MAY IT PLEASE THE COURT:

HENRY ALLEN COOPER was born September 8, 1850 at Spring Prairie, Walworth County, Wisconsin. He graduated from Northwestern University in 1873 and from the Union College of Law (now Northwestern University Law School) of Chicago, Illinois, in 1875, and remained in the practice in Chicago until 1879, when he returned to Burlington to live. The following year he was elected District Attorney for Racine County and held that office until 1886. He was elected to the State Senate in 1886. He was the author of the law which provided the Australian ballot system for Wisconsin; he was first elected to Congress in 1892, and, with the exception of the year 1918, for each succeeding term thereafter, and died before the commencement of the term for which he was last elected in 1930.

This brief statement embodies the substance of the only biographical sketch published with his approval, as we believe, that we have been able to find. His first work as a practicing attorney in Wisconsin was as District Attorney for Racine County. After his election to that office he moved to Racine from Burlington and at once found himself busily engaged in attending to the many cases he was called upon to prosecute; some of them as important as any criminal cases that have ever been tried in this county. The prosecution of a criminal case at that time was not without its difficulties. To successfully defend a criminal prosecution was the ambition of many lawyers and their opportunity to accomplish their purpose was aided by the exactness and strict requirements of the law of that time both in pleading and practice.

Among the notable cases he tried were the following: In 1883 he appeared in the Supreme Court to argue the case of Clifford -vs- State. The trial had been held in Rock County to which County the venue had been changed on the ground of prejudice of the people. The result in the Supreme Court was that the judgment of the trial court fixing the punishing at imprisonment of the defendant, Hartley Clifford, for life for the murder of William R. Pugh was sustained. The prominence of the murdered man and the fact that the defendant shot him in the principal hotel in the heart of our city, gave the case much publicity and the case was won only after a strenuous contest.

The case of Jambor -vs- State was decided by the Supreme Court in 1890, and the result of this criminal trial prosecuted by Mr. Cooper was a decision rendered affirming the judgment of the lower court where the defendant had been sentenced to ten years imprisonment in the State's prison for an attempted murder of M. M. Secor, a prominent Racine manufacturer and several times Mayor of Racine. The defendant had sought to accomplish his criminal purpose by means of a metallic bomb containing pieces of iron and charged with a quantity of powerful explosives. Before his first preliminary examination the defendant was arrested three times and on motion of the prosecuting attorney dismissed before any evidence was offered. The right to so proceed was upheld by the Supreme Court and other questions of law were settled by the decision.

Mr. John T. Fish, who was an eminent lawyer, defended Mr. Jambor. The case aroused a great deal of interest because of the parties, and the methods used to carry out the purpose of the defendant, the questions of law involved and the diligence

displayed by the prosecutor in accumulating evidence to fix the identity of the defendant as the man who under disguise had planted the bomb.

A criminal trial that was defended with even greater vigor and persistence was the case of State -vs- Christensen, which resulted in a conviction and imprisonment of the defendant charged with the murder of Michael Schulz, a prominent North side butcher. The killing had been done with a club which had been afterward broken and cut so that it was difficult to prove the means employed by the defendant to commit the murder. The case was tried three times. Before it was concluded, the County Board requested Mr. Cooper to discontinue the prosecution because of the expense. This case had gone to Waukesha County for trial on change of venue because of prejudice, thus increasing the expense of trial. The result was the conviction and imprisonment of the defendant and the effort and expense was justified for Christensen after his incarceration confessed his guilt.

One Santry was also convicted for participating in the same offense, - he and Christensen having acted together in perpetrating this brutal murder.

Criminal cases at the time Mr. Cooper was District Attorney attracted more interest and attention than they do at the present time. Crimes were less frequent, the community was smaller and the attention of the people was not occupied with the diversified interests that now command their attention.

The reputation Mr. Cooper gained in the successful prosecution of these and other cases during his incumbency in the office of District Attorney gave him a wide reputation as a skill-

ful and eloquent trial lawyer and reputation among lawyers for being not only able to try a case on the facts, but to steer a safe course through the rocks of technicality which then were given more consideration and were more dangerous than under the present practice.

The Jambor case was reported in the 75th Wisconsin. Since then very many of the questions which arise in criminal cases have been decided so that the prosecutor now can with less difficulty prepare his cases and devote his efforts to questions of fact, the proof of which were only a small part of the burden to be carried by a district attorney in a time when Mr. Cooper held that office, as evidenced by the questions of law discussed in the decisions in the above cases.

The great prominence and reputation for ability Mr. Cooper had gained in these prosecutions made demand strong upon him to be a candidate for state senator, an office which he was elected to fill in 1886. From the end of his term as Senator until he was elected to the United States Congress in 1892, only a few years intervened. During that time it was scarcely possible to build up a clientele and to engage in any extended degree in the practice of law. However, as indicative of his legal ability, was his work in one civil case of much importance. He discovered reasons for instituting proceedings to set aside the final order in the matter of the will of John Conroe, deceased. A considerable amount was involved; other attorneys had advised the contesting heirs that the estate was finally closed and that there was no hope of successfully appealing to the court to re-open it, and re-distribute the assets which required a construction of the will.

Mr. Cooper, however, in examining the records concluded that there was a defect in the notice which might make possible re-opening the case and re-construing the will, and he therefor petitioned the County Court to do so. He prepared the case and presented it in County Court where Judge E. B. Belden upheld his contentinn. After the decision of the County Court was appealed from and affirmed by Judge Johnson of the Circuit Court of Milwaukee, the attorneys representing the estate, John T. Fish and Alfred L. Cary, although they had prepared and printed their case on appeal, decided to settle the matter, which was done by the payment of a large sum to Mr. Cooper's clients.

In this matter, as in the criminal trials, he displayed a keen and discriminating legal mentality. Had he continued in the practice of the law he would, without question, have made a reputation for legal ability that would have given him rank with the best lawyers of the state. Had he devoted his time to the practice of law, his talent would have been employed, tempered and controlled by the same human elements, the same sense of justice, fairness and honesty that dominated his life.

During the time while he was engaged in the practice of law, he so bore himself that there was little need for him to ask

> What cause was righted from my love of right?
> What wrong redressed because I hated wrong?
> When have I fought for justice against might?
> When have I helped the weak against the strong?

For it was a vital element of his being to contest for a right against the wrong, for justice against might, for the weak against the strong.

Mr. Cooper was by nature an advocate; he was an orator, of imposing stature and commanding presence; and he was enthusiastic in his espousal of any cause he deemed to be just; if he believed that a wrong had been done or any unconscionable,fraudulent or criminal act had beencommitted, he would come to the attack with all the force at his command and with enthusiastic energy. Once convinced that his client's cause was just and that his contention should from a sense of right and justice prevail, he would persevere and bring to bear upon his side of the controversy all his powers, strength and ability.

It was always difficult, however, to enlist his efforts or arouse his interest in any cause where the equities were not clear or his client's rights doubtful. He was especially formidable in a jury trial, not alone by reason of his eloquence, tact and personality - all of which he possessed in unusual degree, but he was further fortified by his diligence, careful preparation and ability to analyze with nice discrimination the law applicable to the facts of the case. His main reliance was upon what he believed to be the rights of the controversy and would bring out with discriminating care all of the relevant facts in support of his contention and always knew the legal reason for admitting the proofs he offered. While his analysis of the evidence in his argument to court and jury was analytical and his argument eloquent and convincing, he employed no trick or artifice to win a jury's favor.

Wendell Phillips praised the jury system "because it worked out a rough average justice," but in Mr. Cooper's conduct of a trial before a jury he helped the jurors to come to a conclusion

based upon a knowledge and understanding of the cause and upon relevant and material evidence that made possible a verdict that was something more than a conclusion guessed at or based merely upon impressions gained from an atmosphere surrounding the case. It came as near to being a scientific conclusion as laymen are capable of making in the brief period of time which jurors are given to comprehend and decide issues presented for their verdict.

Jury cases were not as numerous then and the trial of jury cases was somewhat more deliberate and because precedents were not so frequently available on the different questions arising in the trial and statutory law was not so comprehensive, reasoning and fundamental principle were more relied upon than has since beennecessary. The law controlling the case then was not so often found in some decision of a court of last resort, or statutory enactment embodying a rule proven by repeated similar experiences, but was determined by application of the rule ascertained by study of fundamental principles.

It was under such circumstances and conditions that Henry Allen Cooper gained his reputation as a trial lawyer. At that time a trial lawyer was required to rely upon original thinking, and that branch of legal work commanded the attention of the best and most experienced lawyers at the bar. Mr. Cooper took his place among the best of the lawyers of that time engaged in that branch of the work. The position he took as a trial lawyer is all the more worthy of notice as his experience at the bar had covered a comparatively brief period.

He was qualified for admission to the bar by study of text books written by authors learned in the law. His time in the Law School had not been occupied solely in studying legislative enact-

ments or the decided cases and mechanics of the law, but as well in consideration of the reason and logic of the law and he read understandingly and drew his conclusions as to the worth of the rules for application to the present time, and as to those which he thought were commendable and those which he thought required change he drew his own well reasoned conclusions.

In a popular address given in Burlington in 1878 before he came to Wisconsin to practice, he disagreed with the following statement of Blackstone, called the father of the English law; he there quoted:

> "Where the magistrate upon every succession is elected by the people and may, by the express provision of the laws, be deposed (if not punished) by his subjects, this may sound to some like the perfection of liberty and look well enough when delineated upon paper; But in practice will ever be found productive of tumult, contention and anarchy."

And again:

> "The distinction of ranks and honours is necessary in every well governed state. A system of nobility creates and preserves that gradual scale of dignity which proceeds from the peasant to the prince."

Such pronouncements were abhorent to Mr. Cooper's innate faith in democracy. He believed in the principle upon which this nation is founded - the equality of all persons before the law, and he dissented from the conclusion of the learned jurist and sought to demonstrate in all his acts as lawyer and as legislator how contrary the statement of Blackstone was to the spirit of our government.

It is not strange that he became conscious before he had spent many years in the study and practice of the law, of the fact

that in presenting for redress the wrongs of individual clients or in demanding their separate rights in a court of justice, administered under existing rules, that he was only by slow process making progress in helping to broaden for all people alike those principles which were designed to afford protection for human rights and procure the blessings of liberty equally for all the people.

In order to satisfy in the greatest measure the never ceasing demand of the people for liberty and for freedom from the unnecessary restraints of the law and the widening of its capacity to give protection to the natural rights of all persons which had persisted from the earliest times, the legislative branch of the government opened for him greater opportunities and a wider field than did the courts of law. It was not because he was conscious of an inability to work with the means at hand, but because the rights that might be upheld through efforts so directed could benefit only the immediate parties to a cause on trial in court, that caused him to believe that the legislative branch of the government was the more suited to his purpose, so when urged,upon the expiration of his terms of service as district attorney for Racine County, he yielded to the demand that he go to the State Senate of Wisconsin, and he was accordingly elected to that office in 1886. There he introduced a bill which he had drafted that, when passed by the legislature, changed the election laws of Wisconsin by providing for the Australian ballot system, thereby securing to the people the right to vote according to their own convictions, secretly and uncontrolled and unhindered by persons with ulterior motives.

After his term in the Senate, he returned to the pract-

of law for a few years and then began his long succession of terms in the House of Representatives. His whole life, thereafter, was spent in Congress where, as in the Senate of Wisconsin, he always sought to learn and act in accord with the will of the people he represented.

That the voice of the people be heard in determining what should be the law of the land was not a modern idea. It found little place in practice until the more recent times, but in the Writs of 1295 Justinian said: "What touches all should be approved by all." For a long time in England, subject to the fundamental law, magna charta and the common law, which controlled King and Parliament, Parliament was sovereign and exclusively possessed all the power to make the laws of the realm. It was a long time, however, before members of Parliament were sensitive to the wish of the people, but Parliament was the law making body with power to enact laws for the common welfare, uncontrolled by the will of any individual, whether Prince or King, who might insist, as Richard II claimed that "the laws were in his mouth" or "that they were in his breast" and that he himself could make and change the laws of the Kingdom.

Mr. Cooper knew of the beginnings of that long struggle for supremacy of the people's will and the slow but certain progress it had made. He knew that Englishmen had regarded the common law above King and Parliament"the symbol of an ordered life which replaced the licence and violence of evil times that once prevailed." He knew that"instead of local custom or special privilege, because of it one system should be common to all; that instead of the caprice of the moment, or the changing principles of competing dynastic policies,

or the pleasure of some great noble, or the cunning of the usurper, there ruled in England a system older than Kings and Parliament, of immemorial majesty and almost divine authority."

"Law is the breath of God; her voice the harmony of the world," and that the common law was the ideal of law, for it is natural reason developed and expounded by collective wisdom of many generations and that by it Kings reigned and Princes decreed judgment.

He knew of the courage and determination that was required to attack the theory of the divine right of Kings; to vest Parliament with the complete powers to make laws, and of Coke, outstanding opponent to the divine right theory, and what might be accomplished by a strong determined advocate of people's rights even in those stubborn times. He knew that

> "Were it not for brave and splendid souls the dust of antique time would lie unswept and mountainous error be too highly heaped for truth to overpeer."

He knew, too, that Hobbes had declared the evident fact: "It is not wisdom but authority that makes a law," and that there was much yet to do to safeguard the rights of all by means of authoritative law.

Mr. Cooper recognized that however important it might be to have laws express the popular will, and that Congress be responsive and accountable to it, it was necessary that there be some just limitation upon the sovereign power of the people so to be exercised, that it was as necessary to have a fundamental law here as it had been found to be in England, and he considered the Constitution the foundation upon which our government was erected to be an inspired expression of the necessary rules for the guidance and

limitation of the law making powers.

In his last public address he said:

> "I believe from a reading of history, that next to the establishment of the Christian religion, the establishment of the United States of America as an independent republic is the most important event in the history of mankind."

This appreciation on his part of our Constitution and his knowledge of the need therefor had been made clear to him from his study of the history of law-making under the English system and as much as he desired the fullest expression of the people's wish, he knew how necessary it was that it be expressed and made the law in an orderly and regulated manner.

He knew "that the American legislatures, in a measure, had been modeled after the Parliament of Great Britain, and that we derive our parliamentary common law, our legislative usages and customs from it." But the "legislatures in America, state or national, unlike Parliament, are not the sovereign authority but are vested merely with the exercise of one branch of sovereignty and that in wielding it they are hedged in on all sides by important limitations some of which are imposed in express terms and others by implications which are equally imperative;" that "in the United States the sovereignty is in the people and the legislatures which they have created are only to discharge a trust of which they have been made a depositary and which has been placed in their hands with well defined restrictions."

Having in mind these limitations upon the powers of a legislator, Mr. Cooper throughout his long legislative experience of more than forty years, sought, in accordance with the prescribed rules, to enlarge and protect the rights of the people, and he con-

tributed no small share to the enactment of many improved and beneficent laws which now are effective to promote the welfare and happiness of the people, thus rendering at all times full and true account to the people of the trust he was chosen to fulfill. He lived to see many laws that were inadequate or oppressive changed or repealed; he lived to see many new laws enacted and knew that he had his part in establishing through legislation these improved conditions which afforded the means of securing in more complete measure the blessings of liberty which this government was organized to provide for all mankind. He knew that he had contributed as much as a man circumstanced as he was could to the new leaves which have in his time crowded the pages of history.

There are many who will find fault with new laws passed or adopted; there are many who have and will disagree with changes that have been made or will be hereafter proposed; there are many who have disagreed with Mr. Cooper's legislative policies and the laws which he helped to enact, but all thinking men will agree that progress cannot be stayed, and that progress makes change necessary; that "before liberty shall be swept away by a government, government itself shall be swept away."

We know that he had the esteem and affection of all; that he had the support and confidence of a great majority of the people; that the record of his life is approved by and deserved and has the commendation of the people he so long and so faithfully served with great ability, - To the end, he hoped, that we may without dissenting voice and with one accord continue the prayer of the ages.

"Let Liberty run onward with the years,
And circle with the seasons; let her break
The tyrants harshness, the oppressor's spears;
Bring ripened recompenses that shall make
Supreme amends for sorrows long arrears;
Drop holy benison on hearts that ache;
Put clearer radiance into human eyes,
And set the glad earth singing to the skies. "

M. E. Hacker

Lawrence H. Smith

Robert Myers

Romance of
Wm. Henry Allen Eaglin

May it please the Court:

The Committee appointed by the President of the Racine County Bar Association to prepare and present a Memorial on the life of the late Honorable Walter C. Palmer, respectfully submits the following:

MEMORIAL OF THE RACINE COUNTY BAR ASSOCIATION.

Walter Curtis Palmer was born in the Village of Waterford, Racine County, Wisconsin, on the 8th day of October, A.D. 1858. He was a son of Nelson H. Palmer and Sarah N. Palmer, nee Curtis, natives of New York, who arrived in Waterford in 1838. He spent his boyhood in and about Waterford. He was educated in the public schools of Waterford and had additional training in the old Rochester Academy at Rochester, Wisconsin. Before going to Madison to attend the Law School, he read law in the office of John B. Winslow, one of Wisconsin's greatest Judges, who at that time was a practicing attorney in Racine. He completed his legal education at the Law School of the University of Wisconsin, and graduated in 1881. He was admitted to the Bar in the same year. He commenced the practice of law immediately after his admission, and in addition assisted his father in his mercantile business at Waterford. While located there, he decided to become a candidate for a County office. In 1886 he was elected County Clerk of Racine County, and served as such for a period of four years. His active practice of the law did not, therefore, really commence until the end of his service as County Clerk.

In January, 1891, he formed a partnership for the general practice of law with Christopher C. Gittings under the firm name of Palmer & Gittings. This firm continued in active

practice for a period of twenty-three years. In January, 1914, he assumed office as County Judge of Racine County, and served as such with distinction for twelve years. From the time of his retirement as County Judge and until September 28, 1929, he was Trust Officer of the First National Bank of Racine, but commencing in November of 1928, his health began to fail and from the time he gave up his position as Trust Officer until his death, his health was so impaired that he was unable to take any active part in business or the general practice of law. He died in Racine, Wisconsin, on the 3rd day of March, 1931, and was buried in Mound Cemetery.

He was married on March 25, 1889, to Abigail H. Williams, a native of New York, of Welsh parentage. Their long married life was happy. Both were devoted to each other and each interested in maintaining and enjoying their home together. He was essentially a home man. He was survived by his wife, and we extend to her our sincere and heartfelt sympathy in her great loss and bereavement.

He was also survived by five sisters who are still living, namely: Minnie Malone, of West Allis, Wisconsin; Sadie K. Chapman, of Payette, Idaho; Nellie B. Lahatchka, Mattie Lidren, and Lelia Palmer, all of Racine, Wisconsin. To them we likewise extend our sincere sympathy in the loss of a beloved brother.

He was interested in fraternal work over a long period of time. During his earlier years, especially, he was active in local fraternal Orders. At the time of his death, he held honorable membership in the Masons, the Knights of Pythias, of which he was a life member, the Loyal Arcanum, the Modern Woodmen of America, and the Benevolent Protective Order of Elks.

He was a member of the American Bar Association, the State Bar Association, and the Racine County Bar Association. He was president of the Racine County Bar Association during

the years 1919 and 1920. The members of the Bar of the First Judicial Circuit, and especially of Racine County, will long remember his hospitality and the gracious welcome and assistance of Mrs. Palmer at the annual picnics held for several years at his Summer Home at Eagle Lake. He was sincerely interested in the welfare of the Bar, and often aided in the promotion of its activities and its ideals.

In politics he was always a Republican, and belonged to the conservative wing of the party, while his law partner, Christopher C. Gittings, was a leader of the Progressive wing of the same party. But their differences in political faith never marred their friendly social and business relationship. He always took an active interest in public affairs. He studied public questions and discussed them with intelligence and discernment. He was not an active public speaker, but frequently was found counseling and advising with persons who were interested in the holding of a public office, and the transaction of public business.

He was interested in golf and during a great many years prior to his illness, he actively played golf and he attained considerable proficiency in the sport. He was one of the organizers of the Pan Yak Park Company at Eagle Lake, and for many years was its Secretary and General Manager. Under his able supervision, the private golf course of the Pan Yak Park Company was mainly laid out. He rendered a valuable service over a great many years and earned the sincere appreciation of the cottage owners at Eagle Lake.

He enjoyed visiting with his friends. He took a keen delight in playing social games of cards with them. He was skilful as a whist player, and at one time he, together with W. H. Carpenter, Henry G. Smieding, and Fred Gates, won the championship of the United States in a National Whist Tournament.

He had a large acquaintance in Racine and surrounding counties. He made many friends. He was a man of unquestioned honesty and integrity. He was a good business man and adviser. He had excellent business judgment. During his life he accumulated a substantial estate by hard work and wise investments. He was a man of fixed opinions, but not unchangeable if sound reasoning showed he was in error. He had definite likes and dislikes. He was at times gruff in manner and speech, but at heart kindly and well intentioned. He was not readily approachable. A person had to learn to know his ways and thoughts to fully appreciate his sterling qualities. On closer acquaintance, he was genial and delightful company.

During his practice of law, he was closely associated with many successful institutions in the city. He was the founder in 1891 of the Racine Building & Loan Association, and was in fact largely responsible for the working out of the plan adopted in its organization. He was its Secretary from its organization in 1891 until January, 1914. Under his guidance, the Association grew in strength and influence. There are hundreds of people in this community who benefited by his wise counsel and assistance in acquiring homes by the aid of a building and loan mortgage. He taught hundreds the advantage of saving and at the same time acquiring a home. For many years he was a director of the First National Bank, a member of its Executive Committee, and one of its Vice-Presidents. He was a stockholder of the Racine City Bank and the Farmers & Merchants Bank. He was for many years actively identified with the management of the Chicago Rubber Clothing Company as a director and its President, and was a large stockholder therein at the time of his death. He was interested financially in other institutions in this city. Wherever he was a member, and wherever he held stock, his advice was sought and freely given. His sound business sense, keen judgment, and ability to see the future of business

ventures, aided greatly in almost every undertaking with which he was connedted. In fine, he was not alone a lawyer, but was recognized as an exceptionally good business man.

It is not easy to critically appraise and classify Judge Palmer as a lawyer. He was not generally known or thought of as a trial lawyer. He never sought the limelight of publicity. His gift was not to display keenness of reasoning before juries or brilliance of oratory in the court room, as does occasionally some exceptional member of the bar. Neither would it seem accurate or proper to speak of him as a profound student of jurisprudence.

His was rather the quiet and even, though by no means secluded, path of trusted counselor and legal guide. His aim was not the winning of legal battles, so much as the keeping of his clients out of court.

He had as his birthright a broad and abounding heritage of common sense and practical wisdom which enabled him to steer his clientele safely through the jungles and pitfalls of business and commercial life, and made for him many abiding friendships.

Above and beyond all he possessed, as already mentioned, a rugged honesty of character which justly inspired confidence in those who sought his advice and help.

From what has been said it will rightly be inferred that his qualities were judicial and executive rather than forensic, and so it was that after more than twenty years of honorable and successful practice, associated with Mr. Gittings in the prominent and still well remembered firm of Palmer & Gittings, he quite naturally offered himself for election as County Judge of Racine County and, quite as naturally, received the approval of the electorate.

To this office he devoted twelve years of his life, serving the people of his county with ability and honor, and we repeat with all assurance, what has often been said of him, that there never sat upon that bench a more careful and scrupulous guardian of the interests of those people withwhom the county courts chiefly have

to do, the widows, the orphans and the incompetents, than was he.

If, as already mentioned, some thought him at times lacking in affability of manner and speech, when presiding in court, it was generally recognized to be unintentional, if not indeed a failing of which he was personally unconscious, and it can be said without qualification that the business of the court during his regime was conducted without fear or favor, and was kept up to a high standard of order and efficiency.

His whole life, indeed, as we review it, was an open and honorable record. What more need be said?

We bid him farewell with the words of the poet:

"So be my passing,
My task accomplished and the long day done,
My wages taken and in my heart
Some late lark singing,
Let me be gathered to the quiet West,
The Sundown splendid and Serene,
Death."

Edward Brown

John B. Simmons

Elbert B. Hand

4

DEDICATION CEREMONIES

OF THE COURT ROOMS OF THE NEW RACINE COUNTY COURT HOUSE HELD UNDER THE AUSPICES OF THE RACINE COUNTY BAR ASSOCIATION AT THE CIRCUIT COURT ROOM, IN THE COURT HOUSE AT RACINE, WISCONSIN

NOVEMBER 16, 1931, 10 A.M.

COPY

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Helen L. Blythe

Clerk of Circuit Court

ESTELLE J. GLASS
SHORTHAND REPORTER AND NOTARY PUBLIC
407 JANES BLOCK RACINE, WIS.

DEDICATION CEREMONIES

OF THE COURT ROOMS OF THE NEW RACINE COUNTY COURT HOUSE HELD UNDER THE AUSPICES OF THE RACINE COUNTY BAR ASSOCIATION AT THE CIRCUIT COURT ROOM, IN THE COURT HOUSE AT RACINE, WISCONSIN

NOVEMBER 16, 1931, 10 A.M.

Reported by Miss Estelle Glass, General Court Reporter

Presiding: Mr. Milton J. Knoblock, President of the Racine County Bar Association:

Sitting on the bench, the following Judges:

Judge: E. B. Belden, Circuit Court Judge
Judge E. R. Burgess, Municipal Court Judge
Judge J. Allan Simpson, County Court Judge

Clerk of Circuit Court, Miss Helen L. Blythe
Circuit Court Reporter, Mr. Charles H. Welch

Visiting Supreme Court Judges:

Justice W. C. Owen
Justice Chester A. Fowler
Justice Oscar M. Fritz
Justice Edward T. Fairchild
Justice John D. Wickham
Justice George B. Nelson

Clerk of the Supreme Court, Mr. Arthur McLeod
Mr. Gilson Glazier, Secretary of the State Bar Association
Honorable Thos. Amlie, Congressman from First District

By Mr. Knoblock:

May it please Your Honors, and our distinguished visitors, Gentlemen of the Bar, and Guests:

It is just a little over a half century ago, no doubt within the memory of some here today, that perhaps a scene similar to this was being enacted only a short distance from here, in that building now partially demolished and which we hold in our memories already affectionately as the "little old Court House".

The fact that today this scene is being enacted here is in evidence of the progress and advancement of Racine County in prosperity, civilization and administration of justice. This is no incident or casual event in the history of Racine County, or in the history of the Bar of this county; it is an epoch-making event in this community and in this county, the fact that we may gather here today in these ceremonies to dedicate these beautiful court rooms in this beautiful building.

On behalf of the Racine County Bar Association it is my pleasure to welcome you. To our guests from Madison I extend our deep respect and regard; we are honored to have you present. To our other guests I extend our welcome and greetings. We hope that your enjoyment of these ceremonies will be as great as our pleasure in having you here.

At this time the American Legion Post, No. 76 of Racine will make a presentation to the Courts of Racine County:

(The following members of the American Legion Post, No. 76, carrying the three flags, advanced to the front, where the presentation of the flags was given by Attorney Lawrence H. Smith)

A. W. Moe
Wilbur Hansen
E. B. Evans
George Johnson
Mark Manney
Fred Maxted
Milton Youngs
Lawrence H. Smith

(See next page for presentation by Mr. Smith)

FLAG PRESENTATION

By Attorney Lawrence Smith:

In the name of Racine Post No. 76, the American Legion, Department of Wisconsin, we present to each of the Courts of this County the Flag of our country; it is the emblem for which we fought and which we still serve; it is symbolic of the principles of freedom, justice and democracy.

We trust that these flags will occupy a place of honor at all times in the Courts of our County.

Response by Hon. J. Allan Simpson, Judge of the County Court:

As Judge of the County Court I accept for it the flag that you here present. Its folds standing there must always remind litigants, attorney and court alike of all those things which have made good government possible. I am doubly proud to accept this flag, coming as it does from my own comrades and close friends. I sincerely hope that so long as I preside there I may uphold the ideals represented by our flag as well as you have done who make this presentation.

Response by Hon. T. R. Burgess, Judge of the Municipal Court:

In behalf of the Municipal Court, and as Judge of that Court, I accept the flag which has been so presented. May it ever be a reminder to all those who enter the court room of the sacrifices that were made by you in securing justice and liberty and democracy for the world. May we never forget the things for which you fought and paid such sacrifices-

"The God of the Nations, known of old
Lord of the far flung battle lines
Beneath whose guiding hand our flag floats
Ore palm and pines
Lord God of Hosts,
Be with us yet-
Lest we forget--Lest we forget"

Response by Hon. E. B. Belden, Judge of the Circuit Court:

Accepting the words spoken by Judges Simpson and Burgess as expressing my own expression of this presentation, I am very happy to accept from you, representing the Legion, the flag, which will remain here in this Circuit Court.

I wonder if this would not be a good time for us all to give the pledge to the flag:

(Pledge to the Flag given in unison)

By Judge Simpson:

The dedication of the County Court must carry into and be within the court room an atmosphere of justice, but it must also bear the hope of sympathy and kindliness for those who have so recently met with misfortune and loss. Most of our well-doing and law-abiding citizens have few actual contacts with our courts. One of the few contacts comes immediately after the loss of someone who is near and dear to them. The court room at that time must contain a heart of understanding and compassion. The court room there must be that something that binds families closer together rather than, as too often is the case, permits over-wrought nerves of those who have suffered a loss, to break out in family quarrels and litigation over the deceased's possessions. The Bar can be of great help in forestalling such evidence, but I believe that the homely, friendly yet dignified air of our new County Court has gone, and will go a long way in helping to avoid these conflicts.

In this dedication, let us all pledge ourselves to calm the troubled nerves and to mend the breaks in families where excitement and nervousness may wreck loving family relationships.

By Judge Burgess:

The Municipal Court deals with matters all the way from the sublime to the ridiculous; probably sees more living sorrows than the other court; family dificulties; divorce actions, and other trials and tribulations of different members of society; and the care of the children who are not properly cared for by their parents.

We try to reach the position where we have an understanding of the different groups of society. We are told to obtain wisdom; that wisdom is more precious than pearls or great rubies; but we are also told to obtain understanding; that is the greatest thing which is necessary in order to obtain the proper viewpoint in order to settle the many troubles, trials and tribulations coming into the Municipal Court for settlement. What people need is a sympathetic understanding. I have noticed a great many times the mere telling of their troubles to one who is sympathetically inclined to listen to the story helps them, although you may not be able to give them any very valuable help with reference to the solution of the troubles. We have tried to restore their faith; their faith in humanity; their faith in each other. We try to inspire in them hope, and also charity.

We are told that the three great things are faith, hope and charity; the greatest of these three is charity. Charity means not only the giving of alms, the giving of material things, but it means a sympathetic understanding of the other

person's problems, and I think that is what courts should do; and that is what the Municipal Court is trying to do.

This beautiful building which we have, and beautiful court rooms which have been provided for us--I notice a difference in the attitude of the people who come into the Municipal Court Room; they have a greater respect for government; they have a feeling that government is something that is stable; it has a stabilizing effect upon the people who come into that court; and for that reason I believe that the erection of this building, and the providing of these beautiful court rooms, was a wise move and one which will reflect the great betterment of this community.

By Judge Belden:

I am impressed by the thought expressed by Judge Burgess, that our greatest effort is to good understanding. There are at least nine men present whose biggest job is to get understanding; what it is all about; and I am sure that all of these gentlemen give their very best effort to that end.

This court room reminds me of the other court room in which I spent so many years--the difference. Until comparatively recent years our court rooms in the old Court House were heated with stoves pawvaded with coal gas; there was one telephone in the building, in the Register of Deeds office, and if any of the officials upstairs were wanted on the telephone somebody in the Register of Deeds office pounded on an iron pipe and we all went down to see who was wanted.

At the Bar in those days, in our earliest days here, were men, some of the men whom the younger men of the Bar have only heard about; the Fullers--Henry T. and his son Percival; J. E. Dodge, later a member of the Supreme Court as you all know; Thomas E. Kearney, Sr.--sorry he isn't here today. Samuel Ritchie Charles H. Lee; John T. Fish was practicing here when I first came into official life here; and his son, Frank E., who was District Attorney and later Circuit Judge of this First Judicial Circuit; Judge Flett who was the first Judge of the Municipal Court; Judge Hand. And the Circuit Judges whom I recall and whom I knew personally were Judges Wentworth, Judge Winslow, and Judge Fish, with all of whom one warm and very good friend, Charles Welch was associated officially. Before that Judge Doolittle, later United States Senator, as you know occupied the bench of this Circuit for a short time--I think for only a year. I believe he was elected a Senator while sitting Judge. He was said to be very, very close to Abraham Lincoln, and one of his most esteemed and confidential advisers. Also on this circuit bench sat William F. Lyon, whom I knew very well, later Justice of the Supreme Court, and Chief Justice, and in official life after he retired from the Supreme Court. Judge Lyon began his judicial career as Justice of the Peace out at Lyons in Walworth County.

I wonder if it will be interesting if I recall some of the men who have practiced at the Bar of this court as shown by this ancient Roll, I call it, of the attorneys who have practiced here. I find that at the beginning this roll of attorneys admitted to practice in the Circuit Court of Racine County, Wisconsin, to whom the following oath has been duly administered by the clerk of said court, and their admittance entered of record:

"I do solemnly swear that I will support the Constitution of the United States and of this State, and that I will honestly demean myself in the practice of the law as counselor and attorney, and will in all respects execute my office according to the best of my knowledge and ability. So Help Me God."

And I find the names here of Marshall M. Strong, who was a very able lawyer, and I think a member of our Constitutional convention; Hugh T. Sanders; Henry T. Fuller; William H. Wording, at one time Judge of our County Court; Ira C. Paine, an able and eccentric lawyer. Lorenzo Janes (I think he was the father of David Janes). William P. Lyon, August 6, 1850; John J. Cary; George B. Judd (who was Cary Judd's father); John B. Adams (he was also County Judge); Charles E. Dyer, later as you know Judge of the Federal Court of the Eastern District of Wisconsin and General Counsel for the Northwestern Mutual Life Insurance Company after he resigned--April 15, 1859; Elbert C. Hand, 1861; Hamilton Utley, whom some of you remember as a newspaper man in this city; Charles H. Lee, 1869; A. Cary Judd, 1872; Samuel Ritchie, 1873; John P. Winslow, June 21, 1875; J. W. Dodge, Oct. 18, 1878; F. H. Fish, 1879; D. H. Platt, 1880; W. C. Palmer, 1881; Joseph R. Dyer, sons of Judge Dyer, 1885; Peter B. Nelson, 1890; William Sanders, 1892; Max W. Heck, 1892; my own, April, 1888; William Smieding, Jr;, 1893; William D. Thompson, 1893; Mortimer Walker, 1895; Elbert B. Hand, 1895; George W. Waller, 1895. (By the way, I heard this morning that George Waller had an operation for appendicitis recently and is convalescing at his home and I am sure he will be glad to hear from any of you); Robert Verne Baker, 1897; Elmer E. Gittins, 1898; Roy Burgess, 1898; Peter Myers, 1899; Fulton Thompson, 1901; and so on; William W. Storms, 1904; Guy Benson, 1909; Janecky; and Knoblock; Louis Quinn; Vilas Whaley, and all the other younger members of the Bar who are with us today and helping us to "get understanding".

We are happy indeed to move from the old Court House to this splendid, modern structure, so perfectly appointed in the minutest detail. The pride of Racine County and of the State of Wisconsin, and we express our appreciation, as we have before, to the members of the County Board of Racine County who had the foresight and the courage to erect this wonderful building, and equip it as it is equipped, and I am glad to join with the other Judges of this County in accepting and participating at the dedication of this beautiful court room and at this occasion, graced by the attendance and the good fellowship of the members of our court of last resort.

Surroundings such as we have here usually serve, as Judge Burgess said, and Judge Simpson, to elevate the institutions housed here; to enliven respect for the courts, and to stimulate the cooperation of the Bar and all concerned in the administration of justice."

By Mr. Knoblock:

It is extremely interesting and very appropriate to this occasion, I think, to listen to the names of those who have signed the Roll of this court during almost three quarters of a century, and to contemplate the changes which have taken place since the first signature was affixed to that roll. It is interesting to wonder what those men would have thought of these surroundings if they could be here and see them now. It is very interesting to those of us who have been here before this court a score of years or less; it must be even more interesting to those whose memory goes back farther, who have reminiscences of their own to think about. Lawyers are much like other men; they come and go; some go from place to place; some go to other professions or other occupations; but there are some that go on and on, becoming more distinguished in their profession, becoming of more use to their community, and more benefit to their fellow citizens. We have some such in this city who are with us day after day, year after year, helpful to all of us, helpful to the courts, outstanding as lawyers in the community.

I am going to call on one or two of these men whom we admire and respect and love, and there is one who is always with us, and comes out on all occasions to join with the young fellows and with the old in pleasure as well as in business. I am very glad at this time to call on our old friend, W. D. Thompson.

By Mr. William D. Thompson:

Your Honors, Visiting Judges, and Brothers of the Bar, and assembled guests:

Several weeks ago we assembled together to dedicate this building, and as my learned friend, the President of our local Bar Association says, I was present on that occasion, and it reminded me of a brief few lines which we have all read, and which I will take the liberty of quoting:

"-----The ascending pile
Stood fixed her stately highth;
x x x x
The hasty multitude
Admiring entered;
And the work some praise,
And some the Architect".

That, I believe, was the primary feature of the dedication of this building in September, 1931. We are, however, assembled

here today upon a more serious occasion; the dedication of these courts as sites of instrumentalities for the administration of justice. Justice is a virtue which has been in the minds and hearts of men from the earliest age. Man is a gregarious animal gathered together for self protection, and for protection of property rights. The administration of justice was primarily in the people as a whole; that was before the institution of courts. When the members of the community engaged in controversies their fellow townsmen, or people, met upon the village green, and the controversies were settled in accordance with the barbaric practices of the time.

Justice, Your Honors, is a divine attribute. When the children of Israel became established in the promised land, the Lord spoke unto them and charged them with the selection of Judges, and mind you, the Lord did not speak to the leaders, but to the people, charging them with the selection of judges who should judge righteously throughout the tribes, and the places of judgment in those days were not in lofty buildings and huge temples, because, if our information be correct, temples were not built to accommodate crowds, but justice was administered in groves, at the tabernacle, and at the city gates, and as I said before, at the village green.

It was only in later years, as society became more complicated, that the administration of justice was dedicated to others, and we have then the institution of courts; and what was the old court? The old court was an assembly in the court yard, perhaps of the King or of the Baron, and there is where we get the name "court". Originally the court yard where the people assembled, or those selected by the King or by the Barons, to administer justice among the people. And from that comes our word "court" as a site, or as an instrumentality of justice.

Primarily, however, the fundamental function being vested in the people, it came down to us in the jury system, the last relic through the battle axes of the Normans, the Danes, the Franks, and the Saxons.

When the American Colonies seceded from Great Britain two of the fundamental causes and grounds for that secession were, first, the refusal of the Hanoverian King to assent to laws for the establishment of jurisdiction among the judges of the colonies; and secondly, for having judges under his own control, having to do with their selection and with their tenure of office; and later on, on the 13th of July, 1787, when the Continental Congress passed the Ordinance for the government of that primitive country, the Northwest Territory, it organized a Council comprised of the Governor and three Judges who were given common law jurisdiction throughout that vast territory, and they, with the Governor, enacted such laws as were necessary to govern those primitive communities, and if we read those laws we would be struck with the savagery of the penalties.

In those days they had no jails; there was no means of confining the lawless, and the result was that for larceny and for the various crimes involving moral turpitude, the punishment was the lash.

Still the people, many of them lapsing back almost to the savagery of the Indians near whom they lived, having to do with the administration of justice in their own way, and one thing I wish to impress is that the primary administration of justice of the fundamental right and power of administering justice lies with the people, and that the judges are the agents of the people. The administration of justice was regarded by the chosen people as a divine right when the Almighty charged them, as I said before, to secure their judges among the wise and discreet of their respective tribes who shall judge Israel's righteously, and the 13th judge, the greatest Judge of all, Samuel, was a circuit rider. We read how Samuel judged Israel all the days of his life, and he went from year to year in circuit to Beth-el, and Gilgal, and Mizpah, and judged Israel in all those places, and his return was to Ramah; for there was his house and there he judged Israel; and there he built an altar unto the Lord. And the Lord charges the Judges; he said "ye shall not be afraid of the face of man, for the judgment is God's, and the cause that is too hard for you, bring it to me and I will judge it."

Hence it is the administration of justice being a primary function of society, as you might say, is inherent in the human mind, the desire for justice.

These courts are going to have the respect of the people insofar as the incumbents, the ministers of justice are, by righteous conduct, able to command the respect of the people, and if our Judges, as the Judges of Israel were adjured by God, judge righteously, then this will be a temple of justice, but if they judge unrighteously, or if they neglect their duty, it will not be a temple of justice.

And as I said before the administration of justice being primarily a pupular function, it is when the courts fall down that we hear of people taking the law in their own hands, we hear of mob law, and we hear of the people resuming the administration of justice in the form of mobs and in the form of vigilantes. But when we get back to the fundamentals, Your Honors, we find that the administration of justice, as I said before and as I repeat here, primarily in the community as a whole, and when that function was delegated to the judges, as long as the judges judge righteously and perform their functions as prescribed by law in our own day, by the Constitution, the people were satisfied; but after in some cases where there was a long series of abuses, the administration of justice like the legislative power being indestructible,it was resumed from time to time by the people.

So much for the administration of justice, Your Honors. Now I will say a few words about our courts. As has been well said these courts are the refuge of the people; the officers of the court are the functionaries who inspire confidence not only in the people who resort to the courts, but to the attorneys and advocates who, likewise, are ministers of justice who represent some of the people who resort to these courts.

It is not only the courts but the Bar which must contribute and collaborate together in order to maintain the respect and confidence of the people in our courts, and if we all work together, my brethers, if the Judges and the lawyers work together in the interest of truth, this great pile will be a temple of justice and we will keep and retain the respect, the love, and the confidence of the community in which we live.

By Mr. Knoblock:

There are many here whose memory goes back, as mine does, to the time when we considered the problem of law, and occasionally gleamed with misgivings and trepidation and we were aware about what to do for it; when we anticipated litigation we feared. I know your memory, as mine, goes back to the man who we called upon to give us assistance in those times; the man who always willingly gave us counsel and advice out of his wisdom and experience; gave it graciously and with a smile so that we went away relieved and satisfied and feeling free to come back; I refer to Mr. John B. Simmons.

By Mr. John B. Simmons:

Mr. President, Honorable Judges, Visiting Judges, and friends of the Bar:

I am happy to be able to participate in this auspicious occasion on such a beautiful morning as this, but I do not know why I was put on the schedule of speakers at this time. The only reason I can think of is that I have observed whenever there was to be a parade in the community they always put the veterans of other wars in advance, and I suppose that is the reason I was asked to speak.

I was not given any subject to talk about, and I didn't know what anybody else was going to talk about here today. When I canvassed the office for suggestions the only one I got was to observe Rule Number 6 as applied on ship board, being a certain story which being interpreted as understood in our office means "don't take yourself too darn seriously". Well, nevertheless, it seemed to me that in a time like this, on an occasion like this, it might be well to go back a little into ancient history, so I have delved a little in that line, and I thought it might be interesting to this assembly here to hear something about the early court houses of Racine County and the lawyers who practiced in it. I hope I may be permitted, Mr. President, if I find it necessary, to refer to certain notes that I have taken. I don't make these speeches spontaneously very often. Therefore, I ask for that consideration if it becomes necessary.

This County of Racine was organized, I learned in 1836 out of Milwaukee County with which it was originally connected. In 1838, the county, under an Act of Congress,

enacted in 1824 preempted the section of land on which the original city of Racine, the Original Plat, as we call it was located, as a "site of justice"; that was the language of the Act of Congress. There had been a number of floating claims located here on this Original Plat. We lawyers, who examine abstracts, discover that, but the original discoverer of Racine, and the most prominent man here in those days was Captain Gilbert Knapp, and I find that in 1838 the County Board of Supervisors, or Commissioners as they were called at that time, entered into a contract with Gilbert Knapp whereby the County undertook to enter this section of land under the Act of Congress and thereafter convey it to Captain Knapp, who in return should execute a mortgage upon the land for about eight thousand dollars--little less than eight thousand dollars-which was to be used for the erection of a Court House, and for that purpose he was to convey back to the County of Racine two lots; one the lot upon which it was recited the County Jail then stood and the lot adjoining; thus, you will see, that the County Jail preceded the Court House, and now it is on the top of the Court House.

Pursuant to this arrangement the County entered into a contract with Roswell Morris and William H. Watterson to build the first Court House. This Court House was completed in 1840 and cost the large sum of $3717.00, and a few cents, I have forgotten the exact number of cents.

That old Court House answered its purpose until the Court House which we are now vacating was erected in 1877. When I first began my acquaintance with Racine County and the practice of law here the old Court House, I remember, had been moved over across the Monument Square on to an open space there where the Hotel Racine now stands. It was one of these typical country Court Houses which I presume many of which now still stand in various parts of the State of Wisconsin. I have seen images of it at various points throughout the state.

What we now call the old Court House was erected on one of these lots conveyed to the County by Gilbert Knapp and was constructed by Bentley & Sons, who were prominent contractors in the state, and its architect was Henry C. Koch of Milwaukee. The County at that time had become a little more extravagant than in 1840, and it spent $39,450. for this Court House, which has answered the purpose as a "site of justice" for nearly sixty years.

The first action tried in the first Court House built in 1840, history says, had to do with a squirrel hunt, and I would dislike to tell the details of evidence that came out on that trial, especially the devious practices of some of those early pioneers in the way of importing the scalps of wolves and muskrats which ranked high in the count for prizes contested for in this hunt.

Now passing from the Court Houses to the early lawyers who practiced at the Bar here, Judge Belden has already mentioned some of these early lawyers. The first lawyer who came here, I learn from reading, was Marshall M. Strong, the first man whose name appears signed to the Roll of Attorneys as given by Judge Belden. I never knew Judge Marshall M. Strong, of course, but Judge Dyer, who visited Racine and gave an address before the Racine County Bar twenty-odd years ago said of Marshall M. Strong (and he knew him very well, having been a partner of his at one time)-

> "He was an ideal lawyer, unexcelled in Wisconsin. Tall, slender and as clear-cut as a model in marble. No matter who opposed him (said Judge Dyer) he was cool and impassive as a statute; always quiet, urbane, earnest, unimpassioned and in logic inexorable."

The next one whom I wish to mention is Charles E. Dyer, himself. He came to Racine in 1859 and remained practicing attorney here until 1875, when he was elected United States District Judge of this district, and for thirteen years he presided over the Federal District Court, honored and beloved by every member of the Bar. As an Advocate it is said (I never knew him as an advocate) but it is said he was an accomplished orator, ready and able in repartee, erudite and brilliant. He also was an ideal lawyer; able, yet modest, and a refined and courteous gentleman always.

Henry T. Fuller is another of whom I would speak. He came to Racine in 1848; until 1864 he was a partner of Marshall M. Strong; then a partner of Judge Dyer; later of Judge Robert Harkness. Not only was he an ideal lawyer, but the partnership between Judge Dyer and Mr. Fuller was an ideal partnership. Judge Dyer, speaking of this partnership said:

> "To such an extent did unity of feeling and interest prevail between us that the spot where he lies buried was acquired under a joint title, and when the battle of life shall be over for me also, there, under the bows of the tree that we planted together we shall repose, near to each other, tenants in common of God's acres."

Another of those early lawyers was John W. Cary. He came to Racine in 1850. In his time he was one of the ablest lawyers who ever practiced in Wisconsin. He has that reputation. It is said that at one term of the Supreme Court of the United States he argued and won fourteen cases and they were against such prominent lawyers as Caleb Cushing, Matt Carpenter, and others of like caliber. He was one of the few men, I was told (and I was told this by Mr. Charles H. Lee and Mr. John T. Fish) he was one of the few men who have persuaded the Supreme Court of the United States to reverse itself.

Truly there were giants in those days, but time forbids my mentioning more of them except by name. I have made a list of a few that come especially to memory. I don't know but that most of them have been mentioned by Judge Belden already: William Paine Lyon; John B. Winslow; and Joshua E. Dodge; who later became members of the Supreme Court of the state, and two of them Chief Justices. There was Alfred R. Cary, a brother of John W. and almost equally eminent. John T. Fish; Joseph V. Quarles and Charles Quarles, and their partner, Thomas W. Spence. There were James R. Doolittle and Henry Allen Cooper, who subsequently became better known in the field of statesmanship, one being a Senator from the State, and the other a Congressman for half a century. Horace T. Sanders, and Judge Robert Harkness were among those earlier practitioners.

There were also, as Judge Belden mentioned, two unique characters at this Bar, the Bar of this Court; one of them, Ira C. Paine, known for that immortal retort to the Chief Justice of the Supreme Court to the effect that it was "darn sight more uncertain how a case would be decided than how soon it would be reached". There was Colonel George B. Judd, who is said to have always come into court in a dress suit, one of the old fashioned gentlemen practicing at this Bar.

Now the moral of all this is that it does not require costly buildings, or ornate court rooms to bring forth a brilliant and able Bar; neither does it follow that because Racine County has seen fit to provide this magnificent building with its luxurious appointments, the administration of justice within its walls will necessarily be more sure or effective. That will depend upon the present and future Bench and Bar of the County, largely upon the young men gathered here about me, and those who are to follow.

As we then join in dedicating this splendid edifice let us remember that its underlying purpose, like that of its more modest predecessors, is to vindicate human rights, and to that sacred purpose let us all dedicate ourselves anew and highly resolve that we will worthily maintain the standard set for us by those great lawyers of an earlier date.

By Mr. Knoblock:

As Mr. Simmons has rightly said it does not require pretentious buildings or luxurious surroundings to make for proper administration of justice. However, the reactions of lawyers and of litigants are mostly mental and not physical, and they are to some extent influenced by their surroundings. One certainly cannot help liking to practice in a room of the dignity of this one, or of the other court rooms in this building. It should make for some inspiration. I am sure that the members of this Bar will be inspired to some degree by this building and the court rooms contained in it, and by this impressive assembly here this morning, with even the elements smiling upon this ceremony.

This will conclude the ceremonies of the Bar Association at this place, and when court has adjourned the members of the Bar and their guests will adjourn to luncheon at Meadowbrook Country Club.

L U N C H E O N

12:30 Noon

MEADOWBROOK COUNTRY CLUB AT RACINE

Located on the Green Bay Road.

There were eighty-one (81) reservations at this luncheon; as the guests entered the banquet room Attorney Harold Konnak at the piano played "On Wisconsin"; this was followed by singing of the first verse of "America" by the assembly.

Mr. Milton J. Knoblock, President of the Racine County Bar Association presided and acted as Toastmaster.

Three Supreme Court Judges sat on each side of Mr. Knoblock at the speakers table, as follows:

Justice W. G. Owen; Justice Chester A. Fowler; Justice Oscar M. Fritz; Justice Edward T. Fairchild; Justice John D. Wickham; Justice George B. Nelson.

At the speakers table also sat Judge E.B.Belden of the Circuit Court; Judge E. R. Burgess of the Municipal Court; and Judge J. Allan Simpson of the County Court; and other guests.

By Chairman Knoblock:

Since this is merely an adjournment of a group of the gathering which assembled in the Circuit Court this morning, it would seem almost unnecessary to burden you with the presiding officer, particularly the same one you had before. But if it were not for the fact that we didn't have someone to call upon the speakers I don't suppose they would arise and say anything. I am therefore going to limit my further participation in the ceremonies merely to calling upon the people I know you will like to hear from.

We are fortunate in having representatives of the Bar of some of our neighboring counties, and I am going to call

first upon the representative of the Walworth County Bar, who happens to be President of that Bar Association, and appears here in the dual capacity, as he is also Congressman-elect from the First District, the Honorable Thomas Amlie:

By Hon. Thomas Amlie:

Friends:

I am going to take just a few minutes to talk to you about a matter that you will probably be approached with, or at least have presented to you in the comparatively near future. I was in Racine a few weeks ago and met with a small group of Racine County citizens who were interested in promoting the erection of a Memorial to Mr. Cooper, who served this district for so many years in Congress. They asked me if I would act in the capacity of a chairman, with the understanding that I would not be called upon to do any of the work. I told them I would be very glad to do that, and would do it very cheerfully.

I notice today that neither Mr. Walker nor Vilas Whaley are here, so for that reason I am going to say a few words about this matter. There was some doubt in the minds of the members of this committee whether this were an opportune time to take this matter up or not; their feeling was this, however, that in a matter of a public servant, one who serves in a legislative capacity, that his work really consists of two things; first, what he contributes towards the field of legislation, and perhaps what is true with the Congressman, what is even more important, the service which he renders to his constituents as their representative in Washington. As time goes on I think perhaps that later function becomes more important than the first.

If a man makes a record in public life; if he stands for certain legislation ahead of his time, it should be left for the public opinion of the future to either vindicate his judgment or erect such a monument at that time as he might have deserved. That was not, however, the role that Congressman Cooper played. The role that he played was the role of a dutiful, public servant who gave to the office which he held his best efforts. He was rather an unusual figure in the Halls of Congress. He was one of the few men, I would say, who lent dignity to the office which he held, rather than have the office lend dignity to him.

I don't suppose that there is any group in the First District who are more obligated and indebted to Henry Allen Cooper than are the lawyers. I venture to say, particularly of the older lawyers, that there are none of them who have not had a great many favors rendered them by Mr. Cooper, and I know that as far as the Counties of Rock, Walworth and Waukesha are concerned that Mr. Cooper's strongest friends and greatest admirers are to be found among the members of the Bars of those counties.

It was not the purpose of the committee to ask for any large contribution; it was rather the feeling that many

would wish to give, particularly among the ex-service men, the members of the G. A. R., and Spanish American War veterans; they probably never had a better friend, and as time would go on the same could be said for the members of the American Legion. I mention that because there are different groups who would be interested, but none more so than the lawyers, and I know that as far as the committee is concerned that they are more concerned in the spirit that any contribution is made rather than the amount.

I have taken this opportunity because I will not be here and will not contribute any large measure of work towards the carrying out of this program. As far as you are concerned I imagine that Mr. Walker will get in touch with you in the comparatively near future. I feel that while it is a small matter as far as any one of us individually is concerned, it is one of those things that we could well give some time and effort as well as more substantial contribution, because as I see it the First District has been remarkably fortunate in having such a representative during the past 38 years as they had in Congressman Cooper, and in honoring him we honor ourselves.

I want to thank you very much for this opportunity to say a few words.

By Chairman Knoblock:

I was very much interested this morning to learn something which I had not known before, and that is that this county of ours, so-to-speak, grew out of a rib of Milwaukee County. I think most of us here feel, that being the case, we can justly say, referring to Milwaukee County as the parent county that we are "a chip off the old block".

We are very fortunate to have with us today a representative of the Milwaukee County Bar; I don't know whether he came in that capacity, or any other, but we are glad to have him here and are going to consider him as a representative of the lawyers of Milwaukee County. Many of you know him. It gives me a good deal of pleasure to call upon Mr. Eugene L. McIntyre of the Milwaukee Bar.

By Mr. McIntyre:

Mr. President, and Visiting Judges, and Members of the Racine County Bar: I am not appearing as a representative of the Milwaukee County Bar. In justice to that particular association I think I ought to say I am not an accredited representative, but I hope, however, I am not a discredited one. What the President just said is very interesting. In view of the development in regard to these court houses just taking place, Racine County is an offspring of Milwaukee County, and yet it beat us to it in getting up the Court House; we are not yet in ours; we hope to be, however the time keeps extending from month to month, but the prospects are we will get in a few months we hope.

I want to express my admiration of your new building here. It is distinct in its type; it is modernistic, and I think it embodies the new style in public buildings. It is beautiful and I am sure you are all going to enjoy your work very much more than in the one which served you upwards of sixty years. Judge Fritz remarked to me as we were talking out here that Court Houses are really marks of epochs. Isn't that true. Take your first one, served you upwards of forty years; and your next one sixty years, costing about forty thousand dollars, and now starting out with one that cost upwards of two million dollars. It does really mark rather distinct epochs in the development of the community.

Speaking of the epoch. I want to tell you this little incident because I think it will be interesting to all you judges and lawyers. Judge Blenski told me this day before yesterday. He has just tried a case involving the new Comparative Negligence law. It is the first one I know of coming before the trial court where that law was applied. It was attempted to be applied down here in Racine to an extent before the law became effective. This one, however, was tried since the incident occurred, since the law became effective and was submitted to the jury. Rather a long Special Verdict, about twenty-three questions and everybody was very much interested to know what the jury were going to do with that special verdict. There were two defendants; that jury showed remarkable acumen, appreciated the difficulty because they found the plaintiff free from negligence and found one defendant was negligent, so they didn't have to answer the question of comparative negligence at all.

I am sure Milwaukee County Bar Association would have sent their heartiest congratulations and best wishes.

By Mr. Knoblock:

Thank you Mr. McIntyre, we are very glad a representative did get here whether called upon or not.

Our little neighbor to the South is represented here. We are very glad to have Kenosha County Bar present in the person of one of its members here today; I will now call upon Mr. Frank J. Shannon of the Kenosha Bar.

By Mr. Frank J. Shannon:

About eight o'clock this morning Mr. Middlestaedt, President of our local bar association, called me up and asked me to come down here to represent Kenosha County. That was the first time I knew you were officially opening up the Court House. I knew the Court House had been erected; I had been in it before and had given it the "once over", and it certainly was and is a remarkable building.

Now I haven't any stories to tell you, and I haven't any new principles of law like Mr. McIntyre has just explained to you. In fact when I was out there in the hallway someone indicated to me rather abruptly he hoped there wouldn't be any speeches so I am not going to keep you any longer. We are glad to hear you have a wonderful Court House and you have certainly extended the hospitality of Racine County to us in a fine manner.

By Chairman Knoblock: Remember the old quotation "you can fool some of the people part of the time etc.", and lawyers I suppose try to do that as well as other people and we could say we do in certain localities and under certain circumstances, but here in Racine there is one man that lawyers can't fool. He has been listening to that too long and he knows all about them and we can't put anything over that man. He always has some interesting things to tell about some of us over a long period of years, and it always has been and still will be a pleasure to hear something from our old friend, Charlie Welch, who has been the Circuit Court Reporter here for fifty years.

By Mr. Charles H. Welch:

Mr. President, and Gentlemen:

I don't know what you can expect a layman to say in a body like this where we have so many distinguished guests, and men much more capable of interesting you than I am, but of course a man in my position does come into some quite interesting contacts once in a while, and of course we carry some of those things with us in our memory. I might entertain you for a moment, and perhaps might make you smile. I can't say anything to add to your wisdom, or anything of that kind, but I might tell one or two jokes I have.

One was with the late Judge Winslow, who besides being a very able lawyer and fine Judge could see the funny side of things and was probably as witty as any man I ever met. I remember one time in Milwaukee he happened to be stopping over there and had a limited time to catch his train. I took him into the Woman's Exchange there to get something to eat, and we sat there and no waiter came around to find out what we wanted, or what we were there for, and I got a little nervous and thought I would try and say something to pass the time away, so I called his attention to the head waitress, who was a rather peculiar looking lady and old maidish in appearance. I said to the Judge "do you see that lady over there, she is the head waitress; peculiar looking, isn't she? I call her the Duenna". And he replied "Uh, she don't seem disposed to do anything for us".

Another time in Kenosha we were coming out of the Court House at noon, and as I had my breakfast rather early I used to get pretty nearly ready for dinner by the time court adjourned. As we were coming out I said to the Judge "don't you feel a little gnawing at the vitals?" He replied "Oh no, but I would like the gnawing at the victuals".

We heard a good deal this morning about lawyers and judges etc., but I didn't hear anybody mention anything about witnesses. Now when I first came to Racine, which was in 1862 Mr. Henry Allen Cooper was trying a divorce case; the people were colored people and their names were Fite; and he called on the father of the defendant, an old Negro, very tall and spare, and white-haired. He came up to the stand, and he planted his umbrella down in front, and stood up very straight and he reached up his hand as far as he could reach it as if he wanted the Recording Angel to record that he was taking the oath. About the first question Mr. Cooper asked was "Your name is so and so? He said "Yes sir". He said this defendant, Damascus, is your son?" The old man hesitated, and then he said "Well, said to be so, sir, by his mother".

By Chairman Knoblock:

I have a telegram here from Vilas Whaley; he had charge of this entire program, I think, as chairman of the committee and I know is very sorry indeed not to be able to participate after the trouble to which he has gone to make this affair a success. He says:

> "I regret my inability to attend dedication ceremonies today".

I know he is with us in spirit, and he is very sorry he is not actually here; he will be more sorry when he knows what a very splendid and delightful day this has been. I am sure all you members of Racine County Bar who are responsible for this occasion are as pleased with it as I am. It must give you all a thrill to take part in these ceremonies of dedication of this new building of ours. There is no group in the community that can be as much interested in a Court House and in the Court Rooms contained therein as the lawyers. They are the ones that constantly work there; they are the ones who must, to some extent be influenced by the surroundings, the beauty of them or ugliness as the case may be. Therefore it must be a thrill to you, as it is to me, to embark upon the practice in these new court rooms, and in addition to that to have our dedicatory ceremony so splendid, and pleasant, and satisfactory as this.

It is a source of great satisfaction and pride to us to have the gentlemen of the Supreme Court go to the trouble so courteously and kindly to come down here and join us on this occasion. It adds to the pleasure of everyone here. I consider it personally my distinct privilege now to give you the privilege of listening to one of the members of that court, and I have great pleasure in calling upon the Honorable Walter C. Owen, Supreme Court Justice of the Supreme Court of the State of Wisconsin.

Mr. President, Ladies and Gentlemen of the Bar:

The only thing that stands between you and the adjournment of this meeting, I guess, is the few remarks that I am about to make, and as we are somewhat anxious to land in Madison before it gets too dark, I assure you that not only your desires will be respected but my own will be somewhat governed, that is the length of my remarks.

I assure you that it is a great pleasure for us to be here with you today, and I find that the thought is constantly entering into my mind that when we get through here today that I will have done my full duty in dedicating both the "pile" and the rooms. I was here upon the occasion of dedicating the "pile", and my reflections upon that occasion justify me in the belief that the pile was entirely worthy of the dedication that it received. And I now feel that the dedicatory exercises this morning were entirely worthy of the beautiful rooms which they were intended to dedicate.

Now since I received the invitation to be here and make a few remarks upon this occasion, I have written several opinions and listened to arguments in upwards of fifty cases. So I am sure you will excuse me if I say to you that I do not come today prepared with any set speech. I want to say that I had a prepared speech when I was here before, and I feel I ought to have a speech that was written out as I find that the bounteous luncheon served to us today isn't fully conducive to brilliancy or scintillating mental effort, and I suspect if this luncheon puts Justice Fairchild to sleep he will accuse me of putting him to sleep by reason of my prosy remarks here; that is usually the excuse he makes when he goes to sleep on the Bench.

Now we are here today first to bring you the greetings of the court, and to join in your felicitations upon this occasion; we feel that you certainly do have much reason to felicitate yourselves upon the quarters in which you have now been formally installed, and I may also say that you are entirely worthy of those quarters.

It is not insincere at all when I say, my friends, that I think that the Racine County Bar is one of the outstanding Bars of this state. I do not say that because I am now in Racine, and because I am now addressing the Racine County Bar, but I say it because I think it is felt around the corridors and in the Chambers of our court. Cases that come from Racine to our court are generally important cases. We don't get many of the trivial cases from Racine, and those cases are without exception very well prepared. They are thoroughly briefed and intelligently briefed. I want to say to you, and I know that you will not consider it as invidious comparison at all, but I do want to say to you that it is a comfort for us to receive a Brief upon a difficult and complicated question that comes from the pen of Mr. John B. Simmons.

And as I listened to the Roll that was called this morning up in the Court House of the names of so many lawyers who had attained distinction in this state, and I realized that they came from Racine, it occurred to me that probably there was something in the atmosphere or in the soil down here that produced good lawyers. I haven't any doubt at all but what the traditions of the Racine County Bar are guiding and influencing the Bar of today in Racine, and that there is a disposition here on the part of the Bar, there is a sort of a standard which the Bar tries to emulate and tries to attain in the working out of their legal problems and in the preparation of their cases.

Now, of course, it is but trite to say in these days that to have a strong court you must have a strong Bar; no one realizes that more than one who is a member of a court. It is the brief presented to the court that enables the court to properly decide the question presented. Now courts must rely, in these days, very largely upon the briefs of attorneys. If you will but just visualize the work that courts have to do you will readily understand that courts must lean and rely to a very large extent upon the preparation which the attorneys have made of the case in question. Now, it is a humiliating thing for a court to find that in the decision of a case just a year or two ago, a former case decided by the court perhaps directly opposite to a recent decision, are entirely overlooked by the court. Apparently the court didn't know of it. Now, I say to you that is humiliating, but I ask you who is to blame for it? You can't say that the blame is entirely that of the court; the blame can't be shifted entirely from the shoulders of the lawyers who are engaged in that case because they should have found that case and they should have presented it to the court.

I remember an experience that I had in my own practice. I had a litigious client who was in general warfare with his brotherinlaw, and they had lawsuits galore, and the brother-in-law and the other side secured judgment against my client, and my client had paid the judgment and had presented to the other fellow the satisfaction of the judgment. Now as I remember there was a statute that provides a penalty for refusual to sign the satisfaction of a judgment when it is paid, or when title was satisfied, and we brought an action to recover that penalty--that was twenty-five dollars as I recall and we lost in the lower court, and I appealed it because I had a litigious client and he wanted his rights. I had an open and shut case I thought, but between the time of the rendition of that judgment in the lower court, and the time of reaching my case for argument in the upper court, another case just exactly like it had come up and they decided that last case exactly opposite to the case I was relying upon, the earlier case, so when I got up with my case, here was this earlier case in my favor and the recent case dead against me, and I remember the Justice that wrote the opinion. It is true here are two cases diametrically opposed to each other; as long as one had to be overruled he thought he would overrule the earlier one and let the last one stand.

Now that wasn't my fault; that was the fault of the fellow that presented the case just ahead of me; it wasn't the

fault of the court because the court didn't know anything about the former opinion. Now this subject might be dwelt upon at considerable length, but I will not pursue that any longer. You will realize that what I have said is growing more inherently important and more inherently true as the business of the courts increases.

Now when I first went on the court we used to meet at ten o'clock in the forenoon; we took two hours for luncheon and we got in five hours. Business increased and we start in at nine o'clock in the morning; take two and a half hour for luncheon; adjourn at five, and then later to get a little more time we only took one and a half hours for luncheon instead of the two hours, and then it was our usual custom to come in and hand down opinions Tuesday morning, and open up the week's appointments Tuesday morning. Then here two or three years ago we adopted the practice of coming in Monday afternoon and putting in Monday afternoon which we generally devoted to playing golf or something else, to arguments. So that it seems to me that as we have now arranged matters there is no more time we can get for hearing arguments, and if business is to increase and time is to be extended for hearing arguments, arguments will have to be cut down.

And upon that subject I want to throw out just a suggestion or two. I think that if attorneys knew just what the court wanted to hear, and if they knew just what would help them the most in presenting their cases, and confine themselves to that, that the time of the argument of cases could be cut down one-third. I was talking that matter over with Justice Rosenberry, Chief Justice from time to time, and I first said I thought it could be cut down one-half, but he didn't agree with me, but he did agree that the time could be cut down one-third. And I have sometimes thought that one subject of legal education should include the matter of the proper presentation of cases to Appellate courts, but perhaps that is going quite a ways, but I think, it seems to me that if a lawyer would just visualize himself up there on the bench and appreciate that during this week he is going to listen to arguments from forty to fifty cases--we sometimes put on 55, but that number is never argued because something happens--but it isn't infrequent we do hear arguments in 45 to 50 cases starting in Monday noon and winding up some time Saturday. Now you ask yourself "if I was at the receiving end of this battery how much of that argument could I carry away with me; what is it that will help me with the court; what could I do in this early argument that will promote the interest of my client?"

Now I will tell you what the court can carry away and what it does carry away, and that is a general outline picture of your case. After you make your general outline picture and commence trying to fill in the details, the little rather fine points, you are confusing them instead of edrifying. Your outline picture is clear and makes an impression and the mind can carry it, and really that is all your court needs to know about the case. Just as soon as you commense filling that in with your fine brush work, then you are bringing about a situation that becomes confusing in the mind.

Then here is another thing that is just another waste of time in early argument, and that is the discussion of cases; not so much as they used to be but still lawyers will come before the court and try to distinguish cases; say that the case of Brown vs. Jones in the 65th Georgia differs from the one in 67 California in this--try to tell us. Now you know we are not going to try to decide the case on what he says about those two cases at all, but if each of those cases have a bearing upon his question we have got to take those cases and we have got to sit down in the seclusion of our rooms and study them and find out ourselves what those cases have. It would be all right for the lawyer to indulge in that if that was the only question we had to deal with, and if that was the only thing we had to decide, but that isn't true. As soon as he gets through with his case on comes another involving an entirely different problem, so that when we go to decide these cases, what the lawyer has said in the way of distinguishing these cases we don't remember, and if we did we wouldn't rely on his judgment; we would have to trust our own judgment, and we would have to satisfy ourselves as to what those cases held.

So, it is a waste of time, generally speaking, for lawyers to try to point out and distinguish cases. The very best thing that can be done in presenting a case is to present your facts and say "I claim that the law is this and that, so and so, and you will find the cases in my brief to support that proposition." Now, when we get to studying the case in our rooms, we will consult his cases and consult his authorities and in our seclusion we can form our own conclusion as to what the law is upon that subject.

Here is another point and suggestion; these are not points, these are suggestions. The ordinary author writing a story will wear you out the first two or three chapters introducing his characters and presenting his setting and we really have to wade through the first two or three chapters of a book. Now the newspaper reporter has learned something a little different. The newspaper reporter makes his first sentence say something that is going to attract the attention of the reader and that is going to induce the reader to read what follows. Now the headlines of a newspaper generally determines whether you are going to read what follows; it depends whether you are interested in it or not. If the headlines interest you, you will read the article; read what follows. So the

newspaper reporter has been trained to start out his newspaper story with a sentence that will immediately attract attention.

Now it too often happens that a lawyer will open his case by starting at the beginning--his idea is to start at the beginning much as the author opens his book, and tells you a story, and you don't know what in the world he is driving at. You don't know where he is going to land, and it is rather hard to follow, but if he told you, before he said anything else- "this case grows out of an automobile accident at a street intersection; judgment was for the plaintiff; we appealed and we claim that the evidence shows that the plaintiff is guilty of contributory negligence as a matter of law"-- now we have got that case and we know that everything else he says has a bearing upon that proposition; but if he simply starts in and tells where his plaintiff started from, and what highway she drove along, and that as she came to this cross road in that highway this other automobile, who had started off down here somewhere, and was driving north, and they had a collision. We don't know what in the world what he is saying has to do with this case until he gets up to the point where he had the collision. Why not say in the first place: "This case grows out of an automobile collision" and tell us what the result was in the court below, and tell us why he is there and upon what ground he expects to have that case reversed.

Now as I said in the beginning my remarks are somewhat desultory, but these are just some thoughts that come to my mind as I proceed, and it seems to me it is perfectly proper that the Bench and Bar should have gatherings of this kind, and that we should discuss these matters. You should know what our viewpoint is. You want to make the best impression you can on the court. Everybody wants to do that, and it seems to me it is perfectly proper that a few remarks be made to indicate to you how you may best impress the court, and consequently I am taking this opportunity to speak along this line.

Now we are down here, as I said, to bring you our greetings and extend to you our felicitations, and to perhaps cultivate cordial relations. You know we are all human up there. We don't change any just because we get elected Justice of the Supreme Court. George Nelson and John Wickham here were known as pretty good fellows before they went on the court. George Nelson was a practitioner and mixed and mingled with the Bar the same as anybody else. Wickham was the same; Professor in the Law School; boys all liked him; he had his friends and he had his associates. He hasn't changed any just because he has gone on the Bench, and he likes--we all like--human contacts, you know. Now we wouldn't any of us be offended if some of the members of the Bar occasionally dropped in and chatted with us when they are in Madison; that wouldn't offend us. But just as soon as human beings from the general rank and file are elected to the Bench you fellows just shun us; keep away from us. Now I think I understand, perhaps, the reason for that. You think the Judge should be aloof, a recluse, and maybe he is busy; don't want to take any chances on that. But now just take it from me, that we continue to be the same human beings after we go on the Bench that we were before and that as we enjoyed fellowship and communion with our fellows before so we do yet, if we can get it.

Now I understand too, that there is more or less of a feeling that Judges shouldn't talk with attorneys, and attorneys shouldn't talk with Judges. While I realize there is some of that feeling, you all know that that is a narrow-minded view. You all know yourselves that even though you went out to lunch with a Judge, or even though you play golf with the Judge, or mingled with him in social meetings and places, that you wouldn't attempt to talk to that Judge about a case that you had pending before him. Now we know you wouldn't do that. We never experience any such thing as that. And while it is well enough, perhaps, to avoid the occurrence of evil, that thing can be carried too far, and as long as we are all honorable men, I don't see why consideration of that kind should stand as barriers between us.

Now what I have said indicates that the work of the court is growing. As you look at the calendar you see that from year to year the number of cases coming to court are gradually but constantly increasing, and there is coming to be discussed in certain quarters the question of what to do with the increasing work of the court. When that time comes I think it is quite a question. It has been suggested that an intermediate court be established to relieve the Supreme Court. One suggestion was that we have several intermediate courts, and that we elect Judges to the Supreme Court, and they would be arms of the Supreme Court, and the oldest fellows from these intermediate courts should be promoted to Judge of the Supreme Court whenever there was a vacancy there. I think that is a bad proposition myself. The result of that would be you would get the oldest men on the Supreme Court and I don't believe you want the oldest men on the Supreme Court. I think you want more virile men, men in middle life, well seasoned, on the Supreme Court.

I don't think much of these intermediate courts anyway; I don't believe they are satisfactory, and the feeling with us is that as long as we are doing the work as well as we are doing it; of course we all realize if we had more time we would turn out a much more finished product in the way of an opinion, but we turn out the best sort of product we can in the time we have, and we believe that the public interest is better served by having the work promptly dispatched and to have the court keep up with its calendar, even though our opinions may not be the best we could produce if we had the time to put in on them; we still think that the present arrangement cannot be improved upon. Now when the time comes something must be done then, I think the best thing to be considered is whether or not the court shouldn't be divided, and sit in two sections as is done in some states. I think that would work out very much better than to have the idea of intermediate courts.

Now it has been our thought here, mine I know, to just make this a sort of a visit, a chat, and try to put across some ideas that might be of interest to you, and perhaps helpful. I will close, as I began, by saying it has been a great pleasure to all of us to meet with you here today, and I know that while coming here today will impose little longer hours on us during the rest of the week, that we will none of us regret having dedicated this day to meeting with you upon this most felicitous occasion.

By Chairman Knoblock:

Judge Owen we thank you very much for your instructive remarks, and I think we should thank you for verifying a very strong suspicion that we have long had that Judges are, after all, human. I quite agree with Judge Owen that any judicial officer who feels that he must maintain an aloofness from his fellow man or his fellow lawyer in order to avoid any implication or suspicion or possible impartiality is admitting a weakness which certainly cannot be imputed to the Supreme Court of the State of Wisconsin.

And now in closing permit me to again thank all of you who are our guests on this occasion. I hope your pleasure in it has approximated ours. If so, as hosts, we are entirely satisfied. If, in order to obtain a fairly early repetition of an occasion like this it is necessary to hold dedicatory ceremonies, I, for one shall have to appoint a standing committee to look for something to dedicate so that we may repeat this occasion as soon as possible.

Again thanking you, this meeting is adjourned.

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