

The federal court for the district of Eastern Washington southernly division was called to order by Judge Whitson and duly organized at 11 o'clock Tuesday morning. Judge Higg tendered the use of the court room to Judge Whitson; at the time this was done it was understood the time necessary to complete the organization would require only a few moments.

The organization of the federal court is unique in the history of Yakima county. It is the first time that federal court ever convened here. It marks a step in the progress of the state and redounds to the future greatness of this city and Yakima county.

The officials of the federal court who were of necessity here to assist in the organization of the local branch besides Judge Law. Whitson were: United States Attorney A.G. Avery of Spokane; Circuit Clerk F.C. Nash, district Clerk W.H. Ware, Chief Deputy United States Marshal R.D. McCully of Spokane and Deputy Marshal A.N. Short of this city. George H. Baker, United States marshal for the eastern district was not present.

Chief Deputy McCully opened the court formally in the usual manner after first directing every one in the court room to arise to their feet. Judge Whitson's first official act was appointment of Lee C. Delle to be circuit and district deputy for North Yakima.

He then announced that the rules applying in the circuit and federal court of the state would apply in this case and that these rules could be obtained by making application to the federal court in Seattle. The formal question was then asked Attorney if he had any business to come before court. He replied in the negative and also stated that he did not think a grand jury would be necessary at this term. Judge Whitson then announced that he would hold court at Spokane from the 10th to 26th of May and that on June 2nd

a jury court would convene there.

Pursuant to suggestions of Attorneys Snively and Englehart Judge Whitson will recommend the appointment of R.K. Nichols for master in chancery at this place. Attorneys Charles E. Frtythe and H.M. Taylor of this city and H.H. Wende of Sunnyside were admitted to practice in federal court.

The court set May 25th as the date of hearing two equity

cases between Attorneys Snively and Englehart.

This completed the business and adjournment was taken sine die.

...The Yakima Herald, May 3, 1905 (Wednesday)

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G. Delle to be circuit and district deputy for North Yakima.

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federal court of the state would apply in this case and that these rules

would be obtained by making application to the federal court in

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Dr. W.H. Hare

Dr. W.H. Hare, clerk of the federal court of the district is over from Spokane for a few days. He came with Mrs. Hare primarily for the purpose of attending the Hiscock-Cudder wedding but will spend some time with friends before returning.

The doctor says that no information has been received at Spokane regarding Judge Whitson's probable successor but that the feeling there is that the appointment will not be made until after congress meets.

...He and I left the courtroom together at 5:30 Tuesday afternoon and he appeared to be in his usual good health and spirits.

"The past term of court was a strenuous and trying one for he was called upon to pronounce judgment on an unusual number of criminals some appearing in court accompanied by aged fathers and mothers and others with a young wife with babe in arms, all appealing through their attorneys for the mercy of the court.

The judge remarked that if his own feelings were to guide on account of mothers, wives and children he would discharge them all but he had a sworn duty to perform.

"The last day he was on the bench he was compelled to pass his first life sentence. These very trying ordeals may have been the primary cause of his breaking down as he was a very sympathetic and kind-hearted man. The funeral services were from his home on 10th avenue and were very simple. Judge George Turner's remarks at the funeral of his dead friend were most beautiful and brilliant...." Yakima Republic, Oct. 28, 1910.

The will of the late Edward Whitson has been filed for probate in Spokane county. Under its terms the entire estate is left to the widow, Nellie B. Whitson. She is to care for and provide for the two children, Clara and Marion. No inventory of the estate is made and Mrs. Whitson who is named as executrix is not required to give bond. She is to manage the estate to suit herself and without intervention of the county/

The value is not known. Judge Whitson had considerable real estate here. It consisted of a building on North First street, a business lot on North second opposite and below the courthouse, and a number of other lots in this city of lesser value.

He also had a considerable tract of land about four miles out of town on the Nob Hill road which may be roughly valued at anywhere from \$100,000 to \$150,000. He had no real property in Spokane but is said to have had considerable money loaned out and one report that had been printed stated that he held considerable, \$200,000 stock in various enterprises including the Yakima Light and Power company. The report about the power stock is probably incorrect. He had some interests in the Cowlitz country coal fields.

It is said here that his estate is worth somewhere in the neighborhood of a quarter of a million dollars--Yakima Republic, Oct. 28, 1910.

Another superior court will probably be created for Yakima county by the legislature this winter and a judge will be appointed by the governor to take the bench until the next judicial election.

Members of the bar in the city are almost unanimous in the opinion that another court is needed and the legislature will undoubtedly pass the bill creating it if it is asked for.

The county would bear but little increase in taxes for support of another court. The present court commissioner is paid \$1,000 a year, all of which is taken from the county funds.

A superior court judge is paid \$3,000 but half the salary is put up by the state. The creation of another superior court will probably result in the abolition of the office of court commissioner. This would mean only \$300 additional expense by the county for salary for the new judge.

The rapid increase of business in the superior court is another indication of the increase of population in Yakima county.

It was early in 1907 that Yakima county was made a separate judicial district and given a judge. Before that it had been in a district with Benton county.

When the separation was made Benton county was made part of the district with Franklin and Adams counties and court is now being held by one judge in Ritzville, Pasco and Prosser for the three counties.

When the new court is added Yakima county will be one of six in the state to have more than one superior court judge. King county heads the list with seven; Spokane has five; Pierce four and Chehalis and Whatcomb each have two. Eight other

Eight other counties, not including Yakima, have each one judge. The remainder of the counties, 4 in all, are included in districts presided over by from nine judges. One judge has four counties, four of them have three and four hold court in only two counties each.

The district formed of Adams, Benton and Franklin counties has also become increasingly unwieldy for one judge to handle and another realignment in territory is due to be made soon.

The forming of a district of Yakima and Benton counties has been suggested in view of the fact that the new judge for Yakima county would be for sometime to look after more business than would come before him at this place.

A more probable readjustment is the combination of Benton county with Klickitat which is now one of four counties in a district and the formation of a separate district of Franklin and Lewis. Yakima Republic, Nov. 25, 1910.

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The nomination of H.J. Snively for governor has been remarkably well received not only in Yakima but throughout the state. At home where he is well known and honored, his nomination appeared to be a matter for congratulation not only among democrats but republicans and many of the latter expressed their intention of casting their vote for him. 9-11-92

Ex-ⁿ receiver L.S. Howlett has returned from his trip to the Sound and will now give his whole time to law practice with an occasional digression into the domain of real estate speculation for the benefit of himself and others who have their affairs in his hands.

April 25 '89

Miscellany

The first colored man ever admitted to the bar of Washington was given his certificate by Judge Burke's court at Seattle, March 20. His name is Robert O. Lee and he is a graduate of the Columbia Law school-Herald, North Yakima, W.T. March 28, 1889.

An effort is being made by Senator Eshelman and Representative Weed to have Yakima set apart as a separate judicial district--
Yakima Herald, Feb. 9, 1893.