

Yakima Court Sessions

COURT AT YAKIMA-- One week from next Monday court will convene at Yakima City. The judge and some of the local attorneys will start over in a day or two. Money is scarce over there, and the people are quiet and peaceable, and it is not ~~for~~ likely that there will be much business transacted, still as they have only one term of court per year they ought to patronize it to some extent just to keep the machinery in running order.

--Walla Walla Union, Sept. 25, 1875

...Judge Wingard, District Clerk Ayers, Prosecuting Attorney ~~Ayers~~ Anders and Messrs. Caton and George are on their journey there...As the Judge took his gun and dog along, we expect to hear of a great slaughter of sage hens.

--Union, Oct. 2, 1875

Court

There was amusement and astonishment galore for the spectators at the opening of court on Monday morning last and perhaps some of the commodities may have found a lodgment in the mind of Judge Graves when he was presented with a petition , signed by 18 jurymen, praying for their release from jury duty on the ground that many of them were too poor to leave their work for any length of time and they had been given to understand that the county was in excess of its legal limit of indebtedness and consequently could not pay jurors fees and mileage. They further implied that they believed that they were not compelled to do jury duty; and they asked to be excused therefrom.

Judge Graves stated to them that were their intention carried to a consummation the doors of the jail would be opened and every person there incarcerated would be given his liberty . However, he said, that he would like to look into the county finances feature of the case and excused them until 1:30 p.m of the same day.

At the appointed hour he addressed the assembled jurors and 200 auditors, drawn thither to hear how the affair terminated. He asked that every juror who still wished to be excused would arise. None complied.

Acting upon this tacit withdrawal he thanked the men and told them he was glad it had so terminated as the court had power to compel their attendance if necessary and finally assured him that he had perfected arrangements with the Hotel Yakima where by that institution would give them board and room until they were relieved from duty, accepting as remuneration certificates to be issued by the clerk. He demonstrated the county was not bankrupt but merely temporarily embarrassed for reasons not pertinent to the matter at issue--Yakima Herald, October 24, 1895.

Legal

Judge A.S. Dam has opened offices in the Allen block over Roaf & Stout's drug store where he will dispense justice after the most approved fashion.

When court is not in session Mr. Dam will devote himself to the real estate and insurance business. He has done some preliminary work along the colony line and expects a number of new comers in the near future. He has also made arrangements with a number of non-residents to plant and care for orchards on their holdings which is a line of business for which he is well adapted--Yakima Herald, January 13, 1898.

Pioneers--Justice Peace

California

Forty-nine years ago Monday, Nov. 4, 1901, J.A. Taggard the lusty justice of this city came to the Pacific coast.

In commemoration of the event Mr. Taggard entertained his friends by relating incidents of the early days in San Francisco. At the age of 14 he left his home in Boston on the good ship, "Queen of the Sea," and sailed around the Horn, landing at Frisco on Nov. 4, 1852. His father had preceded him by over a year and sent for his family to join him.

He lived in California for 37 years, taking part in many of the incidents that made history for the Golden Gate country.

He was a member of the famous vigilante committee that rid that country of the bad element and was a prominent merchant and stock broker in his time. Twelve years ago he came to this place and lived here ever since--Yakima Republic Herald, Nov. 4, 1901

Yakima Historical

The Bench and Bar

Yakima County was organized in the year 1865 and was originally attached to the county of Walla Walla for judicial purposes. The United States court for the territory was organized at Yakima City by Judge J. R. Lewis in 1871. He was succeeded by Judge S. C. Wingard in the year 1874, who continued to preside until 1878, when Judge John P. Hoyt was assigned to this district and he in turn was succeeded by Hon. George Turner in 1884. At the end of his term Judge Nash of Spokane was appointed, who served until the admission of the territory as a state, Carroll B. Graves was the first superior judge who served two terms. He was succeeded by John B. Davidson, who served one term, and was succeeded by Frank H. Rudkin, the present superior judge of the counties of Yakima, Kittitas and Franklin. Judge Lewis after retiring from the bench engaged for some years at practicing law in Seattle, afterwards removing to San Jose, Calif., where he now resides. Judge Wingard is at Walla Walla, where he has resided for many years. Judge Hoyt was twice elected a member of the supreme court of the state, and is now engaged in the practice of law in Seattle. Judge Turner is a member of the United States senate, and Judge Nash is engaged in the practice of law at Spokane.

There were but two practicing lawyers in the county of Yakima in 1871 when the first term of court was held. They were Captain Hamilton and E. P. Boyles. Captain Hamilton left Yakima City in 1883 and engaged as a temperance lecturer in Iowa, Illinois and Indiana. He was a very ~~el~~ eloquent man, but not particularly learned in the law. He was somewhat addicted to the use of intoxicating liquors, and this perhaps was the motive that induced him to quit the practice and engage in lecturing upon temperanc~~e~~.

Mr. Boyles continued in the practice at Yakima City until 1884. At that time he became soewhat disgusted at the removal of the town and abandoned practice and engaged in mning near Fish lake

Kittitas county. Like a good many other men who follow that occupation he never lived to realize upon his expectations although he always supposed that he had valuable properties.

He died at Cle Elum in 1900. He was a prudent counsellor and accurate in drawing papers, but not much of a speaker. He was well respected in this community.

Hon. R.O. Dunbar, who now is, and has been since the organization of the state a member of the supreme court, began the practice of law at Yakima City in 1874. He removed to Goldendale in 1877. D.P. Ballard came to Yakima in 1877 and practiced law for four or five years. He went from Yakima to Vancouver; from there to Olympia and afterwards left the state. He was a man of some note, good ability and his ingenuity in the institution of law suits, it was once remarked by a layman, was worth \$10,000 a year to the bar of Yakima county.

J.B. Reavis, at present a member of the supreme court and Edward Pruyn, now of Ellensburg, formed a partnership under the firm name of Reavis & Pruyn in 1883 and continued the practice until 1887. During this period Judge Graves was associated with this firm under the firm name of Reavis, Pruyn & Graves. Messrs Pruyn and Graves afterwards moved to Ellensburg and Judge Reavis continued the practice at North Yakima until his elevation to the bench.

He was associated with R.B. Milroy, now of Nome, Alaska, for a time under the firm name of Reavis & Milroy and at the time of his election, with I.P. Englehart, under the firm name of Reavis & Englehart; Mr. Englehart being still engaged in attending to his large practice as a member of the firm of Graves & Englehart.

Edward Whitson began the practice of law at Yakima City in 1879. He was associated with John B. Allen under the firm name of Allen & Whitson, at the time and afterwards with

Mitchell Gilliam, who read law in Mr. Whitson's office and was admitted as a member of the firm, the firm name being Allen, Whitson & Gilliam.

The firm was dissolved in 1886 and Fred Parker, who also read law in Mr. Whitson's office, became associated with him under the firm name of Whitson & Parker. These gentlemen have engaged in the practice at North Yakima ever since. They own a beautiful law office building, one of the largest law libraries in Central Washington and have a large clientage.

I. Navare engaged in the practice at Yakima City in 1882 and after the removal of the town abandoned practice and later removed to Lake Chelan where he has a delightful situation and where farm evidently more to his liking than the pursuit of his former vocation. For a time Messrs Mackinnon and Murane were engaged in the practice in North Yakima but the firm was dissolved and Mr. Mackinnon is now engaged in mercantile and mining pursuits in Idaho and Mr. Murane is in Alaska.

Jude Rudkin engaged in practice at Ellensburg and came to Yakima in 1890 and his brother, John J. Rudkin, was engaged in practice with him at the time of his election as superior judge. H.J. Shively came to the territory in 1887 and located in North Yakima where he has been engaged in practice ever since.

E.B. Preble was associated with the writer in 1896 under the firm name of Snyder & Preble which firm is still engaged in the practice.

W.P. Guthrie, at present prosecuting attorney of the county, became a member of the firm of Jones & Guthrie in 1897. The senior member of the firm, Hon. W.L. Jones is now serving his second term in congress.

Norton F. Brand began practice at North Yakima in 1899. He devoted himself to the preparation of work soon to be published by the Bancroft-Whitney Co. on justice practice on jurisdiction which is said to be an

admirable work

Fred Mille , for a time associated with H.J. Snively but when he moved to Spokane about two years ago and is now a member of the firm of Robertson, Miller & Rosenhalt. W.L. Thompson began the practice in 1899. Though young in years and experience he gives promise of a brilliant future. Walter J. Milroy was for a time engaged in practice with his brother under the firm name of Milroy Bros. He is now in Alaska. J. Rotchford was prosecuting attorney for the county for a time. He is now in Colville. John A. Brown practiced for about two years here and then moved to Lewiston, Idaho. Hon. T.M. Vance relinquished his practice here to accept the office of assistant attorney general at Olympia which office he filled with marked ability and at the expiration of his term engaged in practice at Olympia where he still resides.

S.O. Morford, at one time probate judge of the county, was engaged in practice here but abandoned it for the more congenial occupation of farming and afterwards for the more remunerative one of mining in Alaska.

R.K. Nichols engaged for some time in practice but a very flattering offer having come to him from California he spent several years in a leading firm of San Diego. Upon his return to Yakima he did not engage in practice again although many of his old clients still counsel with him. H.B. Rigg, who is now engaged in practice here, came to this town from Tacoma in 1895. He was associated for a time with H.B. Bogle who now resides in Seattle.

It will be observed that the bench and bar of this county has had among its members many able and distinguished men and I am convinced that Yakima could today compare her bench and bar with any town of its size in the northwest without suffering by the comparison.

In addition to the distinguished gentlemen I have mentioned above Yakima has several distinguished laymen who were born lawlers, the same as a Kentuckian is born a colonel. Among those I have in mind are

Judge Beck, who held the first court in North Yakima in the building now occupied by N. Hartung.

In this first case the defendant was charged with some minor offense, a jury was impaneled and after hearing evidence and argument of counsel the learned judge instructed the jury and rendered the following judgment:

"Gentleman of the jury. You have all heard the evidence in the case as well as myself. You have also heard what the learned counsel have said. If you believe what the counsel for the plaintiff has told you, your verdict will be for the plaintiff; but on the other hand if you believe what the defendant's counsel has said you will give a verdict for the defendant. I will take no chances with you. I consider the defendant clearly guilty of nudum pactum, and, as there is no jail in this town, I will take the case in my own hands. It is the judgment of this court, in its wisdom, that you be and now are henceforth and forever banished from Yakima county and may God have mercy on your soul."

It is reported that as the jury filed out a cloud of dust was observed in the direction of Ellensburg which marked the exit of the defendant. The Yakima Herald, January Dec. 31, 1901. The Bench and Bar by Vestal Snyder.

Attorneys

Logan H. Roberts

That North Yakima is an ideal location and bound to grow is evidenced by the number of professional men that are coming into the city.

Within the past month almost a dozen doctors and attorneys have opened offices. We present to the readers of the Herald this week the likeness of Logan H. Roberts a young lawyer from New York city who has engaged a suite of rooms over the Yakima National bank.

Mr. Roberts is a graduate of the Nebraska Wesleyan at Lincoln, Neb. his home city and also has his master's degree from the New York university. He received his legal training in the law office of Boardman, Platt & Soley and is a graduate of New York Law school.

For the past year he has been engaged as national secretary of the college movement and has spoken before the YMCA and chapel of 87 universities in the eastern and middle states. Having recently taken unto himself a wife he resigned this position and will resume the practice of law, making this city his future home--
The Yakima Herald, Jan 7, 1904.

Laws

Any person who draws a check or draft on any bank after June 9th in which he or she has not the funds to meet the same lays him or herself liable to prosecution and a term in the penitentiary.

The law was passed at the last session of the legislature, chiefly at the instigation of the hotel owners of the state who more than any other class of people in business have been the victim of bogus check grafters. Under the law as it now exists on the statute books it is not an offense to overdraw one's account in the bank...The Yakima Herald, April 29, 1905

Federal court-History

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 Rigg 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

Courts

Bar assn.

The Bar~~y~~ association of Yakima county met at the court room Monday Hon. H.J. Snively president, presiding and R.K. Nichols acting secretary.

I.P. Englehart stated the object of the meeting to be the memorializing of the legislature to have the law amended so that the county of Yakima is included in one judicial district, if possible by itself and that the salary of the supreme and superior judges of this state be increased to \$6,000 per year and that the members of the legislature from this county be memorialized to that effect.

On motion of chair Fred Parker and L.O. Meigs were appointed to prepare and forward to the legislature the above resolution and memorials.

On motion Chairman Snively was appointed a committee to interview the county commissioners of the county and have the order the county ~~clerk~~ court papers in the value of the county clerk properly indexed and catalogued with new jackets on the same and numbers in serial order; it being true that these papers represent hundreds of thousands of dollars of vested interests in this county and should be protected from the waste of time, and indexed in order that they may be found when necessary and also thus be prepared for moving into the value of the new court house when ready.

On motion the chair appointed as a committee on the revision of the rules of the court the following: Hon. H.J. Snively, H.M. Taylor and J.B. Bridgman--The Yakima Herald, Jan. 9, 1907.

Attorneys

Judge H.B. Rigg of the superior court of Yakima county surprised the attorneys Monday by announcing in court his resignation from the bench. He will resume the practice of law.

He announced that he had mailed his resignation to Governor Mead to take effect October 1. He stated that the members of the bar could take any action they saw fit in appointing a successor.

He stated that he would hold a motion day on Monday next and also set cases for the October term.

Members of the bar decided to ask the governor to appoint Attorney E.B. Preble to succeed Judge Rigg on the bench.

Judge Rigg states that his retirement from the bench is for business reasons alone. He will remain in North Yakima. The Yakima Herald, September 18, 1907.

Bar Association

The Yakima County Bar association was formed Tuesday evening at a meeting of the attorneys of North Yakima held at the court house, Ira P. Englehart being selected as temporary chairman and Thomas E. Grady as temporary secretary.

Another meeting will be held on September 3 when permanent organization will be affected by the adoption of a constitution and rules of practice and election of regular officers.

Attorney Udell is chairman of the committee to formulate the constitution and other members being Attorneys Cull and Clark. The committee on rules is composed of Attorneys Allen, Lynch and Luse.

A recommendation was made that the Yakima county association associate with the state association. At the national association holds a meeting in Seattle this year the formation of the local association and affiliation with the state organization will bring the Yakima county attorneys in immediate touch with the national body-The Yakima Herald, August 12, 1908.

David Rankin, a young attorney of this city announced Tuesday that he would be a candidate for city attorney at the coming primary election.

Mr. Rankin will make his canvass as a believer in strict enforcement of the law, adequate control of the social evil and protection of the business interests of the city.

"If elected to the office of city attorney," said Mr. Rankin, "it will be my aim to safeguard the interests of the city in the matter of franchises in this growing town. I am a firm believer in strict enforcement of all the laws. The vices must be held with a firm hand and a level head. It would be my policy to protect the interests of all legitimate business."

Mr. Rankin came to North Yakima about a year ago. He is a native of Iowa where he obtained his early education, later going to Harvard college where he took a law course. He has been admitted to both the state and federal courts in this state--The Yakima Herald, Sept. 29, 1909.

Judges

Frank H. Rudkin took the oath of office as judge of the superior court on Monday. The closing of the term was accompanied by several very happy speeches by the practicing attorneys, the retiring judge and the judge elect.

The following set of resolutions was presented and spread upon the minutes:

To the Hon John B. Davidson:

We the undersigned members of the bar of Yakima county state of Washington appreciating the able, faithful and conscientious manner in which you have discharged the duties of office of the superior court during your continuance therein to the honor of yourself and the satisfaction of the good public, now that your term of office is about to expire, take this opportunity to express our approval of your official conduct and to extend our best wishes for your future success wherever your fortunes may be cast:

Signed: Frank H. Rudkin, Vestal Synder, Fred Parker, E.B. Preble, John J. Rudkin, Ira P. Englehart, W.P. Guthrie, W.L. Jones, I.M. Krutz, Edward Whitson, H.B. Ribb, Wm. M. Thompson and Herald.
C.S. Henton--The Yakima Herald, January 3, 1910.

West side..Attorneys

The first of the legal profession of North Yakima to take up offices on the west side will be George B. Holden and Ward H. Wheeler, who are now located east of the tracks with the 40 odd lawyers doing business in this city.

They have made arrangements for removal and will take up offices over the Farmers & Merchants' bank February 1. The removal will mark an epoch in the starting of a legal fraternity in that section. None of the lawyers has chosen to ~~move~~ cast his lot on the west side although it has been a growing and thriving community for some time.

Attorney Wheeler came here about two years ago and has been located in the office of Roberts & Udell doing business independently of the firm. He is the attorney for the cities of Grandview and Mabton, coming to Yakima from San Jose Calif. and being a graduate of Stanford.

Mr. Holden came here about a year ago. He has been associated with Attorneys Hatfield and Shumate although doing business independently. He is city attorney for Wapato. He came here from Sault St Marie where he was city attorney for four years and four years prosecuting attorney for Chippewa county--
The Yakima Republic, January 28, 1910.

Law and order

The county prosecuting attorney's office secured 186 convictions out of 312 criminal actions handled by the office during 1909 according to the report of Prosecuting Attorney J. Lennox Ward which has just been completed by that office. Yakima Republic, Feb. 11, 1910.

Federal District Court

Judge Whitson.

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 probably 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.