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## COURTS AND THE LEGAL PROFESSION IN MANITOWOC COUNTY, WISCONSIN.

from about 1820 to the present.

by Edward Ehlert

### COURTS AND THE LEGAL PROFESSION IN MANITOWOC COUNTY

One cannot discuss the subject of courts and the legal profession without a look at Green Bay, and its history. What happened at Green Bay had influence on the history of Manitowoc County.

In the opening paragraph of Alice E. Smith's "History of Wisconsin, from Exploration to Statehood," (Volume I) there is this paragraph defining the objectives of Samuel de Champlain as he addressed King Louis XIII of France for permission to undertake a mission into "New France", that territory of North America not claimed by Great Britain, and those other countries active in the exploration and colonization of the new continent. Quote: "By way of New France one could easily reach the Kingdom of China and the East Indies, whence great riches could be drawn. In the new world the French would be masters of a country nearly eighteen hundred leagues (5400 miles) in length, watered by the fairest rivers in the world."

"The Christian faith would be established among countless souls; minerals, furs and timber of marvelous height, all await exploitation by the French. Should the opportunity be neglected and the settlement on the St. Lawrence be abandoned for want of bestowing upon it the needed attention, either the English or the Flemings would enviously seize upon it."

His motivations were based on a coveting of great power and

wealth, and the zeal to spread the Christian religion. The French explorers who came all had these motivating characteristics and they were willing to give of self and much in personal sacrifice for the glory of the King of France.

The Indians, of course, inhabited the new world. A part of the scheme of conquest was to cultivate the friendship of these people. Their zeal to spread the Christian religion to the ends of the world went with them, which was a beginning of a way of changing the culture of these people. The French were quick to realize that the new world was rich in resources of many kinds, the furs of animals were among these. Thus began the fur trade with the Indians, and exchanging of these for articles and materials which would make life for the Indian a bit easier. Among these articles were guns, gun powder, iron tools like chisels, axes, hammers, etc., articles of clothing, needles, beads, cooking utensils of copper, and liquor.

The French explorers finally came to Green Bay in May 1672 and canoed down the Fox and Wisconsin rivers. A month later they arrived at Prairie du Chien and the Mississippi river. These explorations opened up Wisconsin to the fur trading venture. Rivalry for the fur business was keen and politics was often involved in getting a favorable position, with men from England and France competing for this business.

The French and Indian War was fought with Great Britain to settle who should control the fur trading of the American interior.

After the English were defeated in the American Revolution, and much of the interior became the possession of the United States, the fur trading business then was challenged by the English and the colonists. The treaty of peace was supposed to have settled the issue, but in the hinterland news traveled slowly, and the English continued to dominate the fur trading business. It was not until the War of 1812 that many of these issues were finally resolved.

With the U.S. government occupied with foreign relations matters and with development of the eastern seaboard, not much attention could be paid to the problem of the interior. The Northwest Ordinance became a very important piece of legislation. It affected the history of all that is now Ohio, Michigan, Indiana, Illinois and Wisconsin.

To settle the matter of rivalries for the right to trade with the Indians, the federal government gave the right to engage in fur trading to certain people. John Jacob Astor was one who received a charter to engage in this business. He set up a fur trading post in Green Bay. At about the same time a military garrison was set up there. The license to do fur trading could be gotten through the commander of the military garrison. Fort Howard at Green Bay had on duty a company of about fifty soldiers. The commander of the fort was the symbol of authority for the area and it was he who had the responsibilities to see that law and order prevailed.

Detroit was the headquarters

where the business of the Michigan territory took place. Wisconsin was a part of the territory of Michigan. The governor of the territory was Lewis Cass. He served the territory with distinction until called to Washington, D.C. by President Andrew Jackson to serve in his cabinet, as Secretary of War.

The commander of Fort Howard, of course, could not give attention to every subject of discord between people so he began to delegate authority. Charles Reaume of Green Bay was named a Justice of the Peace in 1803. This officer however, did not have many duties. Usually "the trader's word was law."

In 1802 there really were no laws to enforce in this country. The marriages that took place were according to Indian laws and customs. There were no priests or magistrates to perform such services. Although a license to do fur trading cost ten dollars, many paid nothing because there was no one to enforce the regulations. A sheriff would hardly travel several hundred miles to compel someone to pay the required fee.

A Justice of the Peace had no body of law to go by. A story is told of Justice Reaume in which he sentenced a culprit to labor for a certain time on his farm. In another case he said, "You are both wrong." And the sentence, "You bring me one load of hay," and "You bring me a load of wood."

It was in 1819 that one of the legal requirements set up by the territorial government was that justice should be dispensed only in a building called the courthouse. Thus, in Green Bay in 1818 the first courthouse was built.

The territory of Michigan could be represented in Congress by one delegate. The delegate was chosen by popular election. The first election was held in 1821. Solomon Sibley received 42 votes to represent the area in Congress. In 1823 Governor Cass appointed Robert Irwin, Sr. as Clerk of the Brown County Court, Register of Probate, Justice of the Peace, Auctioneer, Treasurer, Coroner and County

Commissioner.

At this time Justice Reaume became an Associate Justice of Brown County. Under the law Justice Reaume could handle minor cases involving twenty dollars or less. Above that amount the cases went to the county court. These courts could settle cases involving \$1000 or less, and non-capital criminal cases.

One Chief Justice and two Associate Justices presided over the county courts. Three judges appointed for life during good behavior by the President, comprised the Supreme Court. The court was conducted in Detroit. The latter court was not a good arrangement, for the distance to travel was considerable and many could not avail themselves of "justice". The time and cost of travel to Detroit made appeals to that court almost prohibitive.

James Duane Doty was the first judge of the court at Green Bay, receiving his appointment in 1824. He served eight years, when he was replaced by an appointee of President Andrew Jackson. The spoils system was in operation during his administration, as history records.

Judge Doty's first duty when he held court was to teach and train people in courtroom procedures. He repeatedly lectured jurors, litigants and spectators on provisions of the law and court procedures. He also instructed people on the rights and duties of American citizens.

He had a circuit which extended to Prairie du Chien. His circuit required travel over a 1306 mile route by canoe and horseback. His annual salary was \$1200. He was required to equip himself with such items as a tent, canoe, mess baskets, oilcloths and hire canoemen at 75 cents per day. In 1829 he made the trip to Prairie du Chien on horseback in company with two attorneys, the first known trans-Wisconsin journey by land. Incidentally, the courtroom in Prairie du Chien was provided by the sheriff. It was "a commodious tavern."

Jurors were selected from among male freeholders 21 years

of age or more, and who had held a tract of land in 1796. Literacy was not a requisite nor was familiarity with the English language. In one murder case which occurred at Mackinac, all but one of the eligible jurors were disqualified from service on the ground of prejudice. In this predicament the sheriff was directed to bring in twelve bystanders. In this trial Judge Doty did not allow two Indians to testify because they could not profess a belief in a Supreme Being or a future world.

The first person to be admitted to the bar in Wisconsin was a young attorney from Green Bay named Henry S. Baird. He became Wisconsin's first district attorney.

Judge Doty insisted on proper decorum in his court. In Prairie du Chien a person named Rolette was outside of the courtroom damning the judge and the court. He ordered him brought into court and fined him for his misconduct.

In Green Bay Judge Doty in 1824 ordered an investigation into the legality of the marriages of the people. The Canadian French people had been far away from priest or preacher, and had had no opportunity to obtain the sanction of the church on their unions with Indian women or baptism of their offsprings. This crackdown was spurred by the need to legalize property inheritance, a situation which had become pertinent because of land claims.

Thirty eight violators of the marriage regulation were given ten days in which to produce certificates of marriage or to stand trial for evading the law. Crimes committed by Indians were without the jurisdiction of the court, unless white men were involved.

Alice E. Smith says in "The History of Wisconsin, from Exploration to Statehood," (page 20) "It is ironic that in a Wisconsin which was almost wholly an Indian domain, a region whose tiny white population was heavily weighted toward Canadian French and whose American inhabitants numbered in the low hundreds the sharpest contro-

versies to appear in the courts should be those raised by the few Americans. Moreover, the issues were over controls laid down by the agencies of government installed on the border to protect the incoming settlers and to ease the transition from primitive wilderness into civilized pursuits. In trying to keep the peace the army and Indian agents imposed restraints that were bitterly resented by frontiersmen, who regarded rules and regulations as an unwarranted interference with their rights as free-born citizens."

Army rule had prevailed in the region west of Lake Michigan for seven years when the additional court was setup. While the presence of army posts solved some problems of law and order, it raised others. The soldier and the Indian agent (another officer who had authority in certain areas) often had varied opinions and the court had to step in to settle the issue. Under Judge Doty civil law was in the ascendancy.

He outlined his position in this statement: (History of Wisconsin, Alice E. Smith page 222) "When I came to this District all power was in the hands of the army and the Indian traders. In establishing a civil jurisdiction I was brought directly in contact with them, and the sole question was whether the Laws should prevail, and all the members of society be brought within the rules prescribed for its government. The courts are established, and the army is dissatisfied. They appear to think that they can remove me from the Bench. It will afford them personal satisfaction and have the folly to believe that by this, the military rule may be restored. But this can never be; and although I may be crushed, the civil standard is planted in this district and it will be found I trust covering and protecting it long after the army has been removed."

## INDIANS IN WISCONSIN

The date when Indians inhabited the upper Mississippi Valley is obscure. Some historians feel that the

Winnebago Indians may have come sometime between 800 and 1600 A.D.; as for the Menominees their coming is believed to have been between 1200 and 1600 A.D. Alice E. Smith says of the Indians in "The History of Wisconsin, from Exploration to Statehood," (page 125) "For generations these various prehistoric people inhabited the upper Mississippi Valley, developing distinctive beliefs and customs, evolving systems of transport, providing shelter and garments, designing and fashioning utensils and weapons and subsisting on their skill at hunting and fishing, supplemented by agriculture. The appearance of the white man with his metal weapons, knives, traps, gunpowder and blankets, wrought a revolution in the Indian way of life. Virtually a leap from the stone age to the age of iron. To obtain such goods, the Indian became the professional hunter and trapper, relinquishing the yield of the winter's hunt for blankets, kettles, hatchets, baubles and liquor. In time he was forced to relinquish his hunting grounds to the incoming Europeans.

In taking possession of territory in the new world, the British had evolved a theory regarding Indian sovereignty which the United States adopted. According to their theory, Indian tribes were independent nations with their own sovereignty rights, and the United States when it wanted to obtain Indian lands, held treaty sessions at which both sides discussed conflicting views, set terms for the purchase of land, and settled upon arrangements for the transfer. The completed documents, signed by responsible tribal leaders, were dispatched to the Senate for rejection or ratification. This diplomatic practice, bulwarked by colonial and constitutional practices, formed the basis for treaty operations until 1871."

Alice E. Smith tells about how in the Northwest Territory one bit of land after the other from 1795 on, came into the possession of the United States.

The surge of white population to the west began soon after 1795.

At first the areas bordering the Ohio River and its tributaries were affected. However, it was not until the Erie Canal had been built in 1825 that there was interest in Michigan and Wisconsin, and areas bordering on the upper Great Lakes. As late as 1830 there were only about 3,000 people of white ancestry in Wisconsin. But even then it was apparent that the day of Indian occupation of Wisconsin was drawing to a close. Furthermore, Europe was in turmoil. The economic situation of people there was such that there was general dissatisfaction. Then there were social and religious deprivations that enhanced the attitude of unhappiness among people. People already were looking across the ocean and there were reports of a paradise where people had the freedom to become whatever they chose to be. And so it was apparent that a threshold had been reached in America of something big. All that was necessary was to be ready to receive such as might be attracted to a new nation and a new land.

But what about the Indian who owned the land? A few words summarized the thinking... "The Indian must go." There had been efforts to impose the white man's culture on the Indians and to try to absorb them into the communities. This was the aim of the missionaries as they tried to Christianize the Indians. While there were many successes in these endeavors, there were many more disappointments. Indian schools were set up in which there were attempts to teach reading, writing, etc. However, centuries of living without these skills could not soon be forgotten, nor could years of living a primitive kind of life style be easily overthrown. The Indian did not want to be "civilized" according to the white man's interpretation of what that meant.

The map of Indian Land Cessions (page 132- Smith's History of Wisconsin) shows that between 1802 through 1842, all of what is now northern Illinois, Wisconsin, and northern Michigan was transferred to the United States Government

“squatters” on Manitowoc County land.

### MANITOWOC COUNTY OPENED TO SETTLEMENT

No sooner had the treaties been made with the Indians than surveyors were sent into the area to set up section lines, and divide the sections into forty acre plots. A government land office was set up at Green Bay where the land was offered for sale with the asking price being \$1.25 per acre. It was in 1835 that the first sales were made. Actually these land offices became a bonanza by which the government was supported in the early years... there were billions of acres of land, and with the demand of land brisk, the sale of land became a chief source of money with which to support government operations.

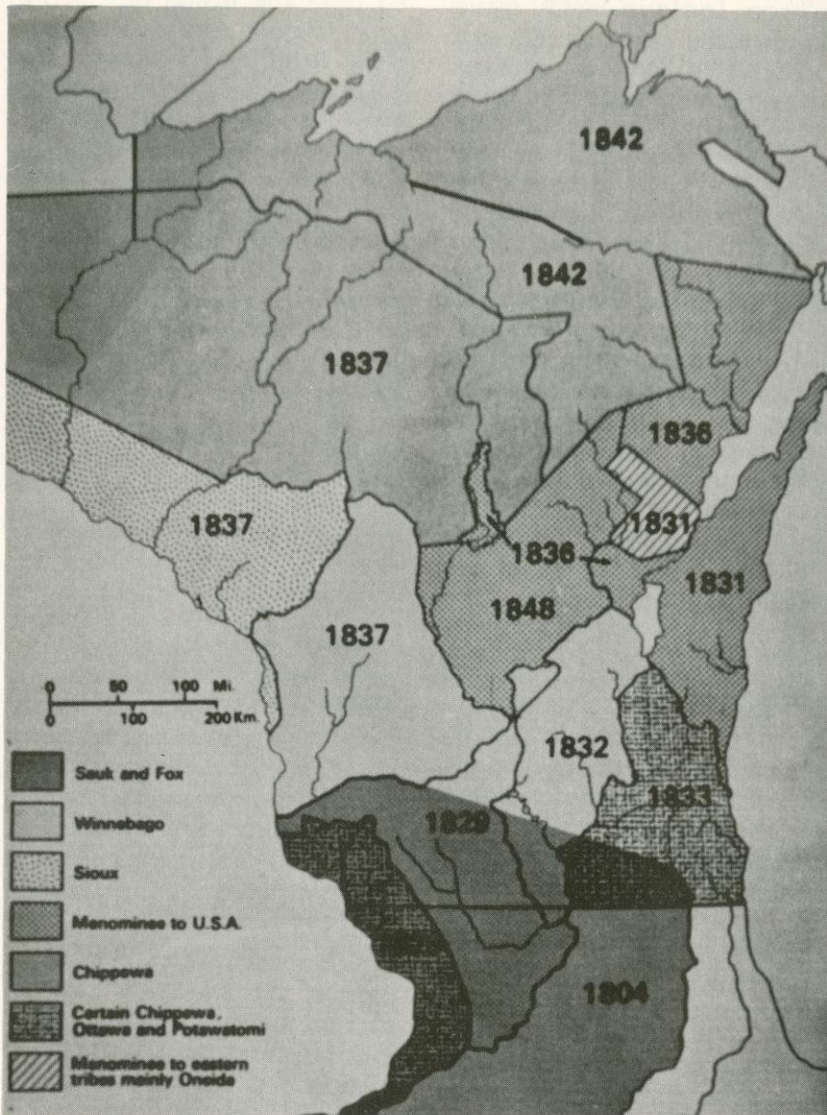
The need to have legal papers indicating ownership of land was one of the reasons for setting up a legal profession in Manitowoc. Earlier it was mentioned that legal requirements had to be met concerning marriage, and lawyers had a part in this also. The laws of inheritance of property also required the services of someone having knowledge of probate law.

### MANITOWOC COUNTY'S FIRST LAWYERS

The first lawyer to settle in Manitowoc county was Jeremiah H. Colby, who arrived sometime between 1845 and 1846. He was a very scholarly man, a graduate of Dartmouth college. He was attracted to the west because of health reasons. He felt that the invigorating air of the west might restore him to good health again.

He had the honor of being the first postmaster of Manitowoc, and was also the first county judge. He died of tuberculosis May 10, 1853.

James L. Kyle came to Manitowoc soon after Mr. Colby had arrived. Not much is known about his background. Some feel that he was a “Vermont,” and related to a family engaged in lumbering. While Mr. Kyle was engaged in the law business, he did not make his mark in the legal profession to the extent



From page 132 Alice E. Smith's *History of Wisconsin*, vol. 1.

through treaty arrangements. It was in 1831 that the treaty was agreed upon in which Manitowoc County Indians gave up all their rights to what had been their homeland for many years. In exchange a reservation elsewhere was offered which was supposed to be the equal of the land in Manitowoc County and surrounding environs. Under treaty agreement the Indian was not required to leave the land that they had called home until a white settler claimed ownership of the land. When he was told that there had been a purchase of the land he was required to leave. To the great credit of the Indians, there never was any trouble about dispossession. The Indian was always an honorable man

who respected the treaty agreements.

Although there were no restrictions on who might purchase the land, there is only one known instance of where an Indian bought a tract of land. Attorney Austin Smith came upon this transaction in his study of records in the office of the Register of Deeds. The records show that the Indian soon lost possession because of failure to pay the real estate taxes on the property. The payment of taxes was a matter foreign to their culture, and so perhaps out of ignorance of the law there were tax delinquencies which resulted in loss of title to the property. After 1871 there were no Indians left as

that Mr. Colby did. He became a member of the State Assembly in 1854. However, he became a victim of the Cholera epidemic which hit Manitowoc that same year. He was buried at Evergreen Cemetery, one of the first to be buried there.

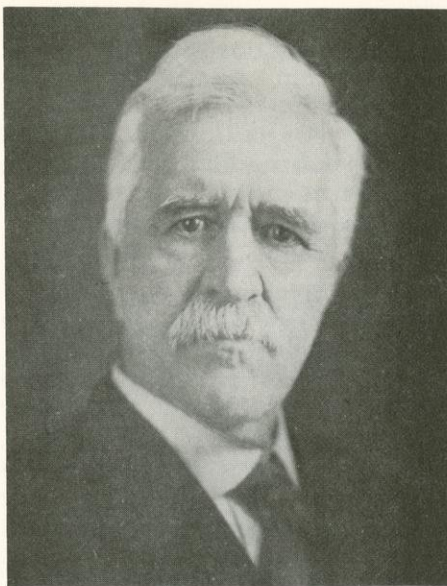
Contemporary with Kyle was Ezekiel Ricker, a young lawyer from Maine. He came in 1846. Early records show that he was a hard working barrister. When the circuit court was organized at the Rapids he was appointed the first clerk of the court and his records of the early sessions showed that he knew his business well.

Ricker was a Democrat in politics, while Kyle was an ardent Henry Clay Whig. Locally it mattered little in those days to which party one belonged. It seems that the county offices were divided "with great impartiality." With both Ricker and Kyle holding one or more offices. Ricker also fell a victim to the Cholera epidemic.

A fourth member of the Manitowoc County Bar was E. Holmes Ellis. He came from Green Bay where he had been a student in the office of Henry S. Baird, known as the first lawyer in Wisconsin territory. He located at Manitowoc Rapids, which then was the county seat.

Judge James Anderson, the author of a book entitled "Pioneer Courts and Lawyers of Manitowoc," told about the years before there were no courts in Manitowoc county, and all law business had to be done at Green Bay. He remarked (p. 15) "It was not an infrequent incident that the lawyers mounted an Indian pony and with a few papers in the saddle bags took to the Military Road, (present day Highway 141 as the Green Bay road was then called) for the long ride to the legal center at the Bay. Sometimes the pony was lacking, and then the pack was made up, strapped on their backs and with a stout stick and a stouter heart they footed the long trail through the unbroken forest to their destination. An appearance in court involved at least three days' time."

Judge Anderson in his book wrote about the formation of the



JAMES SIBREE ANDERSON

first court. It was set up by action of the state legislature in April 1848 and was known as the Fourth Judicial Circuit.

It is known, however, that from the very first years of the coming of the white man to Manitowoc county there were legal problems which required the attention of the court at Green Bay. It seemed reasonable that it would be easier for one judge and clerk to come to Manitowoc Rapids to hold court rather than to have attorneys and litigants travel there. All legal matters could be settled in one session of the court.

When an appeal was made for a court to be held in Manitowoc Rapids, the parties were told that "court can be held only in a courthouse," which meant that a courthouse had to be built somewhere.

The location of the courthouse became the issue in the first election to be held in Manitowoc County. There were two locations suggested. The Benjamin Jones party wanted the courthouse to be built in Manitowoc, and the Conroe party wanted it located in Manitowoc Rapids. By a vote of 17 to 16, the Conroe party won the election, and so the first courthouse was built in Manitowoc Rapids, in the square beside Highway 141 just North of where the Manitowoc Tractor Sales Company is located. A jail was built near the courthouse in 1846. Both

buildings burned in 1852, following which it was decided to relocate the courthouse in Manitowoc on the property where it has been located ever since.

In territorial days the judge who was located at Green Bay served the counties surrounding Green Bay. Officially, I presume, Judge Anderson is correct when he says that the first court in Manitowoc County was the one set up by action of the State legislature in April 1848, a few months after Wisconsin had become a state of the union of states. The Fourth Judicial circuit included the counties of Brown, Manitowoc, Winnebago, Calumet, Fond du Lac and Sheboygan county.

The first judge of this circuit was Alexander W. Stow of Fond du Lac. On September 15 he came to the Rapids and organized the court by appointing Oliver W. Hubbard as Sheriff and Ezekiel Ricker Clerk of the Court. There was no other business so the court was adjourned. J. H. Colby was then appointed as the Probate Court Judge. In the ensuing election, E. H. Ellis became the District Attorney. It was then that Manitowoc county was "fully equipped for judicial purposes."

The first session of court was held in March 19, 1849. There was a calendar of seven civil cases. After a session of two days, the session was completed, and the court was adjourned.

The September term of the court in 1849 began the 27th of the month. Judge Charles H. Larrabee of the Third Circuit presided in the absence of Judge Stow who was busy elsewhere. Upon roll call, eight of the persons called for jury service failed to answer roll call. The judge promptly fined each absentee five dollars for contempt of the process. He disposed of 16 cases during this term of court, two of which were criminal cases. At this term of court the first criminal trial by jury was held. The person was convicted.

The panel of jurors on this case consisted of Christian Anderson, who for many years was the lighthouse keeper, Norris Ross, Elijah Hothersoll and John

Spencer of Kossuth, E. M. Soper and John Whitcomb of Cato. All of these were early settlers of the county who continued to live in the county for many years.

At this session of the court, Joseph M. Taylor was admitted to the Bar on motion of James L. Kyle. It seems that this newcomer to the Bar was relatively unknown, having come from Sheboygan. It appears that he returned to that city soon after having been made a member of the Manitowoc County Bar. George Reed, a very prominent figure in early Manitowoc county history, came in 1850, from Waukesha. Since he had been admitted to the Bar in Waukesha county, no formal action was needed as he came to Manitowoc to practice law.

A curious condition as to admission of attorneys to practice in the courts existed for many years in this state. Knowledge of the law was not considered necessary nor was any educational requirement a requisite. The statutes of 1849, Chapter 87, Section 26 stated;

"Whenever any person shall apply to the Supreme Circuit or County court to be admitted to the practice therein as an attorney and shall show satisfactorily to the court that he is a resident of the state, and is of good moral character, the judge or judges there-of shall grant to such applicant a license to practice in the said courts respectively in which he or they shall preside."

Obviously, with conditions for admission to the bar such as described many became lawyers who had no abilities at all in such a profession. There were some who charged exorbitant fees for services of no worth at all. However, there were a few who proved their competence very soon, and were among those who served Manitowoc County well.

Judge J. S. Anderson had a chapter in his book, in which the activities of the early judges of the county are fully described. Space limitations will permit only a summary treatment in a monograph like this. We would refer the reader who wishes additional information to the book entitled, "Pioneer Courts

and Lawyers of Manitowoc County Wisconsin," a book which can be had at the Manitowoc Public Library. Suffice it to summarize the accomplishments of each judge in a few paragraphs.

#### ALEXANDER W. STOW

Judge Stow, Manitowoc County's first judge, was a native of New York State. His father was a judge there and it was in his office that his son learned the rudiments of the law. His father was a Federalist in his politics, and served as a member of the Congress of the U.S. and later served as a member of New York State Supreme Court. The Hon. Mr. Stow settled in Fond du Lac, and became a lawyer there. He also established a law office in Milwaukee, and divided his time between two offices. After becoming a Circuit Judge he took as his wife an Indian woman in a kind of a common law arrangement. While there were whisperings about this, in those days nothing much was made of such happenings. His wife was a woman of keen intellect, who was much respected in her home neighborhood for her kindness and helpfulness to poorer neighbors in cases of sickness and trouble.

Judge Stow was a very stern man and established a standard of court decorum which lasted long into the future. He was opposed to an elective judiciary. He served from 1848 until January 1, 1851 when his term expired. He refused to continue on as a judge; in fact he gave up the practice of law and retired to his farm where he lived until his death in 1857 or thereabouts.

#### CHARLES H. LARRABEE

His father was a commander at Fort Howard in Green Bay. Army officers were transferred often, and soon after the family went to Cincinnati, Ohio to live. There Mr. Larrabee attended Grantville College and was graduated from that school. He began the practice of law in Springfield, Ohio and then settled in Chicago. He came to Horicon, Wisconsin in 1847, and was elected delegate to the second Constitutional Convention in Wisconsin, the convention that framed the

Constitution of the State of Wisconsin. He had political ambitions and campaigned for a position in the Supreme Court but was defeated. Then he campaigned for a seat in the Senate of the U.S. It is reported that he gave a very fiery speech on the steps of the courthouse in which he denounced the abolitionists and their disregard for the Constitution and the sovereign rights of the states.

In the election he carried Manitowoc county by a decisive vote and won the election. As a member of Congress he succeeded in having a new postal route through the northern part of the county. One of the offices on the line was named "Larrabee" in recognition of his efforts. Although the post office was discontinued long ago, it still has that name. Mr. Larrabee was an ardent admirer of the political views of Douglas, but at the same time had an intense loyalty for the Union. He served with distinction in the Civil War. He served as a judge of the Circuit Court in Manitowoc county from 1851 through 1858.

After the Civil War had ended he moved to Oregon where he again took up the practice of law. Judge Anderson says of him; "I have hesitated about publishing the sketch of Charles H. Larrabee for he cannot be classed as a member of the bar or as a member of the court of Manitowoc county. But he came in contact with the bar and the people in so many ways and capacities that in the history of courts he is worthy of mention."

#### THE SECOND JUDGE HON. TIMOTHY O. HOWE

The Honorable Mr. Howe was a resident of Green Bay. Before coming to Green Bay he had been active in the politics of the State of Maine, where he was born. He was an admirer of Henry Clay and was an enthusiastic Whig. He was known, however, as a man of strict integrity, a scholar, and a learned and capable lawyer. In the first election he sought a seat in the Wisconsin Legislature, but the district was strongly Democratic in those days and so he was defeated. The winning candidate was James D. Doty, the former Territorial

Governor. His election as judge of the Fourth Circuit and ex-officio Chief Justice of the Supreme Court was the first office held by him in Wisconsin.

Judge Howe continued to act as the Justice of the Supreme court until 1853 when the legislature created a separate judiciary known as the Supreme Court and relieved the circuit judges of their jurisdiction in that court. Judge Howe continued to serve as a circuit judge until 1855 when he resigned and returned to the practice of law in Green Bay.

Judge Anderson says of him, "He was unquestionably a good judge, and that he was a learned and skillful lawyer was beyond question." One of the court cases which he had was one in which there was an effort to remove the Governor of the State of Wisconsin from his office. The judge and Justice Ryan were pitted against some of the greatest intellects of the Wisconsin bar and were successful. Later he served in the U.S. Senate with great distinction, and was Postmaster-General in President Arthur's cabinet.

#### **THE THIRD JUDGE WM. R. GORSLINE**

Wm. R. Gorsline of Sheboygan was appointed to fill the vacancy of the Fourth Judicial Circuit on February 24, 1855 and in April the following year was elected to complete the remainder of Judge Howe's term. He had served in the county court of Sheboygan County since 1850 and had proved himself a very capable and efficient public officer.

Incidentally, the compensation of a county judge in that day was two dollars a day for each day of the session of a court and in addition there was a schedule of fees which could be charged for services rendered. The fees were chargeable to the parties of a litigation. He also served as a Probate Court Judge. Although being a judge of a county court was a lower rank than that of a Circuit Court Judge, it is said that in the more populous counties, a county court judges' salary was greater than that of a Circuit Court judge.

Judge Gorsline served as a

Circuit Court Judge in Manitowoc County in the years prior to the completion of the second courthouse. He held court on one occasion in Dusold's dance hall. The furniture in the courtroom was very crude. There were no seats for spectators, only planks on blocks of wood along the walls.

Those were also the seats that the jurors had. The seats had no back rests. Only the attorneys had chairs and it is said that the judge presided in a rocking chair. He resigned from the office in July 1858 when he moved to the State of Colorado.

#### **THE FOURTH JUDGE THE HONORABLE DAVID TAYLOR**

Judge Taylor came from New York State and resided in Sheboygan prior to his becoming a circuit judge. He was a man who was gifted in the law, and had an excellent law practice prior to his being named to succeed Judge Gorsline. He was an ardent Whig while that political party existed, and when the Republican party was organized he was an equally ardent supporter of that party. He represented Sheboygan in the State Assembly in 1853, was a State Senator in 1856-1857. He continued until he was again elected to the Senate in 1869.

He was defeated in his effort to continue as a Circuit Judge in 1869 and so sought a return to the legislative branch of government. His experience as a jurist served him well as a legislator and some of the most notable reforms in judicial procedure came about as a result of his efforts in the legislature.

Following a term in the Senate he retired to the private practice of law in Fond du Lac. In 1878 the legislature added two additional judges to the Wisconsin Supreme Court. Judge Taylor was named as one of the two judges, a position he held until the day of his death.

#### **THE FIFTH JUDGE CAMPBELL MCLEAN**

Judge Campbell McLean did not receive any training in the law in a law school, college or university. All of his training was received in the law offices of

successful lawyers. He resided in Fond du Lac and was regarded as most proficient in counseling persons having matters in law which they wished to have resolved. As a trial lawyer he was regarded as only fair.

He was elected as a member of the assembly in 1862, and in 1868 he received the Democratic nomination as Circuit Judge. In the ensuing general election he defeated the sitting Judge David Taylor. Six years later he was re-elected, serving until 1881.

Judge McLean was known as an easy going man. A court calendar meant nothing to him and cases were called for trial only on the basis that the parties were ready. Often there were no cases ready, and juries would sit around waiting for a case to be put on the calendar. Toward the close of the second term, the party machinery was set in motion to defeat Judge McLean. They succeeded, and his successor was N. S. Gilson of Fond du Lac. Gilson was elected by a margin of more than 8,000 votes. Incidentally, his successor was also a Democrat. After his defeat he returned to New York State where he practiced law until his death.

#### **THE SIXTH JUDGE N. S. GILSON**

Judge Norman Gilson was born in 1839. His early life was that of a farmer's son. He assisted his parents in the farm work, attending school in the winter. In early manhood his vocation turned to the profession of law. He attended Farmington Seminary, where he acquired an academic education and later taught school in that vicinity.

The later part of 1860 he came to Wisconsin and began the study of law in the office of Leander F. Frisby of West Bend, a very able lawyer who later was Attorney General of Wisconsin. In March 1880 he was elected to the bench, succeeding Judge Campbell McLean. He was re-elected in 1886 and 1892 without opposition.

At the close of his third term he declined to be a candidate.

During the 18 years Judge Gilson presided over the courts of the Fourth Judicial Circuit Court there were 6500 cases in the four counties; more than one



case for each working day of the year. Many of the cases were of great importance, both intrinsically and as precedents for the future. Some of the cases led into almost every field of statutory and common law, calling for every variety of legal and equitable relief.

At the end of his third year on the bench he retired at the age of 59. Within the year of retirement he received an appointment to the new office of State Tax Commissioner. He served as chairman of the commission from Dec. 1899 to May 1, 1911 when he resigned. He died Sept. 21, 1914 after a short illness.

### ISAAC CRAITE

Isaac Craite was the son of pioneer settlers who came from Canada and settled in the Town of Manitowoc Rapids in 1849. Here the future Judge Craite was born April 26, 1856.

After graduation from the log schoolhouse he came to the City of Manitowoc and attended one of the highschools for a short period of time. In 1877 he received a certificate from Oshkosh Normal school entitling him to teach school.

He taught in Manitowoc and adjoining counties until 1885, when in company with another young man engaged in mercantile business in the Village of Mishicot. During an election he was elected Town Clerk and Justice of the Peace. The latter office proved congenial to him and he tried many cases within that jurisdiction.

In 1887 he was elected to the legislature from the Second District of Manitowoc County and was re-elected in 1889. He was elected to the Assembly from the Third District. During all this time Judge Craite was pursuing his law studies. In 1890 he was sworn in as a member of the Manitowoc bar.

March 8, 1895 the legislature passed the act creating the Municipal Court of Manitowoc County. Judge Craite was elected Judge without oppositon. He built a reputation for the court and for himself as judge that was held in high esteem by the members of the Bar of Manitowoc County.

After his retirement from the bench of the Municipal Court he built up an extensive and lucrative practice. he was very successful before a jury. He was a member of the law firm of Schmitz, Burke & Craite and afterwards, Burke & Craite.

He died on Feb. 23, 1918

### CHARLES E. ESTABROOK

Charles E. Estabrook was born on a farm near Platteville, Wisconsin October 31, 1847. He was educated in the public schools of that district and later attended the Normal School of Platteville.

In the autumn of 1872 he came to Manitowoc as principal of the First Ward School, where he taught for a year, meanwhile continuing his studies under the supervision of Honorable J. D. Markham.

After finishing the school year he entered the office of Mr. Markham, where he remained as student clerk until he was admitted to the bar at the January 1874 term of court.

In April he was elected as City Attorney and held that office until December, 1880 when he resigned having been elected a member of the state legislature. He served the Third Legislative District for three annual terms. In the November 1886 elections he was elected Attorney-General of Wisconsin and was re-elected in 1888, serving until January 1, 1891.

During his practice in Manitowoc he was a member of the law firm of Estabrook and Walker and later Estabrook, Walker & Baensch. He originated and procured the passage of the law, creating the system of Farmers' Institutes, in which Wisconsin was the pioneer state.

### JUDGE MICHAEL KIRWAN

When Judge N. S. Gilson declined to be a candidate for re-election in 1898 it was conceded that inasmuch as the Judge of the Circuit had been a resident of Fond du Lac county since 1869, the Lake Shore section was entitled to select his successor. The circuit consisted of Fond du Lac county, the three Lake Shore counties of Sheboygan, Manitowoc and Kewaunee.

Following the precedent set during the period of Judge

Gilson's service, non-partisan nominations were called by the bar and the people. Manitowoc placed in nomination, Michael Kirwan. Judge Kirwan was elected by a majority of nearly 5,000 votes.

Judge Michael Kirwan was born in Ireland in 1847 and came with his parents from Ireland to Milwaukee in 1849. In 1855 the family moved to Manitowoc County and settled on a tract of land in the town of Meeme. After Judge Kirwan graduated from the old log schoolhouse, he spent some time teaching schools in different districts throughout the county. It is thought that he was the first principal of the Two Rivers grade school in a new high school building about 1866-1867. About 1869 he moved from Meeme to the city of Manitowoc. For a time he worked as an accountant with the old Manitowoc Dry Dock Company.

From 1870 to 1875 he served as County Superintendent of Schools. In 1874 while still County Superintendent, he was appointed a member of the State Board of Examiners for state teachers certificates. In 1876 he was elected Secretary of the State Teachers Association. At some time during the interval of his teaching and official labors he turned his reading toward law, working quietly with his natural industry and persistency for several years until June 26, 1878, he was admitted to the bar. In the election of 1877 he was elected as County Judge without opposition.

On January 1, 1882 he ended his connection with the office of County judge. He entered into a partnership with A. J. Schmitz, who had been practicing for some years in the law firm of Nash and Schmitz. The new firm was known as Schmitz and Kirwan. The firm lasted until Schmitz moved to Milwaukee. Judge Kirwan remained active in the law practice until he became Circuit Judge in 1899.

His work as a judge upon the bench, good from the start, had grown steadily better and stronger. It was a hard test for any man to become the successor of Judge Gilson. He was hard to equal and harder to excel. Judge

Kirwan met the test and improved upon it.

## **SOME LAWYERS PROMINENT IN MANITOWOC COUNTY HISTORY**

### **GEORGE REED**

Little is known about the ancestry of George Reed, or about his early years. He was a resident of Chicago about 1830, and came to Waukesha, Wisconsin some time after. In about 1846 he was a member of the Convention to draw up the Constitution which would be presented to the Congress of the U.S. when Wisconsin would request to be admitted to the union of states. He served in the territorial legislature in 1847 and 1848.

The first mention of him is made in the Manitowoc Herald on November 30, 1850. His business card was printed in that issue as one of Manitowoc's practicing attorneys. It appears that he might have been admitted to the bar in Waukesha county. It seems that his early practice was in connection with real estate matters, which was true of most attorneys in that period of history.

When Manitowoc was incorporated as a village in 1854 he became the first village president. On January 1, 1853 he was elected as county judge of Manitowoc County and served for a term of two years. It appears that after leaving that office he discontinued his practice of law, for the most part, although there are some records on file in the court house having his signature as a practicing attorney.

He was a respected man in Manitowoc County and was a promoter of a number of ventures, most of them associated with the improvement of transportation. He was interested in several plank road projects and built a few miles of one which remained a toll road for some years. He was also a large factor in several railroad building projects. He became engaged in controversy with the Jones faction, however, and as a result railroad building was delayed in the county until 1872 when the Milwaukee, Lakeshore and Western railroad came to the

county, largely as a result of the work of others. Mr. Reed lacked the financial backing to further the projects which he was promoting.

He was repeatedly elected to the State Senate from Manitowoc county in the post Civil War period from 1865 to 1870. He happened to be a guest at the Newhall House in Milwaukee when that hotel was destroyed by fire on January 15, 1883, and lost his life in that conflagration. History has given him a place as one of the most able and prominent men of Manitowoc's early years.

### **SYLVESTER A. WOOD**

Mr. Wood was born in Acton, York County, Maine, on January 14, 1822. He was admitted to the bar in that state soon after he had completed his education, and served in the law offices of some of the east's most prominent lawyers. One of the personages happened to be the attorney general of the state of Maine, a man who became active in national politics as an ambassador to Mexico, and also as a member of the U.S. Supreme Court. Later he was a Law partner of William P. Fessenden, who became a U.S. Senator and was very prominent in national politics.

This lawyer came to Manitowoc county on October 26, 1849. He had been admitted to the bar in the state of Maine; however, when he came to Manitowoc he became the principal of the public school, where he served for two years. In the years following he worked as a bookkeeper, store clerk, etc.

Upon becoming a member of the Manitowoc County Bar in 1849, he entered upon a very large general practice of law for about twelve years. He became the attorney for some of the largest real estate firms of the area a phase of his practice which took up most of his time. There were many Manitowoc land owners who had not bothered to get a clear title to the land that they had purchased. Mr. Wood cleared up these matters and put the records of land ownership in proper order. Mr. Wood was a practicing attorney in Manitowoc for more than fifty-

five years.

Although Mr. Wood was one of the most prominent of Manitowoc's citizens in the early years, he had no political ambitions, outside of those services that he could give to his local community. He served in such offices as the village clerk, village president, and for a time was the postmaster. He was also the first city attorney. He died on August 12, 1908.

### **EDWARD SALOMON**

Edward Salomon came to the village of Manitowoc about 1852. He acted for a time as the deputy clerk of the circuit court and thus obtained some insight into law practice. He was an immigrant, and had gotten a very good education in Germany. It seems that he might have been from a family of prominence and that he was high in the social ladder of that country. He was admitted to the bar in 1854, and was a member of the law firm of Markham and Salomon. However, he terminated his services in the firm in about 1856 and moved to Milwaukee, leaving behind in Manitowoc three brothers, who resided in the city for many years.

In the election of 1862 Edward Salomon was a candidate for lieutenant governor of Wisconsin, and was elected. L. P. Harvey was the governor. A company of Wisconsin soldiers suffered heavy losses in one of the southern campaigns of the Civil War, and many in the company were in a hospital, and in need of medical supplies, bandages, etc. The governor personally took these supplies via the Mississippi river to the southern destination. Enroute he fell overboard and was drowned, Edward Salomon then became the governor of Wisconsin. He is the only person ever to become governor of Wisconsin who was from the city of Manitowoc. His tenure as governor was a stormy one. There was a draft riot at Port Washington, which resulted in a call of a National Guard company to quiet the riot, an act which was very unpopular in some parts of Wisconsin. He was only a one term governor. Soon after leaving the office of governor, he moved to New York

city where he resumed his practice of law. It is said that he attained a reputation of competence as a practicing attorney in the largest city of the U.S.A. after a very humble beginning in what was then described as "a backwoods village in Manitowoc County, Wisconsin."

#### **P. J. SMALLEY**

P. J. Smalley was a member of a family still prominent in Manitowoc today. He was the eldest son of E. J. Smalley, the founder of the company known as the Smalley Manufacturing Company. Where he studied law is unknown. It seems that it might have been in the law offices of W. H. Hamilton and True M. Bailey. Soon after having been admitted to the bar, he was swept into the Civil War, and remained in the south for several years after the conclusion of the war. When he came north again he settled in Minnesota. He remained in that state about a year, and then returned to Manitowoc, and was admitted to the bar in December 1867. He opened a law office in the summer of 1870, giving his attention to the buying and selling of real estate.

The court records show a case where P. J. Smalley brought suit to recover a debt of \$12.00 for his father. It was fought through justice court. The defendant brought a counter-claim for the value of a saddle. The case finally went to the circuit court then to the supreme court. The judgment in the supreme court was reversed and the case sent back to the circuit court to be tried again. It then went back to the supreme court for final settlement. The "saddle case" with all of its various motions, postponements, etc. was for a time a joke with the lawyers who were members of the bar. Those curious to see what can be done with a small case in fighting hands should look up Smalley vs. Ericson 36 Wisc. 302 and 41 Wisc. 416.

#### **JOHN D. MARKHAM**

John D. Markham was born in New York state on April 23, 1828. He also was one of those who

began his life as a school teacher. After a year of general study of the law he was admitted to the bar in New York state. It was in 1856 when he came to Manitowoc and soon was active in the profession in the city. Since he was a lawyer of great ability, he was one of Manitowoc's leading attorneys for more than 30 years. When he died in 1906 he had been a member of the bar in Manitowoc for more than 50 years. James S. Anderson in his book, "Pioneer Courts and Lawyers of Manitowoc," devotes two pages of testimony by members of the bar during Attorney Markham's time in which there is praise for the devotion and ability of this man in his professional life. Attorney Anderson speaks of him as one of the truly fine men to be on the rolls of the Manitowoc County Bar Association.

#### **A Concluding Statement**

Occupational Monographs are limited as to space. When one writes about prominent attorneys in Manitowoc's early years, there are several score of men who deserve mention. There was W. H. Hamilton, and Ellery B. Treat, among many others. Perhaps these men were even more deserving of mention than several whom we have included. You might read the book which has been the authority on which we relied as we wrote this monograph.

#### **THEN AND NOW**

There is a chapter in the book "Pioneer Courts and Lawyers in Manitowoc County" which has the title given in the above caption. We think it is appropriate that we include some thoughts Judge James S. Anderson presented in this chapter as evidence of some of the changes that have taken place in the life of a practicing attorney since 1850.

The office of Judge of a court was one having great prestige. Certainly it was not the salary of the office which would attract men to serve, for the annual salary in 1850 was \$1500, this sum to be paid in four installments. Out of this sum the person had to pay his own

expenses of travel and room and board in cities where court was held. Judge Stow was one of the first circuit judges in Manitowoc county. He resided in Fond du Lac. Riding on a pony with an Indian guide over the Winnebago trail which was the overland route connecting Fond du Lac and Manitowoc, was no sinecure. There were great swamps along this trail, as anyone who knows the present day towns of Rockland and Eaton well know. The only settler's road then reaching to the west from Manitowoc was that to Thayer's Mills, about seven miles out. If stormy weather developed, shelter had to be sought in the shanty of some new settler or the bark tepee of an Indian trapper. If darkness intervened while they were in a forest, they had to stop, build a fire, and await the dawn.

The circuit judge in northwestern Wisconsin traveled with even greater difficulty. The snows were deep, and his travels were on snow shoes. He carried blankets and provisions on his back. His circuit was the northern 1/3 of the state. Judge Howe of Green Bay tells of being caught in a blizzard on what then was known as the military road between Green Bay and Manitowoc in February. He spent two days and nights in the shelter of a settler's cabin somewhere in the town of Cooperstown. That circuit judges usually served only a term or two is not unusual, considering the physical suffering that sometimes was endured. But the prestige of the office was such that there were always others who sought the honor of thus serving.

What was true of judges was also true of members of the bar, for they too had to travel to get to the place where a trial was held. Their experiences were very similar. Sometimes the fees that they received hardly justified the time taken in getting to the place where a trial was held. In a certain case a motion needed to be filed in a court at Oshkosh. It took three days to get to Oshkosh, and three days to return, and the fee was for one day in court. When a case was appealed to the Supreme Court,

local attorneys prepared the case for trial, and then engaged a firm of attorneys in Madison to present the papers before the Supreme Court at Madison.

A prominent local attorney told the story of a case which was heard by a justice of the peace in a county to the north of Manitowoc. The man knew nothing about law or court procedure. The attorneys had to take care of the legal procedures involved, and following settlement of the case, a fee had to be set for the services of the Justice of the Peace who had "presided." When the man was asked about his fee for services rendered, he said, "Would 75¢ be too much?" The attorney gave him \$2.00.

It was in 1921 when Judge Anderson wrote his book. That was the "now" that he was thinking of when he wrote. Things were far different then. Fifty years have passed since Judge Anderson wrote, and the "now" of 1978 is far different than it was in 1921. But so it will ever be. Perhaps it is well that there is a record of the past to read from time to time. It is well that we can look back, and then sense the great progress that has come about. And when we become aware of this, then we have reason to express thanks and appreciation to those who served so distinctively and well to bring us to the point where we now are. Our heritage — it is rich — we have so much to be thankful for to many.

### NASH FAMILY

Lyman Junius Nash was born on a farm near Buffalo, New York, on January 18, 1845. When he was five years old, he came to Wisconsin with his parents, settling on a farm near Janesville. Here he grew to manhood, working with his brothers and father on the home farm and attending the public school of the district.

In the spring of 1866 he entered Lawrence University in the full classical course, graduating in 1870 as the valedictorian. In the autumn of that year he came to Manitowoc and for two years was principal of the North Side graded schools.

He began reading law in July,

and was admitted to the local Bar on December 14, 1872. On January 1, 1873, he entered into partnership with E. B. Treat. The partnership lasted until 1874 when he entered into partnership with Oscar F. A. Greene. The partnership lasted until December of the same year when Mr. Greene moved to the Colorado Territory.

Mr. Nash practiced alone until 1875 when he formed a partnership with A. J. Schmitz. The firm name was Nash and Schmitz. In 1881 the firm was dissolved by mutual consent.

Edwin G. Nash, a younger brother of Lyman, was a student and clerk in the office of Nash and Schmitz, meanwhile having been admitted to practice as an attorney. The brothers became associated in business under the firm name of Nash & Nash. E. G. Nash continued in active practice with the firm until his death in 1934. He was active, among other affairs, in Masonic work, and founded the Edwin G. Nash Chapter of DeMolay. In the meantime L. J. Nash married. He had a family of two sons and a daughter. The elder son, Archie L. Nash, attended the University of Wisconsin for three years. Later he studied law in the office of Nash & Nash. On November 6, 1899, he was admitted to the Bar. He became associated with the firm of Nash & Nash, continuing with the firm until his death in 1950, except for the interruption of World War I.

Immediately upon our declaration of war in April, 1917, Archie Nash volunteered for military service, though he was 42 years old. He attended the first Officers' Candidate School at Fort Sheridan, graduating No. 1 in his class of 200. After further training in field artillery, he became a battalion commander with the rank of major. He served in France for several months, but missed actual combat by two days when the Armistice was declared.

The younger son, Francis Nash, graduated from Princeton University in 1906. He engaged in the lumber business for about 4 years. In 1910 he began studying law and clerking in the law firm of Nash & Nash. In July,

## JUDGES

### COUNTY JUDGES

#### (Probate Court and Branch I)

|                |  |
|----------------|--|
| 1848-1849..... | J. H. W. Colby                               |
| 1850-1852..... | Ezekiel Ricker                               |
| 1853-1854..... | George Reed                                  |
| 1855-1856..... | George C. Lee                                |
| 1856-1857..... | Isaac Parish                                 |
| 1858-1861....  | Charles H. Walker                            |
| 1862-1864..... | H. S. Pierpont                               |
| 1864-1869..... | George Baker                                 |
| 1870-1873..... | W. W. Waldo                                  |
| 1874-1877.     | Ten Eyck G. Olmsted                          |
| 1878-1881..... | Michael Kirwan                               |
| 1882-1885..... | R. D. Smart                                  |
| 1886-1888..... | C. H. Schmidt                                |
| 1888-1893..... | Emil Baensch                                 |
| 1894-1895..... | Frank Manseau                                |
| 1895-1901..... | J. S. Anderson                               |
| 1901-1913..... | John Chloupek                                |
| 1934-          | Dec. 3, 1934 Edward S. Schmitz was appointed |
| 1935-1942....  | Edward S. Schmitz                            |
| 1943-1960....  | Jerome V. Ledvina                            |
| 1961-          | ..... Leon H. Jones.                         |

### MUNICIPAL JUDGES

|                |                   |
|----------------|-------------------|
| 1895-1901..... | Isaac Craite      |
| 1901-1905..... | A. O. Shenian     |
| 1905-1933....  | Albert H. Schmidt |
| 1933-1950....  | Osuld T. Bredesen |
| 1951-1962....  | Harold W. Mueller |

### COUNTY COURT BRANCH II

|                      |                   |
|----------------------|-------------------|
| 1962-to present..... | Harold W. Mueller |
|----------------------|-------------------|

### CIRCUIT JUDGES

|                |                      |
|----------------|----------------------|
| 1848-1850..... | Alexander Stow       |
| 1851-1853....  | Timothy O. Howe      |
| 1855-1858....  | Wm. R. Gorsline      |
| 1858-1869..... | David Taylor         |
| 1869-1881....  | Campbell McLean      |
| 1881-1898..... | N. S. Gilson         |
| 1899-1928..... | Michael Kirwan       |
| 1929-1936..... | Edward Voight        |
| 1937-1953..... | Henry A. Detling     |
| 1953-1974..... | F. H. Schlichting    |
| 1974-          | ..... Allan J. Deehr |

1913, he was admitted to the Bar and became associated with the firm. During 1915 he was admitted to practice in the Supreme Court. In 1917 he terminated the connection with the firm by entering World War I.

At first he served as a volunteer ambulance driver with the American Field Service. Later, the French army had been so decimated by casualties that it began accepting foreigners, and Francis Nash became an

officer in the French Field Artillery. After the war he formed a business connection in New York. Eventually he returned to the practice of law in Brattleboro, Vermont.

L. J. Nash was primarily a trial lawyer, in the days when circuit judges, accompanied by trial lawyers, actually "rode the circuit" of several counties. All his life he had been a thorough student of the fundamental principles of the law.

Just prior to January 1, 1910, the State Legislature created the office of Revisor of Statutes. The appointment was tendered Lyman Nash as its first incumbent. He accepted the position and by successive appointment held the office until February 14, 1920, when he tendered his resignation. He invented the decimal system of numbering statutes, which was imitated by a number of other states.

The office of Revisor was not the only public service. He was a member of the School Board, Alderman, County Supervisor, member of the State Board of Bar Examiners, President of the State Bar Association, Chairman of Manitowoc Public Library Board, and Trustee of Lawrence College.

Archie Nash was primarily a businessman's lawyer. He was during most of his career general

counsel of Aluminum Goods Manufacturing Company (now Mirro Aluminum Company) and general counsel and an officer of Hamilton Manufacturing Company, Rahr Malting Co., and Manitowoc Shipbuilding Company (now The Manitowoc Company, Inc.).

Archie Nash married Mollie Pritchard, daughter of Dr. J. F. Pritchard of Manitowoc, and there were two children, Eleanor, married to a New York lawyer, and John. Of Eleanor's three sons, two are lawyers.

John P. Nash joined the Nash & Nash firm in 1934, after graduating from Princeton University and Harvard Law School. In World War II he was at first a counter-intelligence agent, later a judge advocate with the rank of major on General Eisenhower's staff at Headquarters, European Theater of Operations. He served for 26 months in England, France and Germany. He was married in 1951 to the former Ruth Chapelle Purdy. There are two children, Barbara, an honors graduate of Emma Willard School and of Vassar College, and with an M.A. in psychology from the University of Western Michigan, now married but practicing clinical psychology; and James Lyman Nash, an honors graduate of Phillips Exeter Academy and of Haverford

College, now (1978) pursuing post-graduate work in psychology at Columbia University.

John P. Nash was the organizer and chairman of the Manitowoc County Committee on Higher Education, whose work led to the founding of the Manitowoc County Campus, University of Wisconsin. He also represented Manitowoc County on a regional group whose work led to the founding of the University of Wisconsin—Green Bay. He served for six years as a member, and for two years as chairman, of the Wisconsin Higher Educational Aids Board. He is active on the Boards of Memorial Hospital, Salvation Army, Y.M.C.A., Holiday House, and other activities in the pro bono area. He has written several books for local publication: "Poems and Worse"; "The Layman's Legal Lexicon"; and "Itching Feet", in two volumes, by himself and his wife, describing their travels in some fifty countries.

The firm of Nash & Nash, now Nash, Spindler, Dean & Grimstad, was founded in 1881. It is the oldest law firm in Manitowoc County, and one of the oldest in the State of Wisconsin.

In the Nash family, and its descendants, beginning with Lyman J. Nash, there have been no less than ten lawyers.

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