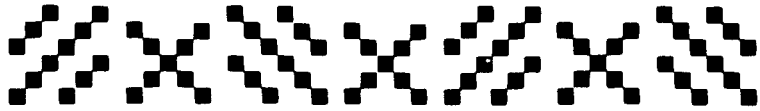


Glimpses of England, 1895: A Letter
from Hoosier Judge David Demaree Banta

*Edited by Katharine Kell**



David Demaree Banta was born in the western part of Johnson County, Indiana, on a farm which his father had hewn from the woods a year earlier.¹ The day was May 23, 1833, and his parents, Jacob and Sarah (Demaree) Banta, named him after Sarah's father, David Demaree, a presiding judge of Shelby County, Kentucky. Jacob and Sarah, of Frisian and Huguenot descent respectively, had been born in Kentucky—he in Henry County, she in Shelby—where their forebears had migrated in 1780 from Pennsylvania and New Jersey. Jacob died only two years after David was born, as did an infant younger brother, but Sarah decided to stay on the farm and was soon joined by her widowed mother and unmarried sister.

After completing studies at a local grammar school, David Banta taught a few terms in another nearby school in 1850-1851. Then, feeling restless, he traveled, partly on foot, to Iowa with a friend early in 1852, working at odd jobs to earn his way. He read Blackstone in a law office in Fairfield, Iowa, where he clerked during the fall and winter of 1852-1853, an experience which led him to decide on law as a career. Returning to Indiana the following spring, David Banta attended Franklin College briefly, and in the fall of 1853 he entered Indiana University where he earned a Bachelor of Science degree in 1855 and a Bachelor of Law degree in 1857. From 1856

* Katharine Kell resides in Birmingham, Michigan, and is a descendant of David Demaree Banta.

¹ Most of the biographical information on Judge Banta has been compiled from unpublished family records. Where the source is secondary, citation is given. One excellent secondary source is Jacob Piatt Dunn, "David Demaree Banta," *Indiana and Indianans: A History of Aboriginal and Territorial Indiana and the Century of Statehood* (5 vols., Chicago, 1919), III, 1372-74. The Banta family history has been recorded in Theodore M. Banta, *A Frisian Family: The Banta Genealogy* (New York, 1893). The book is in the Library of Congress, is available on microfilm, and was reprinted by Scholarly Press of New York in 1976. The volume, however, does contain several inaccuracies concerning Judge Banta and his descendants.

to 1857 he was also connected with the Monroe County Female Seminary in Bloomington.

On June 6, 1856, while still in law school, David Banta married a widow, Melissa Riddle Perrin (1834-1907), daughter of James and Elizabeth (Jackson) Riddle. Their first child, George Banta, was born on July 16, 1857, at her parents' home in Covington, Kentucky. In the fall of that year the Bantas moved to Franklin, Indiana, where their two other children were born: Charles Banta on October 16, 1859, and Mabel Banta (later Beeson) on November 19, 1864.

David Banta opened a law office shortly after moving to Franklin, but since his practice grew slowly, he served as a deputy in the office of the county recorder for two years to augment his income. Then from 1862 to 1864 he was the district attorney, Common Pleas Court, and from 1865 to 1868 the division revenue assessor. He was also a county school examiner and trustee of the city schools during that period and contributed articles to newspapers on Johnson County history. His articles consisted of old settlers' tales that he had gathered in personal interviews during his spare hours.

In the meantime his reputation was growing. There is a family story, never authenticated, that he became a local hero when, during the Civil War, he stood on his front porch and talked down an angry mob threatening to tar and feather him on suspicion of his being a copperhead. They suspected it partly because he was a Democrat, partly because his wife had southern family connections, partly because he stressed moderation and reason at a time when men were crying war. Whether or not the story is true, the claim that he talked them down is illustrative of David Banta's persuasive abilities amid hostility. He became noted for the number of convictions he secured as a young prosecuting attorney, and one story he himself liked to tell was about a jury member who encouraged him privately to "stand up to them old lawyers" because the jury was standing up for him.²

In 1870 David Banta was elected unopposed as judge of the Twenty-eighth Judicial Circuit on the Democratic ticket. Retiring from the bench in 1876, he formed a partnership with Thomas W. Woollen, who later became the Indiana state attorney general. Their offices were in the Old First National Bank

² Dunn, *Indiana and Indianans*, III, 1373.

Building in Franklin.³ From 1877 to 1889 David Banta was a member of the Board of Trustees at Indiana University and president of the board from 1882 to 1889. Franklin College conferred on him the degree of LL.D. in 1888. In 1889 Indiana University revived its law school, having discontinued it in 1877, and Judge Banta was made professor of law and dean of the newly revived school, a position he held until his death on April 9, 1896.

The judge's best known work was *A Historical Sketch of Johnson County* (1881), but he also wrote numerous articles and short stories, kept many journals, and carried on a vigorous correspondence. After his wife died in 1907, his collected writings passed to their older son, George, who retained them in his personal library through the years; then after George's death in 1935, his older son, Mark (1883-1941), donated the collection to the D. D. Banta Library at the Phi Delta Theta headquarters at Miami University, Oxford, Ohio. Mark did so because his father, George, had endowed the library in perpetuity in his will. Finally, in 1970, the fraternity presented Franklin College, Franklin, Indiana, with 196 items from the collection, retaining only what concerned the fraternity itself.

The following letter escaped the collection, for good reason. It was written by the judge to his younger son, Charles, who died in 1897, only a year after the judge. The letter stayed with Charles' widow, Martha Graham Banta (b. 1861), who died in 1902 leaving three little daughters. The oldest daughter died later in 1902, and the remaining two little girls, of whom Elizabeth Banta Tolle (1889-1975), mother of Katharine Kell, was the elder, were reared by a maternal aunt who kept their parents' memorabilia, including the letter from the judge. The letter, therefore, never became part of the collection that the judge's wife and older son preserved and which his grandson donated to the D. D. Banta Library. Probably none of them knew the letter existed; probably, also, Elizabeth Banta Tolle did not want to part with it by the time it came into her possession. The letter was located several months after Mrs.

³ The judge's older son, George, a publisher, printed a book of essays, stories, and poems by family members: George Banta, ed., *Flying Leaves* (Menasha, Wis., 1888). Following the text at the end are "advertisements," one of which reads as follows:

T. W. Woollen	D.D. Banta
Woollen & Banta	
Attorneys at Law,	
Office in the rear of the Old First National Bank Building:	
Franklin, Indiana	

Tolle's death in a suitcase containing over 140 family letters and other documents, thrust back into a corner of a basement storeroom.

Judge Banta wrote the letter in 1895 while on a trip to the British Isles in the company of his first cousin once removed, the Reverend Daniel Brewer Banta (1847-1913).⁴ The letter is of considerable general interest because of the judge's observa-



JUDGE DAVID DEMAREE BANTA

Reproduced from Robert Y. Coward and Hester H. Coward, eds., *Catalog of the David Demaree Banta Indiana Collection* (Franklin, Ind., 1960), 5.

⁴ The Reverend Daniel Banta, a graduate of Hanover College and Princeton University, was a pastor first at a Presbyterian church in Lebanon, Indiana, then at one in Spencer. Josephine Banta to Katharine Kell, June 1, 1977. Josephine Banta (b. 1894), Daniel Brewer Banta's youngest child, is professor emeritus of Latin and a former chairman of the department of foreign languages at St. Cloud State College, St. Cloud, Minnesota.

tions on English life and relics and because of his impressions of Oxford University and of an English political rally, as well as for his delight at seeing an Indiana produced plow on the English countryside. Unfortunately, it was among the last he wrote as a healthy man. Less than three weeks later he was stricken with an illness which eventually led to his death. Because of the illness he and Daniel Banta cut their trip short and returned to the United States.⁵ Judge Banta stayed through the winter of 1895-1896 with his older son, George, in Menasha, Wisconsin, then went home to Bloomington, Indiana, where he died. He is buried, along with his wife, Melissa, and son and daughter-in-law, Charles and Martha, in Franklin, Indiana.

⁵ In several letters to the editor of this article, Josephine Banta has written that her father never forgot that when the judge's son Charles met them at the pier in New York, he burst into tears at the sight of his father's condition.

London July 23rd 1895¹

My Dear Charley

I made a good many promises to write and one to you as I remember, but I find it easier to promise than to perform. There is so much to see and I have so little time to see it in that I find myself grudging the minutes that I devote to any thing else than sight seeing.

We left the *Circassia* at Londonderry on the 3rd of this month and by the evening of the 4th we had experience in shillings and pence, in riding in a third class compartment "coach", had seen the Giants Causeway and were in Belfast.² The next day we fooled away in Belfast but on the following which was Saturday we were safely lodged in Dublin.

The north of Ireland is a beautiful country and is in a fine state of cultivation. It reminded me of the Lehigh Valley country very much.³

The people are kindly and treated us with the utmost respect.

From Dublin we crossed the channel to Holyhead and thence through the north of Wales to Chester. There our sight seeing truly began. Chester is one of the most marked old towns in England it is said, and we certainly found it bearing all the evidences of a medieval existence. Its old walls are still intact although the city has slopped over and spread outside.⁴ It has its cathedral dating from Norman times and its old wooden

¹ In the following transcription, Judge David Demaree Banta's spelling, punctuation, abbreviations, diction, syntax, and paragraphing have been preserved as precisely as possible with no omissions. Banta's intent on capitalization was not always ascertainable; therefore, modern usage has been followed in cases of doubt. There are three editorial insertions within brackets for clarity.

² The Giant's Causeway is a geological curiosity on the North Atlantic coast about fifty miles northwest of Belfast, Ireland. It consists of volcanically created ranges of nearly perpendicular basalt columns closely fitted together. Reginald J. W. Hammond, ed., *The Complete Ireland* (2nd ed., London, 1966), 269-71. The *Circassia* was apparently the ship on which Banta sailed.

³ The Lehigh River is in the eastern part of the Pennsylvania Alleghenies, south of Wilkes-Barre; it is about one hundred miles long and flows south and east into the Delaware at Easton.

⁴ The walls of Chester, which surround the inner city in a two mile circuit, were built of red sandstone in Roman and Saxon days, though certain towers and gates were added in the medieval period. Chester is the only city in England the ancient walls of which remain intact. Drive Publications, Ltd., eds., *Treasures of Britain and Treasures of Ireland* (3rd ed., New York, 1976), 138. The top of the walls forms a tall, wide walk with a rail on one side and a waist high barrier on the other. The "slopping over" on the outside which the judge mentioned was accelerated in the early twentieth century, so that by 1935 H. V. Morton wrote: "The wall of Chester stands with its arms round beautiful old Chester, while ugly new Chester peeps over the parapet from the outside." Henry C. V. Morton, *In Search of England* (1935; rev. ed., New York, 1960), 209-10.

houses that were new when Columbus was still living⁵ not to mention the "rows", a series of business houses the like of which is no where else to be found in all this world I suppose. These it would take too much space for me to describe. Hawthorne in his *English Note Books* does that.⁶

From Chester we went to Warwick another old town which has a castle in perfect state of preservation which is occupied as a residence by the Earl. The family being absent visitors are admitted and a more interesting collection of pictures, furniture, and other old time memorials can hardly be conceived.⁷

Warwick is an old place which the new England has left untouched. We occupied a room in a little old inn that our landlord said was at least 200 years old.⁸

From Warwick we walked 5 ms. to Kenilworth, where is the stupendous and majestic ruin of Kenilworth Castle,⁹ and

⁵ Chester is still distinguished by its many half timbered Tudor houses. The cathedral is the Church of St. John the Baptist, built on an ancient site in Norman times. Its nave has fine Norman pillars and arcades, though its eastern end is in ruins. In the South Aisle is a rather gruesome monument to a Lady Warburton: a sculpture of a standing skeleton holding up a shroud in its bony hands. *Treasures of Britain*, 135, 138.

⁶ In 1853 President Franklin Pierce appointed Nathaniel Hawthorne (1804-1864) to the consulate at Liverpool and Manchester where he kept a journal. On October 1, 1853, he wrote about the Rows as follows: "The most utterly indescribable feature of Chester is the Rows, which every traveller has attempted to describe. At the height of several feet above some of the widest streets, a walk runs through the front of the houses which project over it. Back of this walk, there are shops; on the outer side of the walk, a space of two or three yards, where the shopmen have their tables and stands and show cases; overhead, just high enough for persons to stand erect, a ceiling. At frequent intervals, little narrow passages go winding in among the houses, which all along are closely conjoined, and seem to have no access or exit, except through the shops, or into these narrow passages, where you can touch each side with your elbows, and the top with your hand. We penetrated into one or two of them; they smelt ancient and disagreeable. . . . These avenues put me in mind of those which run through ant-hills, or those which a mole makes, underground." Nathaniel Hawthorne, *The English Notebooks* [1853-1857], ed. Randall Stewart (1941; reprint, New York, 1962), 29-30. Judge Banta probably read either the version which Hawthorne's widow, Sophia Peabody Hawthorne (1809-1871), had published in 1870 or the partial one put out by Houghton Mifflin in 1883 based on her transcription. Later she was accused of having bowdlerized the text, but she did not change the above passage.

⁷ Warwick Castle is one of the few medieval fortresses still occupied. Its foundation was laid in 1068 by William the Conqueror, and, although later demolished, it was rebuilt in 1394 by the Beauchamps. Its interior was redone in the seventeenth century and again in 1871 after a fire. It is noted not only for its superb collection of paintings, furniture, tapestries, carpets, chandeliers, silver, and china, but also for its medieval arms and armor, among which is the late thirteenth century sword of the famed Guy of Warwick, subject of a long, medieval romance. W. Douglas Simpson, *Castles in England and Wales* (New York, 1969), 24-27; and *Treasures of Britain*, 473, 477.

⁸ The inn may have been what is now the Lord Leycester Hotel, on Jury Street, which was once the home of one of the Earls of Leicester. It maintains an eighteenth century atmosphere. *Egon Ronay's Dunlop Guide to Great Britain and Ireland* (n.p., 1973), 557.

⁹ Kenilworth Castle was founded by Geoffrey de Clinton, treasurer to Henry I (1068-1135). In 1244 it passed to the then Earl of Leicester, a rebel

from Kenilworth we went to Coventry. But the new England has captured Coventry. It contains a population of no less than sixty thousand and pretty much all of old Coventry has gone into the rubbish heaps while the new Coventry glories in her manufactories.¹⁰ An effigy of Peeping Tom is still preserved however and looks down from the third story window of a modern hotel and I can imagine that he wonders at the absence of all the knights and ladies and splendor and dirt, of his own days.¹¹

Returning to Warwick we sent our baggage by parcel post to Stratford on Avon, and walked over the country roads and ways—10 miles. We took nearly a day to it and a more delightful day I never enjoyed. The roads and weather were superb. We chatted with the farmers and the people we met on the way. Dan plowed a round with one farmer's plow—an Oliver Chilled plow made in Indiana!¹² Three horses were hitched to that plow in tandem fashion. We heard and saw the glorious English lark. We ate our noonday meal at the "Boar's Head", an inn in a hamlet adjoining the Lucy Estate, Shakespeares Justice Shallow once being the owner, and we counted 39 deer in one herd in the Lucy Park. So Shakespeare did not kill all the deer.¹³

against Henry III; Henry's armies surrounded the castle in 1266, but it withstood the massive siege until famine made Leicester's adherents surrender after six months. It was added to in the fourteenth century by John of Gaunt and again in the sixteenth by Robert Dudley, Earl of Leicester, and favorite of Elizabeth I. Most of it was destroyed by Parliament during the Cromwell period, and it was never after occupied. Simpson, *Castles in England*, 18-20. Judge Banta may well have read the romantic novel, *Kenilworth* (1821), which Sir Walter Scott wrote about the castle.

¹⁰ In 1891 Coventry's population was 58,503; in 1901 it was 69,877. J. Scott Keltie, ed., *Statesman's Year Book* (London, 1902), 18. Coventry's chief manufactured products at that time were woolens, carpets, art metal work, watches, sewing machines, and bicycles and their accessories. Automobile production was introduced in 1896. "Coventry," *Encyclopaedia Britannica* (11th ed., 29 vols., New York, 1910), VII, 343.

¹¹ "Peeping Tom" referred to the Lady Godiva legend which dates from the eleventh century in Coventry. A tailor named Tom was the only one who peeped, for which indiscretion he was struck blind. The effigy the judge mentioned was in the King's Head Hotel on Hertford Street. The figure was wooden, with its arms cut off at the elbows, and was standing in a niche so that it was visible only from the waist up when viewed from the street. It wore armor of the Henry VII period (1457-1509) and had a large, three cornered hat. Mary Dormer Harris, *The Story of Coventry* (London, 1911), 23.

¹² The Oliver Chilled Plow Company, named for its chief stockholder, James Oliver, was formed in St. Joseph County, Indiana, on July 22, 1868. Later, the Oliver family bought out the other stockholders, and by 1907 the company was listed as the largest manufacturer of plows in the state. Linda H. Crum, research assistant, Indiana Chamber of Commerce, to Katharine Kell, June 2, 1977. See also Douglas L. Meikle, "James Oliver and the Chilled Plow Works" (Ph.D. dissertation, Department of History, Indiana University, 1958).

¹³ An often repeated story about William Shakespeare's youth concerns Sir Thomas Lucy (1532-1600), a powerful aristocrat whose estate was near Strat-

I need not stop to tell you any thing about Stratford. Every body knows about it. We stayed there over Sunday and at the "Old Red Lion".¹⁴ There is nothing at Stratford but Shakespeare. He is enough but it does not take long to see all there is to be seen of him.

Next to Oxford. This with its 23 colleges is a quaint old place to be sure. The colleges however are the center of interest to the American. It is vacation and nothing to be seen of actual college life, but we managed to get into 2 or 3 and we saw a good deal. These old colleges are played out affairs and as schools, would be contemptible in America. The whole 23 colleges (I believe it is 23) have about 50 professors between them. Queen's college has two professors, Prof Sayce and some one else. Tutors do the work.¹⁵ Queens has not a recitation or

ford. Lucy was renowned among other things as a justice of the peace and a preserver of game. In 1585, so the story goes, Lucy prosecuted Shakespeare for deer poaching, an offense which Shakespeare had compounded by writing a satirical ballad on Lucy. Shakespeare fled to London to escape imprisonment. Later he caricatured Lucy in the form of Robert Shallow, a pompous country justice, who appeared first in *2 Henry IV* (1597), then in *The Merry Wives of Windsor* (1599). Shakespearean scholars generally discount the deer poaching story, though they agree that Lucy was Shakespeare's target in his invention of Justice Shallow. The story's initial appearance was in Shakespeare's first biography (by dramatist Nicholas Rowe in 1709). By the time Judge Banta was a student, it had been repeated so often that determining where he got it is probably impossible. See Edgar I. Fripp, *Shakespeare: Man and Artist* (2 vols., London, 1938), II, 914-16.

¹⁴ The British Tourist Authority lists a present day Old Red Lion on Bridge Street in Stratford-upon-Avon. *Hotels and Restaurants in Britain*, 1972 (London, 1972), 255. There have been many Red Lion inns in England since the fourteenth century when the name became popular because a red lion was the badge of John of Gaunt. Henry P. Maskell and Edward W. Gregory, *Old Country Inns of England* (Boston, 1911), 112-15. It remains a popular name: the British Tourist Authority lists twenty-six other inns and hotels in England called Red Lion. *Hotels and Restaurants*, *passim*.

The Boar's Head which the judge mentioned in the previous paragraph is not listed in Stratford by the British Tourist Authority in 1972. In any case, it could not have been the famed Boar's Head Inn of Sir John Falstaff, because Falstaff's tavern was in London. Also, the name has not been as popular as has Red Lion. The British Tourist Authority lists only two inns in England called Boar's Head, one in Carmarthenshire, the other in Devon. *Hotels and Restaurants*, 60, 263.

¹⁵ *Oxford University Calendar for the Year 1895*, pp. 373-587, listed twenty-one colleges and two halls. Archibald Henry Sayce (1845-1933), a fellow at Queen's from 1869 to 1915, and professor of Assyriology from 1891 to 1915, was best known for his *Principles of Comparative Philology* (1874-1876). Bettiscombe Gunn, "Sayce, Archibald Henry," *Dictionary of National Biography*, 1931-40, ed. L. G. Wickham Legg (1949; reprint, London, 1965), 786. Sayce was the only professor at Queen's in 1895, though the college listed thirteen fellows, the possible equivalent of American professors. *Oxford Calendar*, 428-29. The same source listed six honorary fellows at Queen's, two of whom were professors, but they were officially members of other colleges. One was Ingram Bywater (1840-1915), fellow at Exeter College and Regius Professor of Greek from 1893 to 1908. Henry William Carless David, "Bywater, Ingram," *Dictionary of National Biography*, 1912-21, ed. H. W. C. David and J. R. H. Weaver (1927; reprint, London, 1966), 82-85; the other was Bartholomew Price (1818-1898), fellow and master of Pembroke College and Sedleian Professor of Natural Philosophy. Ernest I. Clarke, "Price, Bartholomew," *Dictionary of National*

lecture room that will hold over 10 or 12 students. These colleges are not humbugs. The[y] are simply left behind, or would be any where else in this world. As cosy nests in which a student and scholar can sit down and study and write books, they are par excellence. Their libraries are superb and their dinners ditto no doubt.¹⁶

We were doubly entertained in Oxford. We attended a political meeting at a village close by and heard Lord Valentia, the union Parliamentary candidate and Prof Dicey, speak.¹⁷ It was a real political meeting, but English. There was much cheering of a very poor sort and much speaking of a style that would not have enthused a Hoosier audience. Their meeting too was more formal than are ours. They had their chairman which was familiar, who introduced Mi-lord, who in the awkwardest manner imaginable made a very plain talk. Then the Prof. was introduced who offered a resolution to the effect that Mi-lord ought and must be elected and then made his speech. Next a young fellow seconded the resolution and spoke a few minutes to it, when it was put and carried. Then came votes of thanks to the chairman and others.

Prof Dicey is the author of a book which I have read, on Eng[lish] Constitutional Law, and after the meeting was over I did the audacious thing of going up to him and saying in

Biography, ed. Leslie Stephen, Sidney Lee, *et al.* (22 vols., 1917- ; reprint, London, 1961-), XXII, 1159.

Judge Banta apparently did not understand the functions of various academic positions at Oxford. A professorship, then as now considered a great honor, was awarded discriminately and seldom. It usually meant relief from all duties except research and writing. As Judge Banta said, in the entire twenty-one colleges and two halls in 1895, Oxford had only fifty professors. *Oxford Calendar*, 27-29. Also as he said, the tutors (given various official titles) did the teaching. Along with their thirteen fellows and six honorary fellows, Queen's had six "Lecturers," thirty-five "Scholars, &c.," twenty "Exhibitioners," sixteen "Choristers," and about two hundred "Members Not on the Foundation." Heading it all was a "Provost." *Oxford Calendar*, 428-37.

¹⁶ Oxford's system of teaching through tutoring is greatly different from any American one. More familiar in the United States are the classroom lectures and seminars, a system leading to the standard academic complaint which Judge Banta voiced in a letter to his daughter-in-law Martha on January 12, 1894: "The influx of law students is considerable and it takes me three hours a day in the lecture room with them. That consumes the fore-noon and the after I have to prepare for the next day." David Demaree Banta to Martha Banta, January 12, 1894. This letter is in the possession of Katharine Kell.

¹⁷ After William E. Gladstone's advocacy of home rule for Ireland, Professor Albert Venn Dicey (1835-1922), a former liberal, switched to the Conservative party and became a vigorous defender of the Union. He published many works against home rule. R. S. Rait, "Dicey, Albert Venn," *Dictionary of National Biography*, 1922-30, ed. J. R. H. Weaver (1937; reprint, London, 1961), 260. Arthur, eleventh Viscount Valentia (1843-1927), a Conservative Unionist and landlord from mid-Oxfordshire, was a member of Parliament from 1895 to 1917. Peter Townend, ed., *Burke's Genealogical and Heraldic History of the Peerage* (104th ed., London, 1967), 2534; and Henry Pelling, *Social Geography of British Elections, 1885-1910* (New York, 1967), 118.

substance "Prof Dicey I live more than 3000 miles from here but your name is familiar to us in my country and I want to shake hands with you.[''] The Prof. beamed and we shook hands.¹⁸

From Oxford to London. Here we have been a week. I cant enter upon London. We have put in the most of our time thus far seeing it on the outside. Bus riding is cheap here—seldom more than a penny a ride on any line, and buses run in all the principal streets. The Strand, Piccadilly, Tottenham Court Road, Oxford, Cripplegate, Newgate and so on are becoming familiar. O the rush and the roar of the London traffic.

To day I go to the Inns of Court & have been assured of a seat on the ground floor. I want to hear an English Jury trial.¹⁹ To morrow I go to Old Bailey to see a criminal trial.²⁰

I find traveling in England cheap—cheaper than at home. I do not believe, that rail road and all this side will cost me over \$3.00 per day if so much. Of course I exclude clothes & books and the like, *and* keep out of the hotels. We stop at the inns generally and take apartments in the city.

Mother writes that Martha reached her destination safely & was feeling well.²¹ I was rejoiced to hear it & give her my love when you write.

¹⁸ Professor Dicey held the Vinerian Professorship of English Law at Oxford from 1882 to 1909. Probably the book of his which Judge Banta read was *Introduction to the Study of the Law of the Constitution* (1885), an esteemed work which went through eight editions by 1915. *Dictionary of National Biography*, 1922-30, p. 260.

¹⁹ The Inns of Court form the heart of legal London. Although there have been as many as thirty Inns, there now are four, named traditionally in the following order based on time of origin: Lincoln's Inn, Inner Temple, Middle Temple, and Gray's Inn. The Old Hall of Lincoln's Inn, which may have been where Judge Banta went to watch the proceedings, was built around 1490. All the Inns of Court are located in the vicinity of The Strand, Fleet Street, and Chancery Lane just north of the Thames; and they consist of large sprawling buildings with many wings, each Inn having a hall, a library, a chapel, and numerous chambers. Originally, they constituted a university for law students; now, although collegiate life has disappeared, the Inns still are the only ones with the power to grant and take away the title of barrister in England and Wales. Each of the Inns is autonomous, but they have a combined Council of Legal Education which directs the training of students and examines them for the bar. They are all unincorporated, their domination of England's legal system relying upon tradition. Hundreds of works have been written about the Inns of Court. A good introductory survey is a fifty-seven page pamphlet by Sir Robert Megarry, *Inns Ancient and Modern* (London, 1972), which includes a short bibliography.

²⁰ Old Bailey, famed in song and literature, is officially known as the Central Criminal Court. It is located near Holborn, a few blocks east of the Inns of Court, and formerly adjoined Newgate Prison. In fact, the history of Old Bailey and Newgate is not separable. A bailey in medieval times was the space enclosed by the outer walls of fortifications. It is thought, therefore, that Old Bailey was originally situated in one such spot. It dates from the twelfth century and has been the scene of many famous criminal trials. A readable history of Old Bailey is by Bernard O'Donnell, *The Old Bailey and Its Trials* (New York, 1951).

²¹ Martha Graham Banta, Charles' wife, had developed tuberculosis. Since at the time the only known treatment was to go to a high, dry climate, she moved to Colorado with her children in the summer of 1895.

We will sail for home by the Ethiopia on the 29th Aug. and on reaching N.Y. I would be glad if I could see you awaiting me. Write so I can get a letter at Glasgow before sailing. Write care of American Consul. Am well & standing trip finely. Dan well.

Your father
D. D. Banta

I had a good view of the Shazeda the 2nd son of the Ameer of Afghan who is now in London, yesterday at the Museum—²²

²² The Amir of Afghanistan, Abdur Rahman (1844-1901), had received an official invitation to visit England. Because he could not jeopardize his reputation with his people by visiting an infidel country, he sent his second son, Nasrulla Khan (b. after 1869, d. 1919?), a known Anglophobe and religious zealot whose reputation would not suffer from such a visit. Arnold Fletcher, *Afghanistan: Highway of Conquest* (Ithaca, N.Y., 1965), 151-52, 171, 186.