

IN MEMORIAM

NELLIE KING DONALDSON

MEMORIAL OF RACINE COUNTY BAR.

May It Please The Court: As a representative of the Racine County Bar Association, I appear and respectfully ask leave to present the following Memorial:

Nellie King Donaldson was born in Platteville, Wisconsin, on the 20th day of October, A. D. 1869. She was one of the earliest students of the Platteville Normal School, afterwards known as the Platteville State Teachers College, entering that institution in the spring of 1884. With alternat^Eive periods of study and teaching in rural and town schools in Wisconsin and Minnesota, she graduated from the Teachers College in June, 1891.

For several years, Nellie King Donaldson taught in Milwaukee Public Schools. She was married to Harry N. Donaldson on August 29, 1894. One daughter was born to the couple while they resided in North Dakota. She returned to Wisconsin in 1896 and since that time made her home in this city, residing with her husband to the time of his death, at 1536 Kearney Avenue. Her husband, Harry N. Donaldson was employed for many years by the J. I. Case T. M. Company of this city.

In 1913, Nellie King Donaldson enrolled at the University of Wisconsin and was graduated from that institution in June of 1917, with a degree of Bachelor of Philosophy. Later, she enrolled in the

Department of the Marquette University and received her degree of Bachelor of Laws from that institution in the year, 1922, and in that same year was admitted to practice law as an attorney in the State of Wisconsin.

She was a member of the Plymouth Congregational Church of this city and a faithful attendant. She was keenly interested in the work of her church and was possessed of a deep and abiding faith.

From her marriage to Harry N. Donaldson, there was born one daughter, Emily Donaldson, who lived and resided with her to the time of her death ^{namely, March 19, A.D. 1938}. Nellie King Donaldson can not be spoken of as an active practitioner of the law. She did, however, from time to time practice in the County Court of this County. She was at all times a student of the law and commenced her study of the law late in life because she believed that she could, by knowing the law, have a better knowledge of her government. She was a woman who was possessed of strong likes and dislikes, and who was ever ready to give her opinion upon current events and world problems. Those opinions were based upon serious thought and mature consideration. In her study of any problem, she was most thorough and gave to it her undivided thought and attention. It was never her intention to actively practice the law. The law to her was the stepping stone to a better understanding and a better knowledge of social and economic problems. To her the news of the day was of serious moment. The news commentators on the radio were her companions in

everyday life. She possessed an appreciative understanding of the trend of ^{the} times and she knew and studied the lives of those who took part in them. She was intensely human, was possessed of a kindly heart, had a keen sense of justice and was tolerant in all things. As a wife, she was devoted to her husband and as a mother, she gave to her daughter the fullest measure of love and affection.

Nellie King Donaldson was held in high esteem by all who knew her. She is no longer with us. She has passed to the Great Beyond. No words that we may utter can bring her back. Most of us have something ^{in life} that we like to do more than anything else. Many times we are not free to do as we wish. We are handicapped by the need to earn a living, by physical weariness by the time at our disposal. The thing that Nellie King Donaldson liked to do more than anything else ~~in life~~ was to study and to become familiar with the problems of the world in which she lived, in order that she might herself become a better citizen and a better neighbor. To accomplish this on her part required work, as is evidenced by the fact that even though married, she acquired a college and university education. She possessed the spirit, however, that enabled her to carry on and realized the fullness of her ambitions. The problems of life as people live them today were to her most serious. She gave herself to a study of them just as the artist gives of his time to the painting of a picture and of a sculptor to the modeling of clay. She was a true workman, and in the words of Rudyard Kipling, we say:

When Earth's last picture is painted
And the tubes are twisted and dried,
When the oldest colours have faded,
And the youngest critic has died,
We shall rest, and, faith, we shall need it -
Lie down for an aeon or two,
Till the Master of All Good Workmen
Shall set us to work anew.

And those that were good will be happy;
They shall sit in a golden chair;
They shall splash at a ten league canvas
With brushes of comet's hair.
They shall find real saints to draw from -
Magdalene, Peter and Paul;
They shall work for an age at a sitting
And never be tired at all!

And only the Master shall praise us,
And only the Master shall blame,
And no one shall work for money,
And no one shall work for fame,
But each for the joy of the working,
In his separate star,
Shall draw the Thing as he sees it
For the God ^{of} Things as they are.

Memorials

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Mollie King
W. Malburn

FILED

APR 1 1 1938

Millard E. Justice
CLERK OF CIRCUIT COURT

MEMORIAL TO HON. MAX W. HECK

TO THE HONORABLE COURTS OF RECORD
OF RACINE COUNTY AND THE PRESIDING
JUDGES THEREOF:

Judge Max W. Heck was born June 9, 1869, at Chicago, Illinois, where his parents, Jacob and Victoria Heck, then resided. When their son was one year old, the family moved from Chicago to Racine, Wisconsin, where the son resided continuously until his death. He attended the local schools and graduated therefrom, and first found employment as a mail carrier. Later he attended the law school of the University of Wisconsin, graduating therefrom in 1892, and in June of that year was admitted to the bar and at once commenced the practice of law at Racine, Wisconsin. On April 29, 1896, he married Luella M. Pritchard of Racine. Marjorie Maxine Heck was born to this marriage, and both Mrs. Heck and the daughter survive him.

Mr. Heck at first associated himself with Mr. Samuel Ritchie, under the firm name of Ritchie and Heck; subsequently Mr. Samuel Field was admitted a member of the firm under the name of Ritchie, Heck and Field, which continued until Mr. Heck entered the service of the United States Army as a volunteer in the local militia company, in the Spanish American War, serving throughout that war.

Before his discharge from the army, Mr. Heck was elected City Attorney of the city of Racine and served in that capacity from 1898 to 1901. In the meantime and in the month of November, 1899, he formed a partnership with Charles Krenzke under the name of Heck & Krenzke, having their offices in the old Secor Building, now known as Hotel Nelson. In the spring of 1901 he was elected County Judge of Racine County, and served this county three full terms, twelve years in all, from 1902 to 1914, when he again entered the active practice with Mr. Krenzke under the old firm name.

At the fall election in 1922, Judge Heck ran for the State Senate on the Progressive Republican ticket, and was elected State Senator from this senatorial district, occupying the office for one term, for the sessions of 1923 and 1925.

The foregoing outline covers Judge Heck's services to this community. Apparently he was unusually successful in his political aspirations.

As City Attorney Mr. Heck successfully defended a number of damage suits brought against the city. One of these suits was brought by a plaintiff who fell through an open cellarway on Washington Avenue. The plaintiff claimed that his mind was momentarily diverted so that he could not be charged with contributory negligence, but it appeared upon cross examination of the city's counsel that this momentary diversion was the result of the plaintiff's attentions to a young lady on the other side of the street who seemed to be waving her hand to the plaintiff. Mr. Krenzke

who was acting as Assistant City Attorney at the time, states that the jury decided for the city of Racine. Also while Mr. Heck was City Attorney, the local water plant was owned by a private corporation and there was considerable threat of litigation with this water company, requiring a great deal of work and attention, successfully carried on by Mr. Heck.

Perhaps as members of the bar of this Court we have a greater interest in his services as County Judge. He discharged the duties of this important position conscientiously and fearlessly, and with a commendable degree of intelligence, promptness, and industry. An important case brought before him was the Will of Dardis, recorded in Volume 135 Wis. Page 457. In this case the heirs among themselves stipulated in writing that the testator was mentally incompetent, and disposed of the estate in accordance with their own judgment, praying that the will be disallowed. Judge Heck refused to comply with the stipulation and ordered proof made as provided by law, and upon such proof found the testator was sane and admitted the will to probate. Appeals to the Circuit Court and later to the Supreme Court were unsuccessful, both courts sustaining Judge Heck's views.

In his early practice he attained some fame as a criminal lawyer, acting as attorney for the defense in many criminal cases. One of these cases was the

Meyer Poisoning Case in which he successfully defended Mrs. Meyer who was charged with poisoning her husband.

Judge Heck died in this city October 18, 1938, as the result of a fall from the roof of his home where he was attempting to cut off a branch of a tree which was rubbing against the house.

Judge Heck was a great lover of trees and flowers, especially of the peony, of which he had more than four hundred plants of many varieties and colors, and he spent many hours in taking care of his garden and orchard. He loved books having a large and valuable library at his home.

He was a prominent and active member of the Masonic Lodge and of many other lodges, and social, legal, patriotic, and military organizations. In his youth, he was a well-known athlete, taking part successfully in walking and rollerskating contests.

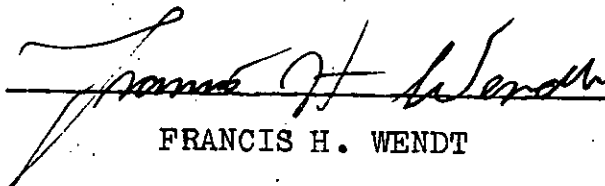
It will be seen from this brief review of his life that he had many close friends and enjoyed a broad acquaintance throughout this section of the state. His life was unselfish, notably free of over-reaching and greed. Those who knew him best, found him lovable and sincere, a happy companion, and a good friend.



FULTON THOMPSON



CHARLES KRENZKE



FRANCIS H. WENDT

Dated November 21, 1938

I N M E M O R I A M

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GEORGE WILLIAM WALLER

MAY IT PLEASE THE COURT:

The committee appointed by the Racine County Bar Association present this memorial to the life and achievements of GEORGE WILLIAM WALLER, long a beloved and respected member of the Racine County Bar, who, at the age of sixty-nine years, died on the 30th day of July, A. D. 1938, at Burlington, Wisconsin.

George William Waller was born in the Town of Rochester, Racine County, Wisconsin, on the 25th day of February, A. D. 1869.

His father and mother came to Rochester, Wisconsin, in the month of October, 1861. Both father and mother were born in England; his father at Elsted, Sussex County, and his mother at Cirencester, County of Gloucestershire. They were married in England and soon thereafter, on August 1, 1861, left for Rochester, Wisconsin, U. S. A., to which place Mrs. Waller's father had preceded them. It took approximately two months to journey from their home in England to their new home in Wisconsin. They arrived in Burlington in October, 1861, and the following day they set out on foot for Rochester, Wisconsin, then a small settlement, but so situated as to give promise of increasing growth and to become, as they in fact then considered it, a desirable place to make their home. They related afterwards that as they proceeded along the way over the rolling hills, their view fell upon what they thought was the loveliest country they had ever seen, - fertile fields with frequent groves of beautiful trees, and winding among the fields and

trees the glistening waters of a slowly moving river. That the sight so impressed them, coming from the beautiful English countryside that had been their home, was praise indeed, but we all know that their first impression of that attractive region was like that of many who have since that time been similarly impressed by that same view.

George Waller, his father, saw service in the Navy of Her Majesty Queen Victoria. He was in that service during the period of the Crimean and Chinese Wars. He took part at Sebastopol during the siege of that place and during his period of service there was wounded and sent to Thrapia Hospital and while convalescing assisted in caring for the sick under the supervision of Florence Nightingale, who there earned everlasting fame. Later in China he was present at the Battle of Taku Forts and for both wars he received the War Medal and the Bar for both engagements. His mother's grandfather, Luke Holmes, had also served in the British Navy during the Napoleonic Wars and was with the fleet of Lord Nelson during the famous engagement off Cape Trafalgar. Steadfastness and courage to meet and overcome the obstacles met in the pathway of life were doubtless a heritage of George W. Waller from a brave ancestry.

The father died at Rochester in 1900, after a protracted illness. For some years he had been partly incapacitated, so that the son, George W. Waller, after graduating from the public schools at Rochester and the Rochester Seminary in 1887, was unable to continue his education until some years later, and not until he had been able to save from his earnings as a teacher in the country schools sufficient funds to take him through the Law School at the University of Wisconsin. His was the first senior class to take up their studies in the fine, new law building erected in 1893 at the University. He graduated in 1894 and went back to Rochester where he continued to

live until 1902.

After admission to the Bar he decided to open a law office in the City of Burlington in partnership with John T. Gittings. After a short time Mr. Gittings moved to Union Grove, and Mr. Waller continued to practice alone until 1917, when he formed a partnership with Mr. Frank J. Ruzicka, and practiced thereafter and up to the time of his death, in Burlington under the firm name of Waller & Ruzicka. For more than forty years Attorney Waller occupied the same office where he began the practice of law, used the same desk throughout the entire period of his legal practice, and there transacted business constantly for an ever increasing number of clients. By his careful attention to all matters entrusted to his attention, he gained and held the confidence of all with whom he had business relations. He was thorough and careful and brought to the performance of the work entrusted to him fine ability, good judgment and painstaking effort. During the years of his practice he probated a great number of estates in the County Courts, not only of Racine County, but as well in the adjoining counties of Kenosha and Walworth. His sincerity, his honesty, and his good judgment were never questioned. That he would give the utmost in conscientious effort in the interest of his clients could always be depended upon. These qualities gained for him an enviable reputation.

In addition to his large probate practice, he counselled and advised in a wide range of legal matters and attended to such various transactions as required legal attention in the business affairs of a prosperous and growing city and an adjoining extensive and prosperous farming community. In the City

of Burlington, substantial business enterprises were numbered among his clients, and he acted not only as their legal counsel but as advisor in their matters of business generally and thus gained the confidence and high regard of all with whom he was associated in such matters, and the interest he manifested and the attention he devoted was often of a personal and friendly nature as much as concerned with the legal questions involved. Without doubt, much of the business success of his clients was materially advanced by such friendly counsel and advice.

As time went on, the number of interests were constantly increasing to the point where the demand called heavily upon his time and energy. As indicative of the range of his endeavors the following may be noted: to him was entrusted the work of making the change in the corporate form of municipal government of the Village of Burlington, from that of a village to that of a city, and he acted as its first City Clerk; he helped to organize and establish the Burlington National Bank, and upon the death of its first president succeeded to that office; he was largely responsible for the management and operation of the Burlington, Rochester and Kansasville Telephone Company and the Burlington, Brighton and Wheatland Telephone Company; he was president of the Burlington Advancement Association, and gave time and invested money in support and the development of the Burlington Blanket Company; he acted as legal advisor for the Hoosier Creek and other drainage districts, and numerous other business undertakings.

But, notwithstanding his legal activities and the attention he gave to the legal matters of the citizens of

Burlington and the extensive farming communities surrounding the city, he gave much of his time and effort to charitable, educational, religious and other institutions organized for the betterment of the youth of the community and the improvement of their morals. He was one of the organizers and served as President for several terms of the Board of the Union Grove Rural Normal School; he contributed largely to the erection, management and success of the Burlington Memorial Hospital and served as President of the Hospital Association down to the time of his death; he was active in the work of the Burlington Library Board and was one of its directors; and always, when special emergency arose, had time for such public service as when, during the great War, he acted on the Racine Council of Defense; he gave liberally of his time and effort to the Red Cross and Liberty Loan Drives and took an active interest, and by his counsel and assistance aided in the organization and development of the Boy Scout organization in Burlington and the local Y. M. C. A.; and he was for a long time Treasurer of the Church of St. John the Divine.

This list does not include all of Mr. Waller's interests or fully portray the extent of his labors, but these and similar lines of endeavor are indicative of the wide range and character of his work. It was all done without display or thought of self, and always actuated by the spirit and desire to be helpful to his city and all its people. He was devoted to his mother, his sisters, and all his relatives in need of his assistance; he was generous, thoughtful and kind to all.

At the time of his death the Waterford Press, in an account of his life, stated:

"No eulogy could adequately portray the value of Mr. Waller's life and work in this community. Few men could have rendered such service to a people; fewer still could have done it with such unconsciousness of self. He will long be remembered for his splendid public service as a banker, lawyer, successful business man, as well as for his work in religious and educational fields, but the old schoolmates and companions of earlier and later days will think more often of him as their kind, loyal, sympathetic, sincere friend."

He was not a robust man; as a boy he was not strong; it might be properly said that in his youth he was inclined to be delicate, his health gave his parents grave concern, but in later years, his health, until his last protracted illness, was good. What he lacked in physical strength was compensated for by his mental powers and ability. His activities covering so wide a range and variety of pursuits and interests bear evidence of the vigor of his mind and his executive capacity. The energy he possessed was more of the mind than of the body, and that energy was prompted to unceasing effort by his earnest desire to accomplish the purposes coming from the impulses of a sympathetic nature and a kind and generous heart.

He always found time to do well and thoroughly what he undertook to do. He took time for sober thought and grave consideration before he acted, and his judgment was all the more sure and correct because he gave his plans and purposes time to mature in his mind before he put them into execution.

The best tribute we can pay to him is to express the wish that more were like him in kind, if not to the full extent of his own fine nature and capabilities; that like him more could put aside the promptings of selfishness and greed; that more like him could show more interest in others and less

concern for self; that more like him could be prompted by kind and generous impulses, so that at the end of life the influences that endure could be free from the taint of every low desire.

If we, as members of the Bar, could be controlled by such motives and such purposes in life, and so controlled in the practice of the law, the Bar as a whole would gain in the respect of the people and be more than ever an instrument of good.

As Poet of his graduating class of the Rochester Academy when he graduated in 1887, then 17 years of age, he wrote the class poem. We record here three stanzas from that poem:

"As amid life's busy workers,
We bravely take our place,
We'll wear the Christian armor
We'll run the Christian race
And keep in mind our motto
While seeking earthly gain;
'Unless the Lord be with us
Our efforts are in vain.' "

"God's glory shall our first thought be,
In all we undertake,
While the good of fellow men,
Our second thought we'll make;
Remembering still our motto,
Whatever be our aim,
'Unless the Lord be with us
Our efforts are in vain.' "

"And when life's evening shadows fall
And working days are o'er,
When we near the river's brink
And scan the farther shore;
'Twill be by God's free grace along
The heavenly land we'll gain;
'Unless the Lord be with us
Our efforts are in vain.' "

This was not only a boyhood confession of faith, but a rule of conduct closely adhered to throughout his whole life.

Dated at Racine, Wisconsin, November 26, 1938.

Martin E. Walker

Lucy Benson

E. John Wehrhoff

Committee of Racine County Bar
Association.

George William
Waller

Filed Nov. 22, 1938.
Richard E. Hastings
Esq. ~~San Francisco~~

NOTICE TO CREDITORS
OF THE ESTATE OF
GEORGE WILLIAM WALLER
DECEASED

MEMORIAL TO JOHN W. OWEN

To the Honorable Circuit, County and Municipal Courts of Racine County, Wisconsin:

John W. Owen, a resident of this state and a member of the bar of this court, died at St. Petersburg, Florida, March 11th, 1938.

Mr. Owen was born in Racine, January 17, 1860, the son of David and Rebecca Owen. His parents were doubtless born in Wales, coming to this country at or about the middle of this century. There were seven children in the family, four boys and three girls. The father was employed probably for a long period of time by the J. I. Case Threshing Machine Company. He owned a farm, just west of the Junction, a portion of this farm property being subsequently platted by the children and known as Owens First Addition. One of the boys, Walter, we are told was an actor; Joel, another brother was a carpenter.

From a biographical sketch in the Wisconsin Blue Book for the year 1901, at which time John W. Owen was a member of the Assembly of this state, we learn that he was educated in the common schools of Racine, the McMynn Academy, and the University of Wisconsin Law School. After leaving McMynn Academy and before going to the Law School, he was a machinist and worked at his trade in local shops in Racine; also in the shops of the St. Paul Railroad, and the Northwestern Railroad Company. It appears also that he was a manager at one time of a small baseball club in Racine, at which time the athletic field of this city was located either upon or in the vicinity of Owens First Subdivision.

Mr. Owen graduated from the Law School in the class of 1888; Henry G. Smieding, Esq., of this bar graduated in the same class. John D. Rowland, also a member of this bar, graduated

two years prior to Mr. Owen. Both John Owen and Henry G. Smieding were admitted to the bar of this Court and signed the roll of attorneys on the 21st day of August, 1888. For a few months, perhaps more than a year. Mr. Owen practiced his profession in Kenosha. Thereafter he returned to Racine where he formed a partnership with Henry G. Smieding, which lasted until Mr. Owen was elected to the office of District Attorney in the fall of 1891. This office he held for one term, 1892 to 1894, succeeding Elbert O. Hand, Esq.

In the fall of 1900, Mr. Owen was elected to the Assembly from Racine and served one term. He was a Republican in politics and as a Republican was elected District Attorney and Assemblyman.

From the information we have been able to gather, it is apparent that Mr. Owen was not greatly interested in the practice of law. In the month of July, 1897, he, together with his brothers and sisters, platted Owens First Subdivision, lying south of Washington Avenue and north of Sixteenth Street, in the neighborhood of the Racine City Bank, the same being a part of his father's old farm. The plat is signed by John W. Owen, personally and as attorney-in-fact for one of his sisters. Joel Owen, a brother, signed the plat personally and as attorney-in-fact for the other four owners.

In 1902, he and his brother Joel, a ~~carpenter~~ ~~contracter~~, platted the West Clover Hill Addition, and in 1905, John platted the Lenox Addition.

It is fair to assume that these subdivisions represent only a part of his real estate transactions. Our information is that he was a shrewd trader and had more than ordinary skill in buying and selling land and negotiating deals. According to the petition to probate his estate, on file in the

County Court, he owned at the time of his death, real estate having a value of Thirty Thousand (\$30,000.00) Dollars.

The sketch in the Blue Book above referred to, states that since his graduation he enjoyed a 'lucrative practice' in Racine. (The words are quoted from this book). After 1900, his appearance in the local courts became less and less frequent and the committee have not been able to learn that he ever at any time represented any client in the Supreme Court of this state.

From the probate petition above referred to, we learn that his next of kin are children of a deceased brother, Evan D. Owen, namely: David Owen, a nephew of Baraboo, Wisconsin; Lottie Wichern, a niece of Prairie du Sac; and George Owen, a nephew, also of Baraboo.

John W. Owen was a member of the Elks Club, and also was a Mason.

Dated at Racine, Wisconsin, April 11, 1938.

Fullon Thompson
Earl F. Sullivan
James F. O'Neil

Committee