

Fantastic Fables by Ambrose Bierce
Selected Fables of Law and Society
(<http://www.gutenberg.org/files/374/374-h/374-h.htm>)

The Discontented Malefactor

A Judge having sentenced a Malefactor to the penitentiary was proceeding to point out to him the disadvantages of crime and the profit of reformation.

“Your Honour,” said the Malefactor, interrupting, “would you be kind enough to alter my punishment to ten years in the penitentiary and nothing else?”

“Why,” said the Judge, surprised, “I have given you only three years!”

“Yes, I know,” assented the Malefactor—“three years’ imprisonment and the preaching. If you please, I should like to commute the preaching.”

A Hasty Settlement

“Your Honour,” said an Attorney, rising, “what is the present status of this case—as far as it has gone?”

“I have given a judgment for the residuary legatee under the will,” said the Court, “put the costs upon the contestants, decided all questions relating to fees and other charges; and, in short, the estate in litigation has been settled, with all controversies, disputes, misunderstandings, and differences of opinion thereunto appertaining.”

“Ah, yes, I see,” said the Attorney, thoughtfully, “we are making progress—we are getting on famously.”

“Progress?” echoed the Judge—“progress? Why, sir, the matter is concluded!”

“Exactly, exactly; it had to be concluded in order to give relevancy to the motion that I am about to make. Your Honour, I move that the judgment of the Court be set aside and the case reopened.”

“Upon what ground, sir?” the Judge asked in surprise.

“Upon the ground,” said the Attorney, “that after paying all fees and expenses of litigation and all charges against the estate there will still be something left.”

“There may have been an error,” said His Honour, thoughtfully—“the Court may have underestimated the value of the estate. The motion is taken under advisement.”

The Man with No Enemies

An Inoffensive Person walking in a public place was assaulted by a Stranger with a Club, and severely beaten.

When the Stranger with a Club was brought to trial, the complainant said to the Judge:

“I do not know why I was assaulted; I have not an enemy in the world.”

“That,” said the defendant, “is why I struck him.”

“Let the prisoner be discharged,” said the Judge; “a man who has no enemies has no friends. The courts are not for such.”

The Party Over There

A Man in a Hurry, whose watch was at his lawyer’s, asked a Grave Person the time of day.

“I heard you ask that Party Over There the same question,” said the Grave Person. “What answer did he give you?”

“He said it was about three o’clock,” replied the Man in a Hurry; “but he did not look at his watch, and as the sun is nearly down, I think it is later.”

“The fact that the sun is nearly down,” the Grave Person said, “is immaterial, but the fact that he did not consult his timepiece and make answer after due deliberation and consideration is fatal. The answer given,” continued the Grave Person, consulting his own timepiece, “is of no effect, invalid, and absurd.”

“What, then,” said the Man in a Hurry, eagerly, “is the time of day?”

“The question is remanded to the Party Over There for a new answer,” replied the Grave Person, returning his watch to his pocket and moving away with great dignity.

He was a Judge of an Appellate Court.

The Tried Assassin

An Assassin being put upon trial in a New England court, his Counsel rose and said: “Your Honour, I move for a discharge on the ground of ‘once in jeopardy’: my client has been already tried for that murder and acquitted.”

“In what court?” asked the Judge.

“In the Superior Court of San Francisco,” the Counsel replied.

“Let the trial proceed—your motion is denied,” said the Judge. “An Assassin is not in jeopardy when tried in California.”

A Matter of Method

A Philosopher seeing a Fool beating his Donkey, said:

“Abstain, my son, abstain, I implore. Those who resort to violence shall suffer from violence.”

“That,” said the Fool, diligently belabouring the animal, “is what I’m trying to teach this beast—which has kicked me.”

“Doubtless,” said the Philosopher to himself, as he walked away, “the wisdom of fools is no deeper nor truer than ours, but they really do seem to have a more impressive way of imparting it.”

The No Case

A Statesman who had been indicted by an unfeeling Grand Jury was arrested by a Sheriff and thrown into jail. As this was abhorrent to his fine spiritual nature, he sent for the District Attorney and asked that the case against him be dismissed.

“Upon what grounds?” asked the District Attorney.

“Lack of evidence to convict,” replied the accused.

“Do you happen to have the lack with you?” the official asked. “I should like to see it.”

“With pleasure,” said the other; “here it is.”

So saying he handed the other a check, which the District Attorney carefully examined, and then pronounced it the most complete absence of both proof and presumption that he had ever seen. He said it would acquit the oldest man in the world.

The Judge and the Rash Act

A Judge who had for years looked in vain for an opportunity for infamous distinction, but whom no litigant thought worth bribing, sat one day upon the Bench, lamenting his hard lot, and threatening to put an end to his life if business did not improve. Suddenly he found himself confronted by a dreadful figure clad in a shroud, whose pallor and stony eyes smote him with a horrible apprehension.

“Who are you,” he faltered, “and why do you come here?”

“I am the Rash Act,” was the sepulchral reply; “you may commit me.”

“No,” the judge said, thoughtfully, “no, that would be quite irregular. I do not sit to-day as a committing magistrate.”

An Inflated Ambition

The President of a great Corporation went into a dry-goods shop and saw a placard which read:

“If You Don’t See What You Want, Ask For It.”

Approaching the shopkeeper, who had been narrowly observing him as he read the placard, he was about to speak, when the shopkeeper called to a salesman:

“John, show this gentleman the world.”

The Deceased and his Heirs

A Man died leaving a large estate and many sorrowful relations who claimed it. After some years, when all but one had had judgment given against them, that one was awarded the estate, which he asked his Attorney to have appraised.

“There is nothing to appraise,” said the Attorney, pocketing his last fee.

“Then,” said the Successful Claimant, “what good has all this litigation done me?”

“You have been a good client to me,” the Attorney replied, gathering up his books and papers, “but I must say you betray a surprising ignorance of the purpose of litigation.”

The Taken Hand

A Successful Man of Business, having occasion to write to a Thief, expressed a wish to see him and shake hands.

“No,” replied the Thief, “there are some things which I will not take—among them your hand.”

“You must use a little strategy,” said a Philosopher to whom the Successful Man of Business had reported the Thief’s haughty reply. “Leave your hand out some night, and he will take it.”

So one night the Successful Man of Business left his hand out of his neighbor’s pocket, and the Thief took it with avidity

An Unspeakable Imbecile

A Judge said to a Convicted Assassin:

“Prisoner at the bar, have you anything to say why the death-sentence should not be passed upon you?”

“Will what I say make any difference?” asked the Convicted Assassin.

“I do not see how it can,” the Judge answered, reflectively. “No, it will not.”

“Then,” said the doomed one, “I should just like to remark that you are the most unspeakable old imbecile in seven States and the District of Columbia.”

The Dog and the Physician

A Dog that had seen a Physician attending the burial of a wealthy patient, said: “When do you expect to dig it up?”

“Why should I dig it up?” the Physician asked.

“When I bury a bone,” said the Dog, “it is with an intention to uncover it later and pick it.”

“The bones that I bury,” said the Physician, “are those that I can no longer pick.”

The Justice and His Accuser

An eminent Justice of the Supreme Court of Patagascar was accused of having obtained his appointment by fraud.

“You wander,” he said to the Accuser; “it is of little importance how I obtained my power; it is only important how I have used it.”

“I confess,” said the Accuser, “that in comparison with the rascally way in which you have conducted yourself on the Bench, the rascally way in which you got there does seem rather a trifle.”

The Highwayman and the Traveller

A Highwayman confronted a Traveller, and covering him with a firearm, shouted: “Your money or your life!”

“My good friend,” said the Traveller, “according to the terms of your demand my money will save my life, my life my money; you imply you will take one or the other, but not both. If that is what you mean, please be good enough to take my life.”

“That is not what I mean,” said the Highwayman; “you cannot save your money by giving up your life.”

“Then take it, anyhow,” the Traveller said. “If it will not save my money, it is good for nothing.”

The Highwayman was so pleased with the Traveller’s philosophy and wit that he took him into partnership, and this splendid combination of talent started a newspaper.

Three of a Kind

A Lawyer in whom an instinct of justice had survived the wreck of his ignorance of law was retained for the defense of a burglar whom the police had taken after a desperate struggle with someone not in custody. In consultation with his client the Lawyer asked, "Have you accomplices?"

"Yes, sir," replied the Burglar. "I have two, but neither has been taken. I hired one to defend me against capture, you to defend me against conviction."

This answer deeply impressed the Lawyer, and having ascertained that the Burglar had accumulated no money in his profession he threw up the case.

The Mourning Brothers

Observing that he was about to die, an Old Man called his two Sons to his bedside and expounded the situation.

"My children," said he, "you have not shown me many marks of respect during my life, but you will attest your sorrow for my death. To him who the longer wears a weed upon his hat in memory of me shall go my entire fortune. I have made a will to that effect."

So when the Old Man was dead each of the youths put a weed upon his hat and wore it until he was himself old, when, seeing that neither would give in, they agreed that the younger should leave off his weeds and the elder give him half of the estate. But when the elder applied for the property he found that there had been an Executor!

Thus were hypocrisy and obstinacy fitly punished.

AESPUS EMENDATUS

The Farmer and His Sons

A Farmer being about to die, and knowing that during his illness his Sons had permitted the vineyard to become overgrown with weeds while they improved the shining hour by gambling with the doctor, said to them:

"My boys, there is a great treasure buried in the vineyard. You dig in the ground until you find it."

So the Sons dug up all the weeds, and all the vines too, and even neglected to bury the old man.

Truth and the Traveller

A Man travelling in a desert met a Woman.

"Who art thou?" asked the Man, "and why dost thou dwell in this dreadful place?"

“My name,” replied the Woman, “is Truth; and I live in the desert in order to be near my worshippers when they are driven from among their fellows. They all come, sooner or later.”

“Well,” said the Man, looking about, “the country doesn’t seem to be very thickly settled here.”

The Grasshopper and the Ant

One day in winter a hungry Grasshopper applied to an Ant for some of the food which they had stored.

“Why,” said the Ant, “did you not store up some food for yourself, instead of singing all the time?”

“So I did,” said the Grasshopper; “so I did; but you fellows broke in and carried it all away.”

The Lion and the Mouse

A Judge was awakened by the noise of a lawyer prosecuting a Thief. Rising in wrath he was about to sentence the Thief to life imprisonment when the latter said:

“I beg that you will set me free, and I will some day requite your kindness.”

Pleased and flattered to be bribed, although by nothing but an empty promise, the Judge let him go. Soon afterward he found that it was more than an empty promise, for, having become a Thief, he was himself set free by the other, who had become a Judge.

The Devil’s Dictionary by Ambrose Bierce Selected Legal Definitions

(<http://www.alcyone.com/max/lit/devils/>)

ACCOMPLICE, *n.* One associated with another in a crime, having guilty knowledge and complicity, as an attorney who defends a criminal, knowing him guilty. This view of the attorney's position in the matter has not hitherto commanded the assent of attorneys, no one having offered them a fee for assenting.

APPEAL, *v.t.* In law, to put the dice into the box for another throw.

ARREST, *v.t.* Formally to detain one accused of unusualness.

God made the world in six days and was arrested on the seventh.
—*The Unauthorized Version*

BONDSMAN, *n.* A fool who, having property of his own, undertakes to become responsible for that entrusted to another to a third. Philippe of Orleans wishing to appoint one of his favorites, a dissolute nobleman, to a high office, asked him what security he would be able to give. "I need no bondsmen," he replied, "for I can give you my word of honor." "And pray what may be the value of that?" inquired the amused Regent. "Monsieur, it is worth its weight in gold."

DEFAME, *v.t.* To lie about another. To tell the truth about another.

DELIBERATION, *n.* The act of examining one's bread to determine which side it is buttered on.

HABEAS CORPUS. A writ by which a man may be taken out of jail when confined for the wrong crime.

HOMICIDE, *n.* The slaying of one human being by another. There are four kinds of homicide: felonious, excusable, justifiable, and praiseworthy, but it makes no great difference to the person slain whether he fell by one kind or another — the classification is for advantage of the lawyers.

INADMISSIBLE, *adj.* Not competent to be considered. Said of certain kinds of testimony which juries are supposed to be unfit to be entrusted with, and which judges, therefore, rule out, even of proceedings before themselves alone. Hearsay evidence is inadmissible because the person quoted was unsworn and is not before the court for examination; yet most momentous actions, military, political, commercial and of every other kind, are daily undertaken on hearsay evidence. There is no religion in the world that has any other basis than hearsay evidence. Revelation is hearsay evidence; that the Scriptures are the word of God we have only the testimony of men long dead whose identity is not clearly established and who are not known to have been sworn in any sense. Under the rules of evidence as they now exist in this country, no single assertion in the Bible has in its support any evidence admissible in a court of law. It cannot be proved that the battle of Blenheim ever was fought, that there was such a person as Julius Caesar, such an empire as Assyria.

But as records of courts of justice are admissible, it can easily be proved that powerful and malevolent magicians once existed and were a scourge to mankind. The evidence (including confession) upon which certain women were convicted of witchcraft and executed was without a flaw; it is still unimpeachable. The judges' decisions based on it were sound in logic and in law. Nothing in any existing court was ever more thoroughly proved than the charges of witchcraft and sorcery for which so many suffered death. If there were no witches, human testimony and human reason are alike destitute of value.

JUSTICE, *n.* A commodity which is a more or less adulterated condition the State sells to the citizen as a reward for his allegiance, taxes and personal service.

KILL, *v.t.* To create a vacancy without nominating a successor.

LAW, *n.*

*Once Law was sitting on the bench,
And Mercy knelt a-weeping.
"Clear out!" he cried, "disordered wench!
Nor come before me creeping.
Upon your knees if you appear,
'Tis plain you have no standing here."*

*Then Justice came. His Honor cried:
"Your status? — devil seize you!"
"Amica curiae," she replied —
"Friend of the court, so please you."
"Begone!" he shouted — "there's the door —
I never saw your face before!"
—G.J.*

LAWFUL, *adj.* Compatible with the will of a judge having jurisdiction.

LAWYER, *n.* One skilled in circumvention of the law.

LIAR, *n.* A lawyer with a roving commission.

LITIGANT, *n.* A person about to give up his skin for the hope of retaining his bones.

LITIGATION, *n.* A machine which you go into as a pig and come out of as a sausage.

MARRIAGE, *n.* The state or condition of a community consisting of a master, a mistress and two slaves, making in all, two.

MISDEMEANOR, *n.* An infraction of the law having less dignity than a felony and constituting no claim to admittance into the best criminal society.

*By misdemeanors he essays to climb
Into the aristocracy of crime.
O, woe was him! — with manner chill and grand
"Captains of industry" refused his hand,
"Kings of finance" denied him recognition
And "railway magnates" jeered his low condition.
He robbed a bank to make himself respected.
They still rebuffed him, for he was detected.
—S.V. Hanipur*

PARDON, *v.* To remit a penalty and restore to the life of crime. To add to the lure of crime the temptation of ingratitude.

PLAGIARIZE, *v.* To take the thought or style of another writer whom one has never, never read.

POLYGAMY, *n.* A house of atonement, or expiatory chapel, fitted with several stools of repentance, as distinguished from monogamy, which has but one.

PRISON, *n.* A place of punishments and rewards. The poet assures us that —

"Stone walls do not a prison make,"

but a combination of the stone wall, the political parasite and the moral instructor is no garden of sweets.

RESIDENT, *adj.* Unable to leave.

RETALIATION, *n.* The natural rock upon which is reared the Temple of Law.

TRIAL, *n.* A formal inquiry designed to prove and put upon record the blameless characters of judges, advocates and jurors. In order to effect this purpose it is necessary to supply a contrast in the person of one who is called the defendant, the prisoner, or the accused. If the contrast is made sufficiently clear this person is made to undergo such an affliction as will give the virtuous gentlemen a comfortable sense of their immunity, added to that of their worth. In our day the accused is usually a human being, or a socialist, but in mediaeval times, animals, fishes, reptiles and insects were brought to trial. A beast that had taken human life, or practiced sorcery, was duly arrested, tried and, if condemned, put to

death by the public executioner. Insects ravaging grain fields, orchards or vineyards were cited to appeal by counsel before a civil tribunal, and after testimony, argument and condemnation, if they continued *in contumaciam* the matter was taken to a high ecclesiastical court, where they were solemnly excommunicated and anathematized. In a street of Toledo, some pigs that had wickedly run between the viceroy's legs, upsetting him, were arrested on a warrant, tried and punished. In Naples an ass was condemned to be burned at the stake, but the sentence appears not to have been executed. D'Addosio relates from the court records many trials of pigs, bulls, horses, cocks, dogs, goats, etc., greatly, it is believed, to the betterment of their conduct and morals. In 1451 a suit was brought against the leeches infesting some ponds about Berne, and the Bishop of Lausanne, instructed by the faculty of Heidelberg University, directed that some of "the aquatic worms" be brought before the local magistracy. This was done and the leeches, both present and absent, were ordered to leave the places that they had infested within three days on pain of incurring "the malediction of God." In the voluminous records of this *cause celebre* nothing is found to show whether the offenders braved the punishment, or departed forthwith out of that inhospitable jurisdiction.

VOTE, *n.* The instrument and symbol of a freeman's power to make a fool of himself and a wreck of his country.