

WHEREAS, The Almighty God, in his wisdom, has removed from this earth ~~by~~ the sphere of activities, Elbert O. Hand, one of the distinguished members of this bar, and

WHEREAS, We, the members of the Racine County bar, recognize the sterling worth and character, the great ability and the delightful companionship of said Elbert O. Hand, and the great loss we have all sustained by reason of his death, and the great loss sustained by the Honorable Circuit Court, the Honorable County Court, and the Honorable Municipal Court, of Racine County, and

WHEREAS, We desire to leave some fitting testimony of our appreciation of the great services he has rendered these Courts and the bar during his life time; and

WHEREAS, We further realize the great loss to the members of his family and wish to express our sincere sympathy in their bereavement:

NOW, THEREFORE, BE IT RESOLVED, That the members of the Racine Bar do deeply deplore his death and, as a testimonial of our appreciation, the great services he has rendered the Courts of this State and the honor he has given to the bar in his life time; do herewith move the Honorable Circuit Court of Racine County, the Honorable County Court of Racine County, and the Honorable Municipal Court of Racine County, that these resolutions be spread upon the records of the Courts herein referred to, and

BE IT FURTHER RESOLVED, that a copy hereof be sent to the members of his family, and

BE IT FURTHER RESOLVED, that as a further testimonial of our appreciation, that the Honorable Supreme Court of this State, of which he was one of the oldest and most honored practitioners, be requested to permit the bar of Racine County

to hold Memorial Services in his honor before that Court,

AND BE IT FURTHER RESOLVED, as a special mark of respect to the memory of the deceased, Elbert O. Hand, the Honorable Circuit Court of Racine County, the Honorable County Court of Racine County; and the Honorable Municipal Court of Racine County, be closed for the remainder of the day.

Committee

W. H. Hand
William H. Stoums
John H. Legler

HONORABLE JUDGES:

Having been appointed as a committee for that purpose by the Racine Bar Association, it becomes our sad duty to officially notify you as the presiding Judges of the Honorable Circuit Court of Racine County, the Honorable County Court of Racine County, and the Honorable Municipal Court of Racine County, that the oldest living member of this Bar, and one of its most distinguished members, passed away on the 19th day of June, 1915, at the extreme age of 84 years.

With the passing away of Judge Elbert O. Hand, we have lost the last surviving member of the old school of lawyers and it is like drawing the curtain of another decade in history. It is to be regretted that many of the younger members of the Bar did not know him better. This was not due to any neglect on the part of Judge Hand, but was due large^{ly} to his infirmities in his later years and the fact that he had turned over the active part of his life work to his son, who is an honored member of this Bar. In the history of the Bar of this County it has been a rare instance that father and son were actively practicing at this bar together. Those^{of us} who knew Judge Hand during his active life at the bar realize what a great loss we have all sustained. Judge Hand was a man of sterling worth, strict integrity, wrapped up in his profession and in his family life, faithful to his religious belief and no greater respect could be paid to his memory than the fact that for more than half a century he held the highest position that any layman could hold in his church, and also was a representative of that church organization in its international meet held in Scotland. Many of the members of this bar can testify from personal experience^{to} his kindness to the younger members of the bar; he was ever helpful, thoughtful and considerate to the young practitioner. Personally, I wish at this time

to testify before these Courts, to the great help and assistance he rendered me as a student in his office when he was associated with our Honorable Brother, Judge David H. Flett. After entering the practice it was a peculiar incident that my first trial before a jury in this Circuit Court should be with Judge Hand as my opponent, and I shall never forget his considerate treatment of me on that occasion, as the baby of the bar. This was not because of any personal feeling toward me, but it was his universal treatment of his associates at the bar on all occasions. It was not my privilege to know him during the time that he presided over the Honorable County Court of Racine County, but the records of that Court show the same pains-taking care to his duties, the same self-sacrifice and devotion that marked his life work. Judge Hand would not have me, at such a time as this, intimate that he did not make mistakes, or that he did not have faults. To admit that, is but to admit that he was human, and we, the members of this bar, are the first to recognize human weakness, but I can truthfully say that his faults and mistakes were few and were mistakes and faults of the head, and not of the heart.

The influence of Judge Hand's life upon the members of this bar will be long and lasting and will all be upward, a great honor to himself and his family and an honor to the Courts before which he practiced. Judge Hand was a member of this bar for more years than I have lived and his great devotion to his family is evidenced by his desire to give to each of his children the highest possible education, no matter what the cost is. At the time of his death he was the oldest graduate of the University of Wisconsin. Everyone of his children was a graduate of the same institution and some of his grand children are now attending the same institution. What a glorious structure he has erected for the future of his family and mankind.

Judge Hand was a great public benefactor; never shirking any public responsibility, regardless of the self-sacrifice entailed; a man of strong conviction, ever ready to give the benefit of his counsel and advice to those who could profit thereby, regardless of fee or reward. It is, therefore, fitting that we should take the time of these Honorable Courts, which he has so highly honored as an officer of in the past, by memorializing them and making our memorial a permanent record upon their books.

As an evidence of his sacrifice to his fellow citizens, I wish to remind you that when merely seven^t years of age, for the purpose of carrying out his strong convictions of right and wrong, at the earnest solicitation of the citizens of this community, he permitted himself to become a candidate for District Attorney, which was equivalent to an election, even though he was a member of the minority party in this County; and I can say, with truthfulness, that no District Attorney of this County has ever retired from that office with more faithful devotions to the duties of the office than Judge Hand did. He believed in the law as he found it; believed that a law that stood upon the statute books should be enforced and regardless of threats, ~~surrender~~, insinuation, ~~contempt~~, pursued his duties to what he believed the right. And I think, at this time, it is right and proper that I should take advantage of this opportunity to say that one of the lessons I would like to draw to your attention is the fact that the members of this bar have not known Judge Hand so well because we are entirely too much wrapped up in ourselves and our work to do what the old school of lawyers, of which he was the last representative, ^{did} (would); namely, to think of each other. I am a strong advocate and a firm believer of the idea that each of the members of this bar is doing what he believes

to be right, and that we each need encouragement of our fellow members of the bar. It is true that our work necessarily brings strife between us in the services of our respective clients, but it seems to me that we could well emulate the old school and when that strife is over, remember that we are brothers and friends and officers of the same Courts. May we not, therefore, in the future become closer in our personal relations, forget our little differences, and as representatives of the greatest profession, it is permitted any man to enter, May we not become brothers in a closer union than ever before.

These memorial exercises would be incomplete without a history of the life of our distinguished brother, - Elbert O. Hand was born in New Leavenworth, Columbia County, New York, November 29th, 1830, and is descending from English ancestors on both sides of the family. Both of his grand parents were natives of New York. When he was but a boy, his parents removed to Walworth County and yet while but a boy, he traveled to California in 1849, driving an ox team across the plain, arriving at what is now Placerville, and later on worked upon the north fort of the American River. In 1853 he returned by way of the Panama route, prepared for college at Leonie, Michigan, entered the sophomore class at the University of Wisconsin at Madison and graduated in 1859-⁵⁶ ~~sixteen~~ years ago. The following year he spent in the Law School at Albany, from which institution he graduated in 1860, being a practitioner for fifty-five years. In September, 1861, he was married to Margaret S. Budd, a native of Rensueller County New York, and in December of the same year he brought his bride to Racine. After establishing himself in Racine he soon worked up a lucrative practice and in 1868 was appointed County Judge of Racine County by Governor Fairchild, and was elected for three successive terms, holding that office for thirteen years,

having held that office longer than any other Judge who ever presided over it. It was in 1890 that he was elected District Attorney. Judge Hand entered the firm of Lyon & Hand in 1861, which firm afterwards became Lyon, Adams & Hand. In 1881, having declined re-election as County Judge, he became the senior member of the firm of Hand & Flett, which continued until 1897, when Judge Flett left the active practice to become the Judge of the new Municipal Court then created. On the retirement of Judge Flett, his son, one of our honored brothers at this bar, entered the firm and since that time it has been known as Hand & Hand, and more recently-Hand, Hand & Quinn.

In the future work of our bar we shall miss his presence, his genial smile, his courteous and considerate treatment, his warm hand-clasp, and his many sympathetic encouragement; but I cannot but feel that we will meet him in a higher sphere again; he is not gone, his presence will be with us, and I am reminded--

By the hut of the peasant, where poverty weeps,
And nigh to the towers of the King,
Close, close to the cradle where infancy sleeps
And joy loves to linger and sing.
Lies a garden of light full of heaven's perfume,
Where never a teardrop is shed,
And the rose and the lily are ever in bloom
'Tis the land of the beautiful dead.

Each moment of life a messenger comes
And beckons man over the way;
Through the heart sobs of women and rolling of drums
The army of mortals obey.
Now lips that have kissed not a motionless brow
A face from each fireside has fled;
But we know that our loved ones are watching now
In the land of the beautiful dead.

Not a charm that we knew ere the bound'ry was crossed,
And we stood on the valley alone;
Not a trait that we prized in our darlings is lost;
They have fairer and livelier grown,
As the lilies burst forth when the shadows of night,
Into bondage at daybreak are led,
So they bask in the glow by the pillar of light
In the land of the beautiful dead.

M E M O R I A L

to

CHARLES HENRY LEE.

CHARLES HENRY LEE was a native of Racine, having been born here on August 22, 1847,- his whole life was spent in this community and here he passed away on Tuesday, September 8, 1914, at the age of sixty-seven. To his native city he was ever loyal.

His father, Alanson Henry Lee, was a native of Connecticut and his mother, Permelia A. Gaylord, of New York. His grandfather was Brewster Lee, a descendant of Elder Brewster of the Mayflower, and of a family of Lees which had been established in New England for nearly two centuries at the time Alanson, at the age of twenty, left the parental roof.

Sojourning in New York state long enough to take unto himself a wife, Mr. Lee's father came to Racine in 1840, where in connection with John Dickson he engaged in merchandising and for nearly twenty years the firm of Lee & Dickson held the leading place among the city's merchants. At that time railroads were unknown and the city's trade was carried inland by teams a distance of from fifty to seventy miles. Before the father's death, which occurred in 1861, he had seen the new city grow into a port of the first importance and the wagon transport give place to railroads reaching out to the north, south and west.

Mr. Lee's mother died in 1853, at the early age of 36, when her son, the subject of this sketch, was but six years of age. The father married for his second wife, Sarah M. Gaylord, sister of his first wife, who well supplied a mother's place. The father's death occurred just at the outbreak of the

civil war, - when the business of the country was still suffering from the effects of a recent financial crisis, - and as a result the youthful Charles H. Lee was thrown practically upon his own resources.

Nominally, his education was obtained in the public schools of Racine, supplemented by the McMynn Academy, then a well known institution of our city though of more than local fame. As a matter of fact, however, in his case as with men generally who are endowed with a vigorous mentality, his whole life was a period of self-education through reading, observation and reflection.

Early determining to make the law his profession, he entered upon its study in the office of C. W. Bennett, then a local attorney of Racine, going later to the well known firm of Fuller & Dyer. Here he had the benefit of association with some of the best legal minds of that day, and acquired the invaluable experience which fell to the lot of law students of that period, namely, that which came from the then universal practice, laborious but educative, of writing out pleadings and legal instruments of all kinds in long hand. In this connection it is worthy of note that he remained to the end of his life an exceptionally fine penman.

After some considerable preparatory work of this sort, Mr. Lee entered the Albany Law School from which he graduated in due course, in 1869, and, returning then to Racine, he again connected

himself with the firm of Fuller & Dyer, but this time as office manager. He remained with them in that capacity for two years, at the end of which time he formed a co-partnership with the late John T. Fish under the firm name of Fish & Lee. It has been said by him that the only stipulation they made with each other was this, that no client who came to them should be denied legal assistance because he lacked the wherewithal to pay.

As a lawyer, Mr. Lee was scrupulously careful, painstaking and thorough in all his work, and neat, orderly and systematic in his habits, in short, a consummately skillful and expert workman. Invariably, he displayed a keen and almost intuitive grasp of the legal principles applicable to the matter in hand, and in the drafting of legal documents, or the writing of business letters, never failed to express in concise, clear and correct English the exact meaning he intended to convey. So careful and thorough was he that it is claimed no pleading drawn by him was ever successfully challenged by demurrer or other technical defense. He was thoroughly grounded in the common law, and at the same time widely read in matters pertaining to the civil law and in the history and philosophy of jurisprudence. As a counsellor he was able, wise and eminently safe and trustworthy.

His partnership with Mr. Fish lasted until 1878, and met with deserved success. But Mr. Lee was never strongly disposed toward general practice. His health and temperament unfitted him for the shock and stress of forensic battle. Accord-

ingly, in 1878 he gave up this partnership to become general counsel for the J. I. Case Threshing Machine Company, in which position he continued until 1897, contributing no small share to that company's success. In that year, he went abroad for the company, visiting most of the European countries, but particularly Belgium, Austria-Hungary, Roumania and Russia. Upon his return the personnel of the Company was changed and he retired to devote his remaining years mainly to the care of estates and other business of a fiduciary nature, and no man ever attained and held in greater degree the confidence of his clientage which was large and influential and imposed upon him heavy and exacting responsibilities.

When one casts about him and considers which of the men of his acquaintance he would entrust with the handling of his property and the welfare of those nearest and dearest to him, after Death shall have taken from him the power of personal direction, one is filled with admiration and respect for our departed brother who handled many millions of dollars in a fiduciary capacity, without a loss so far as is known, and without the faintest suspicion of irregularity, misappropriation or dishonesty of any kind, - and who habitually kept the affairs of his several clients in such systematic and orderly fashion that when the grim Reaper summoned him suddenly from his post, it was the simplest matter in the world for each to claim and receive that which belonged to him, without confusion or delay.

But what has thus far been said does not complete the story of Mr. Lee's service to this

community. He was district attorney of Racine County in 1873 and 1874, - was for more than twenty years a trustee and treasurer of the Taylor Orphan Asylum, which practically owes its existence today to his faithful service and financial ability, - was in large measure responsible for the establishment of the Racine Public Library, and served as President of the Library Board from its founding in 1896 until his death. To this institution toward which he always felt a warm interest he gave liberally both of time and money.

At two separate periods he served as director of the Manufacturer's National Bank which position he held at the time of his death. The Board of Directors of that bank, speaking in memoriam of him, gave utterance to these appropriate and eloquent words:

"He wore the ermine of a noble nature with courtly grace and dignified simplicity and held converse with the wise and good of all ages in the congenial companionship of great souls who live again in the manifold volumes of his library. The purity of his life and the integrity with which he discharged every duty and trust enshrine his memory in each and every heart."

On August 25, 1881, Mr. Lee was united in marriage to Emily A. Kelley, daughter of James H. Kelley, long known as a prominent lumber merchant of Racine. This union proved a most happy one and their companionship, for a third of a century, illustrated the ideal marriage which results from mutual love and respect coupled with congenial tastes and dispositions.

Politically, Mr. Lee was known as a Democrat but his opposition to that party's program of free silver led him to vote in 1896 and again in 1900 for William McKinley for President.

Toward religion and charity his mind was

open and receptive and his support steady and active. His own mother was an earnest Methodist, his step-mother an Episcopalian, and his wife a Presbyterian;- and thus he became in a sense affiliated with these three denominations.

His personal leanings were toward the Episcopal church with whose history and doctrines he was very familiar and in which he was always deeply interested.

He long advocated the systematization of charity and took a prominent part in the organization of Racine's efficient Central Association, and he also helped to form and maintain the North Side Boys' Club, which preceded that organization by several years and the object of which was to interest young boys in higher ideals and in the practice of the manual arts.

In 1898 he was appointed by Judge Seaman, Referee in Bankruptcy for the Counties of Racine, Kenosha and Walworth, and that office he still held at the time of his death. The appointment came to him unsolicited and was accepted not because of the importance of the office or the emoluments attached to it which were small, but because it enabled him to keep in touch with the younger members of the profession and with at least one form of active professional work. His administration of the office was marked by uncompromising integrity, judicial fairness and sound common sense, and won general commendation.

Mr. Lee added to thorough learning in his profession the graces of a refined and generous scholarship. He was an excellent conversationalist and delighted in the society of the cultured and witty. He was fond of the best in literature, was particularly

interested in biography and thoroughly enjoyed the hours spent in his well chosen library. Toward younger members of the bar he was unfailingly kind, patient and helpful.

He wrote easily and well, and contributed for his own pleasure, though rather infrequently, to the periodical press, articles upon subjects which happened to interest him at the time from a legal or sociological standpoint. He was simple in his tastes and refined in his pleasures.

A lawyer of the old school in the highest sense of the term, a high-minded and distinguished gentleman, a justly honored and most useful citizen, an able financier and a trusted counsellor and steward, - we commend his character and ideals to the emulation of those younger man who in this generation are striving to sustain the traditions and carry on the work of our illustrious profession.

John D. Simmons
D. H. Fletcher
Matthew J. Allen

Memorial to
Charles W. Fox.

FILED

JUL 6 - 1915

John C. Wood.

Cl. of Circuit Court.