that the defendant ought to be convicted if he couldn't get a unanimous verdict from the petty jury?

Why, Judge, he convicted a client of mine for stealing a calf. I proved ... the fellow was poor and had nothing to eat, and stole it in self defense of his life. 'Twouldn't do: he convicted him, or made the jury do it. And old Ram told the fellow he should sentence him for five years. I [plied] with him to reduce the time. The boy's father was in court, and was weeping: I wept—even old Ramkat boohoo'd outright. I thought I had him this time; but what did he do? Says he, 'Young man, your vile conduct has done so much wrong, given your worthy father so much pain, and given your eloquent counsel so much pain, and this court so much pain—I really must enlarge your time to ten years.' And for stealing a calf! Egad, if *I* was starving, *I'd* steal a calf—yes, if I had been in Noah's ark and the critter was the seed calf of the world!”

...

“Well, but,” said Tom Cottle, “about the earthquake?”

“Yes—true—exactly—just so ... Where was I? Yes, I recollect now. I was commenting on Tom Marshall's attack on Molly Muggin's testimony. Moll was our main witness. She was an Irish servant girl, and had peeped through the key-hole of the parlor door, and seen the breach of promise going on upon the sofa. Well, I was speaking of Ireland, Emmet, Curran and so on, and I had my arm stretched out, and the jury were agape—old Ramkat leaning over the bench—and the crowd as still as death.

“When, what should happen? Such a clatter and noise above stairs, as if the whole building were tumbling down. It seems that a jury was hung, upstairs, in the second story—six and six—a deadlock, on a case of Jim Snipes *vs.* Jerry Legg for a bull yearling; all Nubbin Fork was in excitement about it—forty witnesses on a side, not including impeaching and sustaining witnesses. The sheriff had just summoned the witnesses from the muster-roll at random; fourteen swore one way, and twenty-four the other, as to identity and ownership; and it turned out the calf belonged to neither; there was more perjury than would pale the lower regions to white heat to hear it. One witness swore—”

Sawbridge [asked,] “But, Cave, about the case *you* were trying.”

Cave [said,] “Yes—about that. Well, the jury wanted to hear my speech, and the sheriff wouldn't let them out. He locked the door and came down. One of them, Sim Coley, kicked at the door so hard that the jar broke the stove-pipe off ... the wires in the Mason's Lodge-room above, and about forty yards of stove-pipe, about as thick round as a barrel, came lumbering over the banisters, and fell, with a crash like thunder, in the grand jury-room ... and then came rolling down stairs, four steps at a leap, bouncing like a rock from a mountain side.”

Here Sam Watson inquired how such a long pipe could get down a “pair of stairs,” and how much broader a staircase of a Kentucky court-house was than a turnpike road.

Cave [added,] “Of course, I meant that it [was] onjointed, and one or more of the joints rolled down. A loose, gangling fellow like you, Sam, ought to see no great difficulty in anything being onjointed. I could just unscrew you—”

“Order! Order!” interposed Judge Sawbridge. “No interruption of the speaker; Mr. Burton has the floor.”

“Well,” continued Cave, “I had prepared the minds of the audience for a catastrophe, and this, coming as it did, had a fearful effect; but the hung jury coming down stairs on the other side of the building from the lodge, and by ... opposite stairway, hearing the noise, started to running down like so many wild buffalo. A general hubbub arose below—old Ramkat rose in his place, with a smile at the prospect of so much good fining. ‘Sheriff,’ said he, ‘bring before me the authors of that confusion.’ Just then the plaster of the ceiling of the court room began to fall, and the women raised a shriek. Old Ramkat bellowed up, ‘Sheriff, consider the whole audience fined ten dollars apiece, and mind and collect the [fines] at the door before they depart. Clerk, consider the whole court-house fined—women and children half price—and take down their names. Sheriff, see to the doors being closed.’

“But just then another section of the stove-pipe came thundering down, and about [an] eighth of an acre of plastering fell, knocking down sixty or seventy men and women; and the people in the galleries came rushing down, some jumping over ... the crowd below; and a sheet of plastering, about as large as a tray, came down from above the chandelier, and struck old Ramkat over the head, and knocked him out of the judge's stand into the clerk's box; and he struck old Taxcross on [his] shoulders, and turned over about a gallon of ink on the records.

“Then Pug Williams, the bailiff, shouted out, ‘Earthquake!—Earthquake!’ and all the women went into hysterics; and Pug, not knowing what to do, caught the bell-rope, and began furiously to ring the bell. Such shouts of ‘Murder! Fire! Fire!’ you never heard. There was a rush to the doors, but the day being cold, they were closed, and of course on the inside, and the crowd[s] pressed in such a mass and mess against them, that, I suppose, there was a hundred tons [of] pressure on them, and they could not be got open. I was standing before the jury, and just behind them was a window, but it was down: I leaped over the jury, carried them [out] before me—”

Watson [said,] “The first time you ever carried them, Cave.”

Cave [replied,] “Not by a jug full. I bowed my neck and jumped leap-frog through the window, carried the sash out on my neck, and landed safe in the yard, cutting a jugular vein or two half through, and picked myself up and ran, with the sash on my neck, up street, bleeding like a butcher, and shouting murder at every jump. I verily thought I never should see supper time.

“In the mean time, the very devil was to pay in the courthouse. Old Ramkat, half stunned, ran up the steps to the judge’s platform, near which was a window, hoisted it and jumped, like a flying mullet, over onto the green, thirty feet below, sprained his ankle and fell. Frank Duer, once the most eloquent man at the bar, but who had fattened himself out of his eloquence—weigh[ed] three hundred and ninety, and so fat that he could only wheeze out his figures of speech, and broke down from exhaustion of wind in fifteen minutes—followed suit, just squeezing himself through the same window, muttering a prayer for his soul that was just about leaving such comfortable lodgings, came thundering down on the ground, jarring it like a real earthquake, and bounced a foot, and fell senseless on Ramkat. Ramkat, feeling the jar, and mashed under Frank, thought the earthquake had shook down the gable end of the ... house and it had fell on him. So he thought fining time was over with him. He hollered out in a smothered cry, ‘Excavate the Court!—Excavate the Court!’ But nobody would do it, but let him sweat and smother for four hours.

“Then Luke Casey, a little, short, bilious, collecting attorney, as pert and active as if he was made out of watch-springs and gum-elastic, and who always carried a green bag with old newspapers and brickbats in it, and combed his hair over his face to look savage, so as to get ... a reputation for being a good hand at dirty work—Luke was ciphering the interest on a little grocery account of fifteen dollars; he had appealed from a justice’s court, and had a big deposition, taken in the case, all the way from New York, in his hand; he sprung over three benches of the bar at a leap, and grabbed his hand on Girard Moseley’s head to make another leap towards a window—going as if there was a prospect of a fee ahead, and the client was about leaving town. He leaped clear over, but carried Girard’s wig with him.

“Now, Girard was a widower, in a remarkable state of preservation, and of fine constitution, having survived three aggravated attacks of matrimony. He pretended to practice law; but his real business was marrying for money. He had got well off at it, though he never got more than four thousand dollars with any one wife. He did business on the principle of ‘quick returns and short profits.’ He pretended to be thirty and [on] the rise, but was, at the least, fifty. He prided himself on his hair, a rich, light sorrel, sleek and glossy, and greased over with peppermint, cinnamon, and all sorts of sweet smells. He smelt like a barber’s shop; and such a polite, nice, easy fellow, to be sure, was Girard. Butter wouldn’t melt in his mouth, and yet let him get hold of a dime, and he gripped it so hard you might hear the eagle squall.

“He only courted rich old maids in infirm health, and was too stingy ever to raise a family. He was very sweet on old Miss Julia Pritcher, a ‘girl’ of about thirty-five, who was lank, hysterical, and, the boys said, fitified; and who had just got about five thousand dollars from her aunt, whom she had served about fifteen years as upper servant, but who was now gone the old road. Nobody ever thought of Girard’s wearing a wig. He pretended it was *Jayne’s Hair Elixir* that

brought it out. Fudge!

“But Luke caught him by the top-knot, and peeled his head like a white onion. He left him as bald as a billiard-ball—not a hair between his scalp and heaven. Luke took the wig, and hastily, without thinking what he was doing, filed it in the deposition. Moseley had brought Jule Pritcher there, and she was painted up like a doll: her withered old face streaked like a June apple. She needn’t have put herself to [the] trouble for Girard; he would have married her in [a] winding-sheet, if she had been as ugly as original sin, and only had enough breath in her to say ‘Yes’ to the preacher.

“And now the fury began to grow outside. The smoke, rushing out of the window of the lodge-room, and the cry of fire brought out the fire-engines and companies, and the rag, tag and bob-tail boys and Negroes that follow on shouting, with ... glee, ‘Fire! Fire! Fire!’ along the streets. Ting-a-ling came on the engines—there were two of them—until they brought up in the court-house yard; one of them in front, [and] the other at the side or gable end. It was some time before the hose could be fixed right; every fellow acting as [a] captain, and all being in the way of the rest.

“Wood Chuck, a tanner’s journeyman—a long, slim, yellow-breeched fellow, undertook to act as engineer of engine No. 1. ‘Play in ... the windows!’ cried the crowd outside, ‘there’s [a] fire there’—and play it was. They worked the arms of the thing lustily—no two pulling or letting down at the same time, until at last, the water came. Wood guided pretty well for a first trial, first slinging the pipe around and scattering the crowd. But, just as they came pouring out of the window, thick as bees, he got his aim, and he sent the water in a sluice into the window; the engine had a squirt like all blazes; and as Chuck leveled the pipe and drew a bead on them, and as it shot into the faces of the crowd—Vip! Vip! Vip!—they fell back, shouting murder as if they had been shot, from the window-sill.

“Old Girard had got hold of Jule and brought her to, and was bringing her, she clinging with great maidenly timidity to him, and he hugging her pretty tight, and they, coming to the window—the rest falling back—Chuck had a fair fire at them. He played on old Girard to some purpose—his bald head was a fair mark, and the water splashed and scattered from it like the foam on a figurehead. The old fellow’s ears rang like a conch shell for two years afterwards. Chuck gave Jule one swipe on one side of her head that drove a bunch of curls through the window opposite, and which washed all the complexion off that cheek, and the paint ran down the gullies and seams like blood; the other side was still rosy.

“The only safe place was to get down on the floor and let the water fly over. Old Girard never got over the tic-doloureux and rheumatism he got that day. The other engine played in the other window; and the more they played, the more the people inside shouted and hollered; and the more they did ..., the more Chuck and Bill Jones, the engineer of No. 2, came to their relief. It was estimated that at least a thousand hogsheads of water were played into that court-house. Indeed, I believe several small boys were drowned.

“Someone shouted out for an axe to cut through the front door. One was brought. A big buck Negro struck with all his might, with the back of the axe, to knock it off its hinges; but there

were at least twenty heads pushed up against the door, and these were knocked as dead by the blow as ever you saw a fish under the ice.”

Sawbridge [asked,] “Were they all killed?”

Cave [replied,] “All? No—not all. Most of them came to, after a while. Indeed, I believe there was only three that were buried--and a tinner’s boy, Tom Tyson, had his skull fractured; but they put silver plate in the cracks, and he got over it—a few brains spilt out, or something of the sort—but his appetite was restored.

“By the way, we had some fun when the trial of Luke Casey's little case came on. Moseley was on the other side, and came into [the] court with his head tied up in a bandanna handkerchief. He smiled when some of Luke's proof was offered, and Luke, a little nettled, drew out the deposition, and with an air of triumph said, ‘Perhaps, Mr. Moseley ... will laugh at this,’ opening the deposition. As he opened it, the wig fell out, and, everybody recognizing it as Moseley's, a laugh arose which was only stopped by old Ramkat’s fining all around the table. Squire Moseley vamoosed and left Luke to get a judgment, and the credit of a joke, of which he was innocent as Girard's head was of the hair.”

Ms. Beard: Thank you, Dr. Cox.

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This audio program is produced for *This Goodly Land: Alabama’s Literary Landscape*, a Web site connecting Alabama and its writers. You can find additional resources on this topic when you visit us at www.alabamaliterarymap.org .

This Goodly Land is a program of the Caroline Marshall Draughon Center for the Arts & Humanities, in the College of Liberal Arts at Auburn University, and the Alabama Center for the Book.

I’m Maiben Beard. This program is produced and edited by Midge Coates. Technical assistance is provided by Darrell Crutchley and Sam Singer.

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Thank you for listening.