

The Legend of Sirs John and Harry

(Reconstruction from archaeological research done by Frank M. Coffin and presented to conclave of Higgins-Derry admirers at Portland Country Club, January 10, 1986)

It is the year 3000. Archaeologists have just excavated the site of an ancient city on the east coast of the North American continent. They have found artifacts which positively identify the site as containing the legendary Court of King Edward the Gig during the golden period of over twenty-five years known as Ham-a-lot.

Dominant in this Court were two Knights of the Stable Sound. The first was Sir John of Higg. He was necessary because the Court wouldn't open if the sound were not of sufficient quality and quantity. Others would try but the drawbridge would never lower.

The Court was a beehive of activity. When Sir John addressed all and sundry with his "Oyez, Oyez. All persons who . . . have anything to do before this Court . . . may draw near . . . and they shall be heard" -- he would be heard from Kittery to Fort Kent.

Bankers would close their vaults, longshoremen would leave their loaded pallets dangling in mid-air, felons would quickly row ashore from their Mother Ship, and inmates at Thomaston would scale the prison walls. All would follow the Baritone Bailiff of Cape Elizabeth to the great Court.

Not merely all humans would hark to the clarion call, but also the Diety . . . herself. God knows how much work God has to attend to. But we can assume it's a fair parcel. When Edward's Court opened, Sir John also said in the most stentorian tones: "God save this Honorable Court". Well, you can be sure -- God did nothing else that day but save that Honorable Court . . . that, of course, in itself was a full day's work.

After the Court was opened, the second major functionary took over. While Sir John's function was to emit sound and spread the word, Sir Harry, the Bishop of Derry, had the awesome responsibility of capturing every word and, before it left the huge courtroom, imprisoning it in his little box.

Then later, when no one else was around, he would open his little box and see what he had captured. If the words seemed sensible, true, seemly and in decent syntax, he would let them file out in orderly fashion and take their place on a neatly typed page.

Over the years King Edward the Gig attained a tremendous reputation for not only his formal written opinions but his wise and articulate rulings from the bench. In those days -- to preserve the appearance of justice -- there was an appellate court which occasionally would hear appeals in those few cases in which benighted souls felt their case had been mishandled. Judges on this far-off court, at least those who could read, were always amazed at reading the superbly structured, elegantly expressed, and wise decisions which King Edward gave from the bench. They were far more polished than what they could produce even after days and weeks of goading their law clerks.

Now, after a full millenium, light has been shed on this phenomenon by the discovery, near Sir Harry's little box in a cavern used in a post-Pleistocene era called Prohibition for the demolition of bottles of intoxicating beverages, of a huge store of documents, page after page of what clearly appear to be original bench rulings. Here is an example:

"Counsel -- I can't make head nor tail of your briefs. But, as you know, I'm very good at flipping coins -- I mean deciding from the bench. Now is this a tort case? No, it's contract, isn't it? Anyhow, I know it's a civil case because we

haven't had a jury. Now lemme see. Ah yes -- I think the plaintiff wins because she has such a nice family.

What, Harry? You think what? Well, if you don't like what I'm saying, why don't you, Mr. Smarty Pants, just put it in your own words -- like you usually do?"

There were thousands of these discarded scraps of typescript, a lasting monument to surely one of the most unheralded heroes of the court system of those days.

King Edward was, however, really proud to show off Sir Harry. He would often dictate in open court: "My Court Reporter, Mr. Derry, is undoubtedly the most capable court reporter in the entire federal system." And he would have the hapless Sir Harry repeat this word for word, blushing.

Blushing at first. Later, no. For he came to believe this was true. And this was not immodest, because it was true.

King Edward never asked Sir John to say at the top of his voice that Sir John of Higg was the most loyal, dedicated, and memorable bailiff and crier that any court could possibly have. But if he had, that would have been perfectly admissible, for that too was true.

Now after King Edward withdrew a bit from jousting at all the tournaments, he was succeeded by a strapping Gaul from the North. He was all gall and not divided into three parts. He was called King Gene the Genial. For a time Ham-a-lot continued. Sir John continued to draw in the litigants from the highways and by-ways. And Sir Harry again proved his worth. King Gene, who sometimes was referred to as Gene the Gentle, simply was letting convicted criminal defendants go back to their favorite pastimes with but a token sentence of a few months or one, two, and never more than three years.

Sir Harry pondered this failing. Then a light went on. He realized that King Gene's problem was -- he couldn't count. So he gave him a child's abacus and matters were quickly straightened out. Too much so in fact.

After Sir John left, business dropped off. For a while the Court had the services of Lord Richard the Cohenhearted who made it his business to round up all the rapsallions within the state and sometimes those in international waters as well. Soon there were none left.

Then for a time the Court's magician, the Clerk of the Works, William of Brownell -- so agreeable was he to both King Edward and King Gene that he soon was called William the Concurrer -- dug up dozens of long-languishing cases dealing with a long forgotten substance, asbestos. These lasted until King Gene's voice cracked and his Secretary Sandy's hair turned black.

Then all was quiet. The courtyard was covered with grass. The grilled gate dropped, never to rise again. The only occupants of the derelict building were -- if you had sharp enough eyes -- the ghosts of Sir John and Sir Harry, now running the whole place without any interference just as they had always wished.