



# Grant County, Wisconsin

## History of Grant County 1881



Below is a list of excerpts from the book:

"History of Grant County Wisconsin" Chicago Historical Company, 1881 C W Butterfield

The book contains an account of its settlement, growth, development and resources; an extensive and minute sketch of its cities, towns, and villages - their improvements, industries, manufactories, churches, schools, and societies; its war record, biographical sketches, portraits of prominent men and early settlers; the whole preceded by a history of Wisconsin, statistics of the state, and an abstract of its laws, and constitution and of the constitution of the United States.

A big thankyou to Robin for the Transcriptions!

1 - Early Government	8 - State Organization
2 - Grant County Formed	9 - Representatives in Constitutional Convention
3 - The County Seat	10 - Town Organization
4 - Attempts to Divide the County	11 - Legal Jurisdiction
5 - County Officers	12 - County Buildings
6 - Territorial and State Representation	13 - County Jail
7 - Territorial Legislature	14 - County Poor Farm



### History of Grant County, Wisconsin [1881] Chapter IV : Pages 496 - 530

#### Early Government

The first civilized claimants to the territory now included within the boundaries of Wisconsin were the French. The whole Northwest was claimed by France from 1671 to 1763, when it was surrendered to the English. By the "Quebec Act" of 1774, all of this region was placed under the local administration of Canada. It was, however, practically put under a despotic military rule, and so continued until possession passed to the United States. Before the last-mentioned event, and during and after the Revolution, the conflicting claims of Virginia, New York, Massachusetts and Connecticut to portions of the country were relinquished to the General Government. All these claims were based upon supposed chartered rights, Virginia adding to hers the right of conquest, as she contended of the "Illinois country" during the Revolution. As early as October, 1778, Virginia declared, by an act of her General Assembly, that all citizens of that commonwealth who were then settled, or should thereafter settle, on the western side of the Ohio, should be included in a distinct county, which should be called Illinois. No Virginians were then settled as far north as the southern boundary line of what is now Wisconsin, and, as none thereafter located so far north before Virginia relinquished to the United States all her rights to territory on the western and northern side of Ohio, it follows that no part of the territory which afterward became Wisconsin was ever included in Illinois County as a part of Virginia, nor did the last-mentioned State ever

exercise any jurisdiction over the territory of this State, or make any claim to any part of it by right of conquest. Wisconsin was never a part of Virginia.

Notwithstanding the passage of the Ordinance of 1787, establishing a government over the territory northwest of the Ohio River, which territory was acquired by the treaty of 1783, from Great Britain, possession only was obtained, by the United States, of the southern portion, the northern part being held by the British Government until 1796. Arthur St. Clair, in February, 1790, exercising the functions of Governor, and having previously organized a government for the country under the ordinance above mentioned, established, in what is now the State of Illinois a country, which was named St. Clair. But, as this county only extended north "to the mouth of the Little Mackinaw Creek, in Illinois," it did not include, of course, any part of the present State of Wisconsin, although being the nearest approach thereto of any organized county up to that date.

In 1796, Wayne County was organized, which was made to include, besides much other territory, all of what is now Wisconsin watered by streams flowing into Lake Michigan, the territory of the present Grant County, as it will be seen, being not included in the new county. From 1800 to 1809, the present limits of Grant County were included in the Territory of Indiana, and, in the last-mentioned year, passed into the Territory of Illinois. It is probably that Indiana Territory exercised jurisdiction over what is now Wisconsin, at least to the extent of appointing two Justices of the Peace - one for Green Bay and one for Prairie du Chien. In the year 1809, the Illinois Territorial Government commissioned three Justices of the Peace and two militia officers at Prairie du Chien, the county of St. Clair having previously been extended so as to include that point, and, consequently, the present county of Grant. In course of time, other counties had jurisdiction, until, in 1818, what is now Wisconsin became a portion of Michigan Territory.

By a proclamation of Lewis Cass, Governor of Michigan Territory, of October 26, 1818, Brown and Crawford Counties were organized. The county of Brown originally comprised all of the present State of Wisconsin, east of a line passing north and south through the middle of the portage between the Fox and Wisconsin Rivers, except a small portion of the Door County Peninsula, which was included in the county of Michilimackinac. The limits of Brown County extended north into the territory of the present State of Michigan so far that its north line ran due west from Noquet Bay. An east and west line, passing near the northern limits of the present county of Barron, separated the county of Crawford from the county of Michilimackinac on the north; on the east, it was bounded by the county of Brown; on the south, by the State of Illinois; and on the west, by the Mississippi River.

Thus, as it will be seen, the present territory of Grant County was included in the limits of Crawford County. By an act of the Legislative Council of the Territory of Michigan, approved October 29, 1829, to take effect the 1st of January following, the county of Iowa was established, embracing all territory south of the Wisconsin, west of Brown County, east of the Mississippi, and north of Illinois, or what is now included in the counties of Grant, Iowa, LaFayette, the greater part of Green, nearly half of Dane, and a portion of Columbia.

By an act of Congress passed in 1836, and approved April 20 of that year, the Territory of Wisconsin was organized, including its limits, beside the present State, the territory now included in the States of Iowa and Minnesota, and about half the present Territory of Dakota. June 12, 1838, all that portion of Wisconsin Territory lying west of the Mississippi River was organized into a Territory called Iowa.



## Formation of Grant County

Previous to this, and at the first meeting of the Territorial Legislature at Belmont, in the present county of La Fayette, in 1836, in an act entitled "An act to divide Iowa County "it was enacted, "That all that part of

the county of Iowa lying west of the fourth principal meridian be and the same is hereby constituted a separate county, to be called Grant."

Section 4 of the same act provided : That, "from and after the 4th day of March next, the said county of Grant shall, to all intents and purposes, be and remain an organized county, and be invested with full power and authority to transact all county business which any regularly organized county may of right do."

Section 5 stipulated that "Henry W. Hodges, James Gilmore, E. E. Brock, Orris McCartney and Frank C. Kirkpatrick are hereby appointed commissioners to fix the seat of justice of said county of Grant, and they are hereby required to perform the said duty on or before the 1st day of February next ensuing, at such place within said county of Grant as to them may seem best calculated to promote the public interest, being first sworn to the faithful discharge of their trust; and so soon as they shall have come to a determination, the same shall be reduced to writing and signed by the Commissioners, and filed with the Clerk of the present county of Iowa, whose duty it shall be to record the same and deliver over the same to the Clerk of Grant County, whenever he shall be appointed, whose duty it shall be to record the same and forever keep it on file in his office; and the place thus designated shall be considered the seat of justice of said county; provided, that in the event of said Commissioners being prevented, from any cause whatsoever, from performing the duty required of them, or if a majority of said Commissioners should not be able to agree upon any place for the establishment of the said seat of justice, then the seat of justice is temporarily established at Cassville, in said county of Grant."

Section 6, "That there shall be two terms of the District Court held annually at the seat of justice for said county of Grant by one of the Judges of the Supreme Court, to wit: One upon the first Monday in June, and the other upon the fourth Monday of October; and the said District Court for said county of Grant shall have and enjoy all the powers, rights and duties which courts in the other counties of this Territory have and enjoy, and shall be subject all the restrictions imposed upon said courts by the act entitled "An Act for establishing judicial districts and for other purposes," passed at the present session of this Legislative Assembly, and that the courts hereby authorized to be held in the county of Grant shall be held at the town of Cassville, in the county of Grant, until the necessary public buildings are erected at the seat of justice of said county."

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### The County Seat

In accordance with the provisions of the above section, the Commissioners proceeded with their work of choosing a county seat for the new county. Lancaster at this time boasted of but the occupant, Aaron Boice, who resided near the "big spring," and had entered eighty acres of land, a portion covering the present court house square. This, together with a second eighty, entered by Maj. Price, formed the site of the present county seat. Cassville, then an ambitious burg, was an aspirant for both territorial and county distinctions; but its location on the extreme western side of the county operated against its claims in the race for the lesser honors, Lancaster was nearly the geographical center of the county, a point a few miles northeast was opposed to be the exact center, speaking in the manner of geographical exactness, and for a time the scales wavered; but Maj. Glendower M. Price, who had purchased the land formerly owned by Aaron Boice, offered as extra inducements toward the location of the seat of justice in Lancaster to pay to the county the sum of \$1,000, and donate beside certain lots of land within the village, providing Lancaster's claims were allowed. This offer was accepted by the commissioners, and the embryo village became the county seat. To the antiquarian the following deed setting forth a portion of the terms of the contract will be of interest, as an historical souvenir:

G. M. Price and Wife

To

Supervisors of Grant: This deed, made this the fifteenth day of May, eighteen hundred and thirty-seven, witnesseth: That Glendower Morgan Price and Harriet, his wife, of the county of Grant and Territory of

Wisconsin, in consideration of the sum of one hundred dollars, to them in hand paid by the Supervisors the county of Grant and Territory of Wisconsin, the receipt of which is hereby acknowledged, do by these presents grant, bargain and sell, convey and confirm to the said Supervisors and their successors in office, the following described property in the town of Lancaster, to wit: All of Block No. 10; Lots No. 1, 2, 3, 4, 5, 6, 7 and 8, Block No. 22; Lots No. 1, 2, 3, 4, 5, 6, 7 and 8 in Block No. 25; Lots No. 3, 4, 5, 6, 7 and 8, in Block No. 26; Lots No 1 and 2, in Block No. 27; Lot No. 2, in Block No. 21; Lots No. 1, 2, 3, 4 and 10, in Block No. 24; Lots No. 3, 6, 7, 8, in Block 23; Lots 3, 4, 5, 9 and 10, in Block No. 9; Lots No. 1, 2, 3, 4 and 5, in Block No. 8; Lots No. 1, 2, 3, 4 and 5, in Block No. 7; Lots No. 1, 2, 3, 4 and 5, in Block No. 6; Lots No. 6, 7, 8, 9 and 10, in Block No. 5; Lot No. 3, in Block No. 4; Lot No. 3, in Block No. 13; Lot 5, in Block No. 20; Lot No. 3, in Block No. 28. To have and hold the same with the privileges and appurtenances thereunto belonging, to the said Supervisors and their successors in office forever; the said Glendower M. Price and Harriet his wife, the aforesaid premises unto the said Supervisors and their successors in office hereby covenanting that they and their heirs, executors and administrators will warrant and defend the title to the said premises to the said Supervisors and their successors in office forever, against all persons whatsoever. In witness whereof, the said G. M. Price and Harriet, his wife, have hereunto set their hands and seals the day and year first above written.

/s/ G. M. Price  
Harriet Price  
Signed, sealed and delivered in the presence of  
John G. Fletcher  
Benjamin F. Forbes.

In the spring of 1837, the first election of officers for the new county was held, resulting in the choice of the following elective officers: Treasurer, Orris McCartney, Cassville; Register of Deeds, Nelson Dewey, Cassville; Board of Supervisors, Henry Wood, J. J. Basye, Daniel Richards. The County Clerk (the title of this officer, until 1849, was Clerk of County Commissioners, and from that date until 1872 Clerk of the Board of Supervisors), appointed by the County Commissioners, was J. Allen Barber, of Lancaster. First Clerk of the Circuit Court, appointed by Judge Dunn, John S. Fletcher. The first District Attorney was T. S. Wilson, appointed by Judge Dunn to act in that capacity at the first term of court held in Grant County. The Sheriff, County Judge and Justices of the Peace were appointed by the Executive of the Territory until 1844.

At this election, about three hundred votes were cast, the population being in the neighborhood of 1,600.

The first meeting of the newly elected Board of Supervisors, or, as they were then called, County Commissioners, was held at Cassville, April 29, 1837. The next meeting was held at Lancaster, May 2. At this meeting, the contract for building the new Court House was awarded to G. M. Price and Daniel Banfield. At a meeting held a year later, or April 2, 1838, it was determined to erect a jail for the safe keeping of criminals, and the contract was awarded to Harvey Pepper, for \$400.

The newly-formed county government was not without its troubles, as the following acts passed by the Territorial Legislature, at its second session in the latter part of 1837, will show. The first, entitled "An act to legalize the acts of the Supervisors of Grant County," provides:

Whereas, the Supervisors of Grant County did, in the spring of the year one thousand eight hundred and thirty-seven, proceed to sell certain town lots donated for the use and benefit of said county, and likewise to contract for the building of a court house; and whereas, doubts exist as to the legality of the sales and contract for building, therefore,

Section 1. Be it enacted. That all bonds for the titles that have been given to guarantee the sales and titles shall be and are hereby declared to be valid in law.

Sec. 2. All contracts that have been entered into by the Supervisors for building of the court house shall

be of binding and legal effect upon the county of Grant, in their corporate capacity, any law to the contrary notwithstanding.

Under a general law passed by the Legislature in 1839, a County Agent was appointed to take charge of the lands belonging to the county, to sell and convey the same, and transact all business connected therewith. Nelson Dewey was appointed as the agent of Grant County, and continued to act in that capacity until the formation of the State Government.

The second act is entitled "An act to legalize the proceedings of the Justices of Peace in Grant County and release them from penal liability in certain cases," and reads as follows:

Whereas, Certain Justices of the Peace in the county of Grant, not having access to the revised code of laws of Michigan, of one thousand eight hundred and thirty-three, enforced in this Territory by the Act of Congress organizing the Territorial Government, and adopted by the Legislative Assembly at their last session; and having the laws of eighteen hundred and twenty-seven in their possession, they supposed it to be their duty to give bonds to the United States, with a penalty of \$200, when, in fact, the law required them to give bonds to the County Clerk, with a penalty of \$2.50, whereby said Justices have incurred certain penalties; for remedy thereof,

Section 1. Be it enacted, That the several Justices of the Peace in Grant County be and they are hereby released from all fines, forfeitures and penalties, incurred by them for the failure to give bonds according to the provisions of the act entitled "An act to regulate and define the powers of Justices of the Peace and Constables in civil cases."

Sec. 2. That all acts done and performed by them are hereby declared to be as legal, to all intents and purposes, as though they had given bonds in accordance with the provisions of the above recited act, any other law to the contrary notwithstanding.

The passage of these acts placed the county affairs upon a proper legal basis, and the local government proceeded without further hitch.



### Attempts To Divide The County

Several times since its organization, Grant has been agitated by an effort to divide the county. The earlier agitations looked to a division into two parts, and a later one into three parts. In 1860, the movement progressed so far as the signing of petitions and counter-petitions, but the matter went no further than the ballot-box, where those opposed to a division received a heavy majority. The war coming on a few months later drove the subject out of the minds of the people, and the advent of railroads connecting the county seat with other portions of the county and facilitating communications between different points, removed one great argument in favor of a re-organization of county lines. A slight ripple on the placid surface of events, a few years ago, showed that the ancient topic had not been forgotten, but the "indications" were not of a nature to give rise to any anxiety on the part of those who preferred "old Grant as it was, and the movement will hereafter be remembered simply as one of the exciting questions of "auld lang syne."



### County Officers

Sheriff - 1836-37, James H. D. Street; 1837-38, Robert H. Reed, Potosi (resigned in 1838, and Harvey Pepper appointed to fill unexpired term); 1839-41, Harvey Pepper, Lancaster; 1842, Robert B. Reed, Lancaster; 1843-44, Enos S. Baker, Platteville; 1844-46, N. V. Kendall, Platteville; 1847-50, Matthew Wood, Potosi; 1851-52, George R. Stuntz, Lancaster; 1853-54, William McGonigal, Wingville; 1855-56,

Lorenzo Preston, Hazel Green; 1857-58, Dexter Ward, Lancaster; 1859-60, William H. Foster, Lancaster; 1861-62, J. B. Moore, Muscoda; 1863-64, N. Goodenough, Glen Haven; 1865-66, W. H. Clise, Potosi; 1867-68, J. P. Cox, Lancaster; 1869-70, W. H. Clise, Potosi; 1871-72, W. B. Sloat, Lancaster; 1873-74, Terrence Carrier, Boscobel; 1875-76, J. B. McCoy, Platteville; 1877-78, Mat H. Birchard, Fennimore; 1879-80, ----- Streeter; 1881, John Lane.

Treasurer - 1837-38, Orris McCartney, Cassville; 1839-41, Elisha T. Haywood, Potosi; 1842-43, Edmund Havelson, Lancaster; 1844-46, Robert Templeton, Potosi; 1846, Samuel Tompkins, Lancaster; 1847, Cutler Salmon, Lancaster; 1848, James M. Otis, Lancaster; 1849, J. H. Rountree, Platteville; 1850-51, A. W. Worth, Lancaster; 1852-54, William T. Ennor, Potosi; 1855-56, J. L. Marsh, Platteville; 1857-58, Simon E. Lewis, Potosi; 1859-62, James Jones, Hazel Green; 1863-66, Samuel Moore, Platteville; 1867-70, V. F. Kinney, Potosi; 1871-74, A. R. McCartney, Cassville; 1875-78, Alex Ivey, Potosi; 1879-81, Lou P. Lester, Boscobel.

Register of Deeds - 1837-38, Nelson Dewey, Cassville; 1839-41, John S. Fletcher, Lancaster; 1842, A. R. T. Locey, Platteville; 1843-47, Hugh R. Colter, Lancaster; 1848-52, L. W. Martin, Platteville; 1853-54, George H. Cox, Lancaster; 1855-56, William McGongal, Wingville; 1857-60, J. H. Evans, Platteville; 1861-64, E. T. Mears, Platteville; 1865-68, Joseph Bock, Cassville; 1869-76, James Woodhouse, Bloomington; 1877-81, Perry Durley, Paris.

County Clerk Title of office, "Clerk of County Commissioners" till 1849, and "Clerk of the Board of Supervisors" till 1872 - 1837-39, J. Allen Barber, Lancaster; 1839-41, Nelson Dewey, Lancaster; 1842, J. Allen Barber, Lancaster; 1843-46, L. O. Shrader, Lancaster; 1847, Enos P. Wood, Paris; 1848, Arunah A. Parker, Lancaster; 1849-51, J. C. Squires, Platteville; 1852-60, Wood R. Beach, Beetown; 1861-62, J. W. Angell, Potosi; 1863-68, S. F. Clise, Ellenboro; 1868, P. H. Parsons appointed to all vacancy occasioned by the death of S. F. Clise, Lancaster; 1869-72, Atlizer Smelser; 1873-80, Fletcher S. Kidd, Millville; 1881, C. W. Hill, Platteville.

County Judge - 1837-38, J. H. Rountree, Platteville; 1839, Henry Wood, Lancaster; 1840-43, J. A. Barber, Lancaster; 1844-49, Hugh R. Colter, Lancaster; 1850-53, Cyrus K Lord, Potosi; 1854-56, S. O. Paine, Platteville; 1858-81, William McGonigal, Lancaster.

Clerk Circuit Court - 1837-48, John S. Fletcher, Lancaster; 1849-50, L. O. Shrader, Lancaster; 1851-52, Joel C. Squires, Lancaster; 1853-54, N. W. Kendall, Lancaster; 1855-60, J. G. Clark, Lancaster; 1861-68, J. W. Blanding, Muscoda; 1869-76, David Schreiner, Lancaster; 1877-81, Herman Buchner, Lancaster.

District Attorney - 1837, T. S. Wilson, afterward of Dubuque; 1838, Nelson Dewey, Cassville; 1839, F. J. Munger, Cassville; 1840-43, J. Allen Barber, Lancaster; 1844-45, James M. Goodhue, Platteville; 1846-48, J. Allen Barber, Lancaster; 1849-50, William R. Biddlecome, Potosi; 1851-52, William Hull, Potosi; 1853-54, J. Allen Barber, Lancaster; 1855-56, Willis H. Chapman, Platteville; 1857-58, Ed D. Lowry, Lancaster; 1859-60, J. T. Mills, Lancaster; 1861-62, A. R. Bushnell, Platteville; 1863-64, J. T. Mills, Lancaster; 1865-68, G. O. Hazelton, Boscobel; 1869-72, George Clementson, Hazel Green; 1873-76, George B. Garter, Platteville; 1877-80, W. H. Beebe, Platteville; 1881, R. C. Orr, Bloomington.

Surveyor - 1839, Orson Lyon, Potosi; 1840-41, Thomas Hugill, Platteville; 1842-43, James E. Freeman, Lancaster; 1844-46, Henry A. Wiltse, Jamestown; 1847-48, George R. Stantz, Lancaster; 1849-50, James E. Freeman, Lancaster; 1851-52, John T. Everett, Jameson; 1853-54, Joseph H. Hayden, Beetown; 1855-56, C. L. Overton, Platteville; 1857-58, C. W. Hayden, Beetown; 1859-60, J. W. Blanding, Muscoda; 1861-64, H. A. W. McNair, Fennimore; 1865-66, Joseph Allen, Clifton; 1867-68, Joel Barber, Lancaster; 1869-70; Joseph Allen, Clifton; 1871-74, George McFall, Harrison; 1875-80, Joel Barber, Lancaster; 1881, J. C. Scott, Patch Grove.

Superintendent of Schools - 1862-63, David Parsons, Bloomington; 1864-67, D. G Purman, Hazel Green; 1868-69, J. P. Hubbard, Potosi; 1870-73, William H. Holford Bloomington; 1874-76, G. M. Guernsey, Platteville; 1877-80, Charles L. Harper, Hazel Green; 1881, C. L. Harper.

Coroner - 1840, Darius Bainbridge, Lancaster; 1841, A. R. T. Locey, Platteville; 1842-43, James F. Chapman, Potosi; 1844-47, David Gillespie, Potosi; 1848, Andrew J. Green, Potosi; 1849-50, William McDaniel, Beetown; 1851-52, Llewellyn Brock, Potosi; 1853-54 Leonard Coates, Platteville; 1855-56, Benjamin M. Coates, Muscoda; 1857-60, Stephen Mahood, Lancaster; 1861-62, M. M. Wood, Lancaster; 1863-64, A. M. Neaville, Potosi; 1865-66, Thomas Chesebro, Lancaster; 1867-72, Charles Dickey, Paris; 1873-74, J. T. Taylor, Montfort; 1875-76, H. F. Young, Cassville; 1877-78, Mandley Dean, Ellenboro; 1879-81, Franklin Lyster, Jamestown.

Board of County Supervisors - 1837 - Daniel Richards The name of the Chairman is the first mentioned, Henry Wood, J. J. Basye.

1838 - Daniel Richards, Henry Wood, F. F. Brock.

1839 - Henry Wood, E. M. Orne, J. F. Brown. 1840 - Allen Hill, B. M. Orne, J. F. Brown.

1841 - F. F. Brock, E. M. Orne, Allen Hill.

1842 - James P. Cox, Warren Hannum, N. McLeod.

1843 - Orris McCartney, W. Davidson, N. H. Virgin.

1844 - Orris McCartney, W. Davidson, J. F. Chapman.

1845 - N. H. Virgin, Henry L. Massey, O. McCartney.

1846 - H. L. Massey, J. F. Kirkpatrick, James P. Cox.

1847 - H. L. Massey, George W. Patch, George Byerly.

1848 - James P. Cox, Horace Catlin, H. Webster. 1849 - Lewis Rood, Thomas Cruson, C. L. Lagrave.

1849 - C. B. Eastman, E. D. Bevans, J. N. Jones, Jared Warner, D. R. Burt, D. Wiker, J. B. Turley, A. Smith, William Brandon, C. J. Cummings, Orris McCartney, J. Switzer, N. McLeod, A. Dyer, William Kinney, J. F. Chapman - 16 These officers were elected in the spring of 1849 under the new township system rendered obligatory by the new State Constitution. The previous board had been elected under the Territorial law in the autumn of 1848, and held over until the new board qualified in the spring.

1850 - J. A. Barber, J. H. Roundtree, J. B. Turley, William McGonigal, E. D. Bevans, J. Warner, W. R. Biddlecome, C. Dickey, L. Basford, William Brandon, W. W. Barstow, H. Van Vleck, J. Walker, J. Waldorf, J. H. Champlin, D. R. Burt - 16.

1851 - J. Allen Barber, H. E. Rice, Isaac Williams, Charles Dickey, C. W. Wright, J. B. Turley, S. Barstow, Henry Patch, C. L. Lagrave, Jesse Waldorf, Benjamin F. Woods, David McKee, Edward Sprague, Benjamin Bull, David Thompson, H. P. Patterson, Joseph Walker - 17

1852 - William N. Reed, Jared Warner, Thomas Laird, Stephen Brock, A. H. Gilmore, Titus Hays, Philo Demy, J. B. Turley, L. S. Reynolds, Joseph Palliser, James Moore, Jesse Waldorf, Benjamin Bull, H. D. York, A. Woods, J. H. Barnett, Charles Dickey, D. R. Burt - 18.

1858 - J. Allen Barber, Lewis Rood, Thomas F. Lane, Hugh B. Patterson, Thomas Palliser, W. W. Barstow, Charles Dickey, H. Hurlburt, J. Waldorf, Benjamin Bull, W. S. Chapman, James Moore, William Jeffrey, J. Wannemaker, H. A. W. McNair, W. G. Wilcox, J. B. Turley, Daniel Andrews, J. D. Harp - 19.

1854 - Nelson Dewey, Joseph Walker, J. F. Murphy, Jared Warner, John Welsh, J. D. Harp, William G. Wilcox, Samuel Wilson, Lewis Rood, Thomas Burns, Isaac Williams, S. F. Clise, John Wilkinson, Jonas Wannemaker, Nathan White, A. D. Mills, Noah Hutchins, W. W. Barstow, James Moore, William Clifton - 20.

1855 - J. Allen Barber, Benjamin Straw, George B. Cabanis, T. T. Lane, Nathan White, William T. Ennor, O. C. Jones, J. H. Rountree, Jesse Waldorf, George W. Mace, A. D. Mills, James Moore, W. W. Field, Joseph Walker, S. F. Clise, Augustus Blanford, W. G. Wilcox, Tim E. Barr, John D. Harp, J. F. Murphy, Henry R. Miles, Jared Warner - 20.

1856 - J. Allen Barber, J. D. Harp, W. P. Dixon, O. Rice, Jesse Waldorf, Thomas Weir, Fish, James Moore, J. F. Murphy, C. Kaltenbach, James Bonham, Mahlon Fawcett, S. F. Clise, G. W. Paugh, T. T. Lane, J. Prideaux, William Kidd, Charles Dickey, J. H. Rountree, William Brandon, Joachim Gulick, A. D. Mills - 22.

1857 - Jared Warner, J. B. Turley, D. R. Sylvester, G. W. Mace, W. P. Dewey, S. F. Clise, J. Graham, J. W. Kaump, J. M. Chandler, Joseph Walker, Henry Van Vleck, Jesse Waldorf, James Prideaux, Thomas Wier, J. G. Clark, C. R. Dean, J. W. Blanding, T. Longtham, J. T. Murphy, F. H. Virgin, David McKee, Hugh Laird, A. A. Petty, James Bonin, Robert Glenn, A. D. Mills - 26.

1858 - John G. Clark, John B. Turley, D. R. Sylvester, F. C. Kirkpatrick, W. P. Dewey, Springer, H. A. W. McNair, W. W. Barstow, J. M. Chandler, Mason Fish, Jason Lathrop, Thomas Weir, Jesse Waldorf, Alfred Bark, J. R. Muffley, George Ballantine, James Moore, William Davidson, J. C. Orr, Samuel Moore, H. B. Patterson, A. Foster, James Bonham, David Brodt, A. A. Petty - 26.

1859 - J. E. Dodge, J. B. Turley, D. R. Sylvester, J. D. Harp, N. Millard, S. F. Clise, W. P. Dixon, W. L. Wilson, J. M. Chandler, Mason Fish, Jason Lathrop, James Prideaux, Charles Fulks, Jesse Waldorf, J. C. Holloway, James Moore, Moors Rice, Levi Brown, F. D. Francis, H. Patch, Samuel Vance, J. Augustine, George B. Cabanis, Robert Glenn, J. D. Jenks, Henry Morgan - 26.

1860 - S. F. Clise, J. M. Chandler, W. W. Field, W. P. Dewey, George E. Cabanis, W. Wilson, Jason Lathrop, Silas Brooks, Mason Fish, Joseph Horsfall, Thomas Tormey, Jesse Waldorf, J. B. Turley, Samuel Vance, James Bonham, James Prideaux, J. C. Holloway, A. R. Fishnell, B. F. Hilton, Jesse S. Jones, W. W. Demock, A. A. Bennett, J. A. Houghtaling, Shafer, A. F. Schnee, Henry Patch, Moors Rice, J. Cranston - 28.

1861 - W. W. Field, John Pepper, Henry Webster, George Cutts, W. P. Dewey, S. F. Clise, A. A. Bennett, W. L. Wilson, G. R. Prank, Jason Lathrop, Jesse Waldorf, J. C. Hoolly, D. F. Brown, Joseph Horsfall, Moors Rice, Silas Brooks, E. M. Hoyt, T. L. Hammonds, Henry Patch, James Bonham, J. M. Sifford, G. Hess, John Clark, S. Lightcap, Edward Chilen, William Brandon, W. W. Dimock, J. T. Murphy, J. S. Jones - 29.

1862-63 - J. H. Rountree, Henry Patch, Jesse Waldorf, D. G. Seaton, James W. Seaton - 5. That section of the revised statutes creating the County Board of Supervisors was amended by the Legislature of 1861, and a return made to a Board of County Commissioners to consist of three electors, except in those counties which contained three or more assembly districts. In such counties one Supervisor, was elected in each assembly district, and one additional for the county at large, in those counties where there were an even number of assembly districts. This gave Grant County five Supervisors.

1864-65 - Addison Burr, Alfred Palmer, A. A. Bennett, M. A. Harper, J. W. Kaump - 5.

1866 - A. Burr, J. W. Seaton, A. C. Stiles, H. A. W. McNair, Henry Mitchell.

1867 - J. W. Seaton, Addison Burr, H. B. Wood, Cyrus Sargent, H. A. W. McNair,

1868 - Addison Burr, J. B. Moore, A. W. Emery, Cyrus Sargent, H. B. Wood.

1869 - J. B. Moore, J. H. Evans, Jared Warner, Joseph Allen, A. W. Emery.

1870 - William P. Dewey, W. J. McCoy, Michael Nolan, T. Carrier, George H. Chambers, Elisha Carrington, John Geiger, E. D. Bevans, D. T. Parker, A. A. Bennett, A. F. Knapp, Thomas G. Stevens, James Murphy, John Heir, J. Waldorf, Thomas Weir, John H. Griffis, P. B. McIntyre, James B. Ricks, Joseph Horsfall, Israel Miles, Peter Casper, N. W. Bass, James W. Seaton, James Ballantine, George E. Cabanis, Archie

Brown, Jacob Scott, Robert Glenn, Thomas Laird, T. N. Hubbell, W. W. Field, G. W. Ryland, C. Clementson, J. H. Evans - 35. The amendment passed by the Legislature of 1861 was repealed by the Legislature of 1870.

1871 - A. A. Bennett, W. P. Dewey, William J. McCoy, Henry Gore, Alfred Palmer, Henry Lord, E. Carrington, Herman Grimm, J. S. Maiben, John Montieth, Thomas G. Stems, Moses Vanatta, James Murphy, John Hier, George W. Ryland, G. D. Pettyjohn, Thomas Weir, John H. Griffis, T. J. Graham, J. B. Ricks, E. I. Kidd, E. Abrams, Peter Casper, N. W. Cass, J. W. Seaton, Jared Warner, George E. Cabanis, Archie Brown, J. E. Jones, Thomas Baird, George Brown, Robert Glenn, W. W. Field, George Broderick, J. H. Evans - 35.

1872 - George W. Ryland, O. C. Hathaway, Henry Gore, L. J. Woolley, Benjamin M. Coates, Henry Lord, J. McLeod, H. Grimm, James H. Rowe, John Montieth, William Curtis Moses Vanatta, T. G. Stevens, George Broderick, James Murphy, John Hier, William H. Clise, John A. Boerner, Perry Squires, J. H. Griffis, George Tuffley, E. I. Kidd, Jacob Bremmer, Ezra Abrams, Peter Casper, Jared Warner, N. W. Bass, J. H. Rountree, J. W. Seaton William Brandon, Archie Brown, Jacob Scott, Robert Glenn, George Brown, Thomas Laird - 35.

1873 - G. W. Ryland, E. Bayley, George Broderick, John Schreiner, O. C. Hathaway, Henry Gore, William T. Scott, D. F. Brown, John McLeod, Herman Grimm, John G. Hudson, H. A. Dankleff, D. P. Grinter, James Murphy, J. M. Chandler, Moses Vanatta, Rufus Hannum, Perry Squires, Peter Clayton, J. H. Griffis, C. G. Rodolf, George Tuffley, Joseph Horsfall, Reuben Cooley, Peter Casper, N. W. Bass, J. W. Seaton, Haynes Fitch, David Wilkinson, Adam Mink, Jacob Scott, Thomas Laird, Robert Glenn, George Brown, James Barnett - 35.

1874 - George W. Ryland, George W. Parker. E. Bayley, George Broderick, George Clementson, W. J. McCoy, Henry Gore, W. T. Scott', D. F. Brown, F. C. Kirkpatrick, Herman Grimm, J. H. C. McKinsey, H. A. Dankleff, D. P. Grinter, G. S. Hammond, J. H. Chandler, Moses Vanatta, John Hier, E. P. Dickenson, John Boerner, Delos Abrams, C. G. Rodolf, George Munns, Joseph Horsfall, R. G. Humphrey, Peter Casper, N. W. Bass, A. W. Emery, George Ballantine, George E. Cabanis, Archie Brown, William Northey, Thomas Laird, Robert Glenn, George Brown - 35.

1875 - George W. Ryland, W. J. McCoy, Henry Gore, B. M. Coates, George W. Fennel, F. C. Kirkpatrick, Herman Grimm, J. H. C. McKinsey, H. A. Dankleff, D. P. Grinter, Henry Maxam, Matthew Thompson, Moses Vanatta, John Hier, E. P. Dickenson, John Boerner, Delos Abrams, C. G. Rodolf, George Munns, E. J. Kidd, David D. Snider, Peter Casper, N. W. Bass, R. H. Kendrick, J. C. Scott, John A. May, W. B. Slocum, William Northey, Thomas Laird, Riley Jacobs, George Brown, James Barnett, George E. Clementson, E. Bayley, Joseph Clementson - 35.

1876 - George W. Ryland, C. Hutchinson, C. G. Van Buren, T. N. Hubbell, W. B. Clark, Thomas Watson, Herman Grimm, Samuel Barstow, Jacob Baumgartner, John Ryan, Adam Kruel, Matthew Thompson, George W. McFall, John Hier, E. P. Dickinson, John Boerner, Delos Abrams, C. G. Rodolf, D. R. Walker, E. I. Kidd, David D. Snider, Peter Casper, N.W. Bass, Robert H. Kendrick, George Ballantine, George E. Cabanis, W. B. Slocum, C. H. Williams, Thomas Laird, P. C. Palmer, George Brown, Gustave Meyer, George Clementson, Hanmer Bobbins, Joseph Clementson - 35.

1877 - George Clementson, Jesse Wagner, L. J. Wolley, W. B. Clark, C. J. Van Buren, Herman Grimm, Thomas Weston, J. H. C. McKinsey, T. Tormey, John Ryan, W. D. Jones, Adam Kruel, Henry M. Bowen, John Hier, E. P. Dickenson, J. A. Bremmer, John G. Clark John Henkel, Ezra Abrams, George Munns, E. J. Kidd, C. G. Rodolf, George Ballantine, T. Stephens, N. W. Bass, Peter Casper, R. A. Wilson, Archie Brown, C. H. Williams, W. H. Middleton, Robert Glenn, George Brown, Benjamin M. Coates, Matthew Thompson, H. Robbins - 35.

1878 - George Clementson, C. Hutchinson, W. B. Clark, Ed Meyer, - Herman Grimm, Henry Gore, Thomas Watson, J. H. C. McKinsey, Thomas Tormey, J. S. Kidd, Charles Wunderlin, T. G. Stevens, Adam Krueel, John Hier, John G. Clark, John A. Boerner, A. V. Knapp. Alfred Bark, O. A. Rice, E. I. Kidd, Peter Cameron, Ezra Abrams, Jacob Bremmer, Peter Casper, George Ballantine, N. W. Bass, A. W. Emery, R. A. Wilson, Archie Brown, Jacob Scott, W. H. Middleton, George Brown, Robert Glenn, John H. Sarles, Matthew Thompson, George B. Carter - 36.

1879 - George Clementson, C. Hutchinson, W. B. Clark, Ed Meyer, Herman Grimm, Michael Nolan, Thomas Watson, J. H. C. McKinsey, Thomas Tormey, Joseph S. Kidd, O. S. Jones, T. G. Stephens, Adam Krueel, John Hier, George W. Ryland, A. V. Knapp, Alfred Bark. Paul Welner, B. I. Kidd, O. J. Arnold, Ira W. Bronson, Jacob Bremmer, Peter Casper, James A. Davis, N. W. Bass, Thomas Davies, Joshua Laurence, Archie Brown, Jacob Scott, E. Carrington, George Brown, Robert Glenn, Sr., T. N. Hubbell, H. Robbins, George Broderick - 36.

1880 - George W. Ryland, C. Hutchinson, W. B. Clark, Ed Meyer, Herman Grimm, Henry Gore; Thomas Watson, James McCormick, C. Shuttleworth, Joseph S. Kidd, Thomas McMahan, Joseph Harris, Adam Krueel, John Hier, John A. Boerner, A. V. Knapp, Alfred Bark, George Munns, E. J. Kidd, O. J. Arnold, William H. Gilliard, Jacob Bremmer, Peter Casper, Reed Patch, John McArthur, George W. Hampton, R. A. Wilson, Archie Brown, Jacob Scott, O. G. Van Buren, James A. Faris, John A. Harford, John G. Clark, T. N. Hubbell, H. Robbins, George Broderick, Moritz Homer, G. Porshay - 38.



## Territorial Legislature

Councilmen - In the first and second sessions of the Territorial Legislature, 1836-37, James R. Vineyard represented the present county of Grant as a part of Iowa County. 1838-42, James R. Vineyard, Platteville; J. H. Rountree, Platteville; 1842-44, J. H. Rountree. Platteville; Nelson Dewey, Lancaster; 1844-46, J. H. Rountree, Platteville; Nelson Dewey (President), Lancaster; 1847-48, Orris McCartney, Cassville.

Representatives - 1838, Thomas Cruson, Platteville; Nelson Dewey, Lancaster; Ralph Carver, Potosi; Joseph H. D. Street, Cassville.

1840 - Thomas Cruson, Platteville; Nelson Dewey, Lancaster (Speaker); Jonathan Craig, Potosi; Joseph H. D. Street, Cassville. Members of the Council were first elected for four years, and members of the House for two years; this was afterward changed, and members of the Council chosen for two years, and members of the House annually.

1841 - Neely Grey, Platteville; Nelson Dewey, Lancaster; D. R. Burt, Waterloo.

1842 - Neely Grey, Platteville; Nelson Dewey, Lancaster; D. R. Burt, Waterloo.

1843 - Alonzo Piatt, Platteville; Franklin Z. Hicks, Jamestown; G. M. Price, Cassville.

1844 - Alonzo Piatt, Platteville; Franklin Z. Hicks, Jamestown; G. M. Price, Cassville.

1845 - Thomas Cruson, Platteville; F. Z. Hicks, Jamestown; T. P. Burnett, Mount Hope.

1846 - Thomas Cruson, Platteville, A. O. Brown, Potosi; T. P. Burnett, Mount Hope.

1847 - A. O. Brown, Potosi; William Richardson, Paris.

1848 - Noah H. Virgin, Platteville; D. R. Burt, Waterloo.



## State Organization

1848-49 - George W. Lakin, Platteville; 1850-51 - J. H. Rountree, Platteville; 1852-53 - J. C. Squires, Lancaster; 1854-55 - Nelson Dewey, Lancaster; 1856-57 - J. Allen Barber, Lancaster; 1858-59 - Noah H.

Virgin, Platteville; 1860-61- Noah H. Virgin, Platteville; 1862-63 - M. K. Young, Glen Haven; 1864-65, M. K. Young, Glen Haven; 1866-67, J. H. Rountree, Platteville; 1868-69, George C. Hazelton, Boscobel; 1870-71, George C. Hazelton, Boscobel; 1872-73, J. O. Holloway, Lancaster; 1874-75, J. C. Holloway, Lancaster; 1876-77, O. C. Hathaway, Beetown; 1878-79, O. C. Hathaway, Beetown; 1880-81 George W. Ryland.

Assembly - 1848 - N. H. Virgin, Platteville; Arthur W. Worth, Lancaster; A. C. Brown, Potosi. 1849 - J. R. Vineyard, Platteville; Robert M. Briggs, Beetown; D. Gilfillan, Potosi Robert Young, Hazel Green. 1850 - H. D. York, Hazel Green; John B. Turley, Beetown; J. B. Dodge, Waterloo; William McGonigal, Wingville. 1851 - John N. Jones, Platteville; Robert M. Briggs, Beetown; W. R. Biddlecome, Potosi; James B. Johnson, Fair Play. 1852 Noah Clemmons, Platteville; J. Allen Barber, Lancaster; David McKee, Potosi; William Richardson, Jamestown. 1853 - Titus Hayes, Platteville; H. E. Block, Potosi; J. Allen Barber, Lancaster; H. D. York, Hazel Green; J. B. Dodge, Waterloo. 1854 - B. Estabrook, Platteville; William Hull, Potosi; William Jeffrey, Ellenboro; Lewis Rood, Hazel Green; M. K. Young, Cassville. 1855 - N. H. Virgin, Platteville; William Hull, Potosi; W. W. Field, Fennimore; Allen Taylor, Hazel Green; William Cole, Beetown. 1856 - Allen Taylor, Hazel Green; William Hull, Potosi; J. T. Mills, Lancaster; J. F. Brown, Clifton; Horace Catlin, Cassville. 1857 - Hanmer Bobbins, Platteville; A. W. Emery, Potosi; J. T. Mills, Lancaster Allen Taylor, Hazel Green; Joachim Gulick, Wyalusing. 1858 - Hanmer Robbins, Platteville; A. W. Emery, Potosi; Henry Patch, Patch Grove; H. D. York, Hazel Dean; C. K. Dean, Boscobel. 1859 - J. Waldorf, Lima; J. W. Seaton, Potosi; H. A. W. McNair, Fennimore; George Broderick, Hazel Green; Luther Basford, Glen Haven. 1860 - J. R. Spottswood, Hazel Green; J. W. Seaton, Potosi; S. F. Clise, Ellenboro; J. B. Moore, Muscoda George Ballantine, Patch Grove. 1861 - H. Robbins, Platteville; H. L. Massey, Potosi; J. G. Clark, Lancaster; Joseph Harris, Hazel Green; Jared Warner, Patch Grove. 1862 - William Brandon, Smelser; Allen Taylor, Paris; J. T. Mills, Lancaster; W. W. Field, Fennimore Samuel Newick, Beetown. 1863 - J. H. Roundtree, Platteville; J. F. Chapman, Potosi; J. Allen Barber, Lancaster (Speaker); W. W. Field, Fennimore; Robert Glenn, Wyalusing. 1864 - H. Robbins, Platteville; Allen Taylor, Paris; J. Allen Barber, Lancaster; W.W. Field, Fennimore (Speaker); W. R. Beach, Beetown. 1865 - William Brandon, Smelser; Allen Taylor, Paris; Henry Utt, Lima; W. W. Field, Boscobel (Speaker); Robert Glenn, Wyalusing. 1866 - H. Robbins, Platteville; W. S. Scribner, Fair Play; A. P. Hammon, Montfort; George Washburn, Millville; A. A. Bennett, Glen Haven. 1867 - H. Robbins, Platteville; John Carthew, Rockville; Joseph Allen, Clifton; H. A. W. McNair, Fennimore; A. A. Bennett, Glen Haven. 1868 - H. Robbins, Platteville; J. H. Neaville, Potosi; J. E. Dodge, Lancaster; Mat Burchard, Fennimore; N. W. Kendall, Wyalusing. 1869 - Joseph Harris, Hazel Green; G. H. Block, Potosi; W. P. Dewey, Lancaster; B. M. Coates, Boscobel; A. R. McCartney, Cassville. 1870 - J. C. Squires, Platteville; John Carthew, Rockville; W. P. Dewey, Lancaster; H. A. W. McNair, Fennimore; Luther Basford, Glen Haven. 1871 - Joseph Harris, Hazel Green; H. B. Coons, Potosi; J. C. Holloway, Lancaster; W. W. Field, Boscobel; George H. Chambers, Bloomington. 1872 - A. R. Bushnell, Lancaster; George Oabanis, Smelser; S. A. Ferrin, Montfort; J. B. Corey, Patch Grove. 1873 - W. H. Clise, Lancaster; Thomas G. Stevens, Hazel Green; John Monteith, Fennimore; C. Hutchinson, Beetown. 1874 -Thomas Jenkins, Platteville; John B. Callis, Lancaster; Gottlieb Wehrley, Fennimore; Robert Glenn, Wyalusing. 1875 - James Jeffrey, Smelser; La Fayette Caskey, Potosi; Benjamin F. Coates, Boscobel; Delos Abrams, Little Grant. 1876 - William D. Jones, Hazel Green, Joseph Bock, Lancaster; George Brown, Woodman; William J. McCoy, Beetown. 1877-William E. Carter, Platteville; Joseph Bock, Lancaster; Daniel R. Sylvester, Castle Rock. 1878 - William E. Carter, Platteville; T. J. Graham, Muscoda; William J. McCoy, Beetown. 1879 - William E. Carter, Platteville; J. T. Mills, Lancaster; John Brindley, Boscobel. 1880 - Charles Watson, Clifton; John A. Klindt, Cassville; John Brindley, Boscobel. 1881 - James H. Cabanis, Smelser; H. S. Keene, Lancaster; E. I. Kidd, Millville.



## Representatives in Constitutional Convention

Hardly had the Territory of Wisconsin been formed by act of Congress, before agitation was commenced

for the formation of a State government. After numerous rejections of the proposition, finally, in 1846, the first convention met in Madison, and proceeded to form a constitution for the acceptance of the people. In the deliberations of this convention, Grant County, through her representatives, occupied a prominent position. This body has been fittingly characterized as one of "great, if not extraordinary, intellectual ability. Its members," says the same authority, "were all in the prime of life, the representatives of the systems of many States, generally highly educated, and possessed of mental culture far above the average of men." The list of representatives from Grant County in this convention, headed by the name of the Hon. J. Allen Barber, then and now a resident of Lancaster, comprised, besides that gentleman, the Hon. Lorenzo Bevans, Hon. Thomas P. Burnett, Hon. Thomas Cruson, Hon. James Gilmore and James R. Vineyard. The constitution, as has been stated in an earlier portion of this work, was rejected, after an exciting contest, the principal differences of opinion being in relation to the rights of married women, exemptions, the bank articles, the number of Representatives in the Legislature, and the Elective Judiciary.

A second convention was authorized, and met at the capital late in the succeeding year (1847). This body, while fully as high as its predecessor in point of the ability of its members, had that membership considerably changed. The Grant County representation to this assemblage was headed by the Hon. Orsamus Cole, now Chief Justice of the Supreme Court of the State, and comprised the following names: Hon. George W. Lakin, Hon. John Rountree, Hon. Alex D. Ramsey and the Hon. William Richardson. The deliberations of this body resulted in the formation of the present constitution, and, the following year, Wisconsin took her place among that ever-increasing galaxy of commonwealths, which, as time rolls on, will dot this broad land from the Atlantic to the Pacific, and from the 49th parallel of latitude to the Mexican border.

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### Town Organization

In its early settlement, Wisconsin presented two subdivisinal systems of government. The southwestern and earlier-settled portion, being almost entirely filled with emigrants from Southern and Southwestern States, adopted the county system, while the later-settled portion, on the eastern shore of the State, being filled by natives of the New England and Middle States, where the township system was in vogue, naturally followed, in their new settlements, that local polity with which they had been most acquainted, and with whose workings they were familiar. These distinctional features continued in existence until the formation of the State Government, in 1848, when, the two waves meeting, the eastern overtopped its rival, and Section 28 of Article IV of the Constitution provided that "The Legislature shall establish but one system of town and county government, which shall be as nearly uniform as possible." Previous to this, or immediately after the close of the Black Hawk War, in 1832, and after the acquisition by the United States of the Indian title to all the land west of Lake Michigan not reserved to particular tribes, or secured to specified individuals by terms of previous treaties, a survey was commenced by the general Government. The northern boundary line of the State of Illinois, fixed April 11, 1818, on the parallel of 42° 30' north latitude, became, properly enough, the base line of these surveys. A principal north-and-south line, known as the Fourth Meridian, was run, extending from the base line to Lake Superior, at right angles with that line. The Fourth Meridian forms the east boundary line of Grant County, dividing it from La Fayette and Iowa Counties on that side.

Parallel lines to the Fourth Principal Meridian were run every six miles on the east and west sides of it. The intervening six miles between these lines were designated as ranges. Range 1 west is the first range west of the Fourth Meridian; Range 2 west is the second range, continuing in this manner to the western boundary of the State. Grant County lies in Ranges 1, 2, 3, 4, 5, 6, and a portion of Range 7 west.

North of the base line were also run parallel lines six miles apart, and at right angles to the range lines. Thus the State was cut up into blocks, each six miles square, called townships. These were numbered by tiers going north from the base line. Township 1 being the first tier of townships north, Township 2 being

the second, and so on. As the southern boundary of Grant County is the dividing line between Wisconsin and Illinois, that serves as the base line. This county lies in Townships 1, 2, 3, 4, 5, 6, 7, 8, and a portion of Township 9, the latter being in the extreme northeast portion of the county, and included in the township of Muscoda.

During the years 1832, 1833 and 1834, the different townships in Grant County were subdivided into sections and quarter-sections, these lines being run by Lucius Lyon, Robert Clarke, Jr., and Hervey Perke.

After the admission of Wisconsin into the galaxy of States, it became necessary to divide the county politically, in accordance with the provision of the constitution noticed above; and, in pursuance of this object, the Board of County Commissioners met, January 9, 1849 and enacted as follows:

All that district of country in Grant County embraced in township numbered one north of range numbered one west of the fourth principal meridian shall constitute a separate town to be called "Hazel Green." The first town meeting in said town shall be held at the Empire House.

All that district of country in Grant County embraced in township numbered one north of range numbered two west of the fourth principal meridian shall constitute a separate town to be called "Jamestown." The first town meeting in said town shall be held at the house of Alfred Woods.

All that district of country in Grant County embraced in township numbered two north of range numbered one west of the fourth principal meridian shall be called "Smelser." The first town meeting in said town shall be held at the house of Jonas Smelser.

All that district of country in Grant County embraced in township two north of range numbered two west of the fourth principal meridian shall constitute a separate town to be called "Paris." The first town meeting in said town shall be held at the house of William Richardson.

All that district of country in Grant County embrace in township numbered three north of range numbered one west of the fourth principal meridian shall constitute a separate town to be called "Platteville." The first town meeting in said town shall be held at the house of B. Atwood.

All that district in Grant County embraced in township numbered four north of range numbered one west of the fourth principal meridian shall constitute a separate township to be called "Lima." The first town meeting of said town shall be held at the schoolhouse near the house of F. Johnson.

All that district of country in Grant County embraced in townships five, six, seven, eight and fractional townships nine north, in range numbered one, west of the fourth principal meridian, shall constitute a separate town to be called "Wingville." The first town meeting in said town shall be held at W. Bruner's hotel in said place.

All that district of country in Grant County embraced in townships numbered six, seven and fractional eight north of range numbered two west, and townships numbered six, seven and fractional eight north of range numbered three west of the fourth principal meridian shall constitute a separate town to be called "Fennimore." The first town meeting in said town shall be held at the schoolhouse near P. Dempey's.

All that district of country embraced in township numbered three north of range numbered two west of the fourth principal meridian shall constitute a separate town to be called "Harrison." The first town meeting in said town shall be held at the house of C. Travis.

All that district of country in Grant County, embraced in township numbered four and five north of range numbered two west of the fourth principal meridian shall constitute a separate town to be called

"Highland." The first town meeting in said town shall be held at the house of Col. James McKensie.

All that district of country in Grant County, embraced in township numbered three north of range numbered three west of the fourth principal meridian, and fractional townships numbered two of range numbered three west, shall constitute a separate town to be called "Potosi." The first town meeting in said town shall be held at the Wisconsin House.

All that district of country in Grant County, embraced in township numbered three and fractional township numbered two north of range numbered four west of the fourth principal meridian, shall constitute a separate town to be called "Waterloo." The first town meeting in said town shall be held at the schoolhouse near the house of D. K. Burt.

All that district of country in Grant County, embraced in townships numbered four and five north of range numbered three west of the fourth principal meridian, shall constitute a separate town to be called "Lancaster." The first town meeting in said town shall be held at the court house All that district of country in Grant County, embraced in townships numbered four and five north of range numbered four west, of the fourth principal meridian, shall constitute a separate town to be called "Beetown." The first town meeting in said town shall be held at the Beetown House.

All that district of country in Grant County, embraced in townships numbered three and four north of range numbered five west of the fourth principal meridian shall constitute a separate town to be called "Cassville." The first town meeting in said town shall be held at the house of Mr. Pollock.

All the district of country in Grant County, embraced in townships numbered six and seven north of range numbered four west, also townships numbered five, six and seven north of range numbered five west, also townships numbered five and six of range numbered six west, and fractional township numbered six north of range numbered seven west, of the fourth principal meridian, shall constitute a separate town to be called "Patch Grove." The first town meeting of said town shall be held at the schoolhouse near J. M. Dickenson's.

It will thus be seen that the original towns of the county were Hazel Green, Jamestown, Smelser, Paris, Platteville, Harrison, Potosi, Waterloo, Cassville, Lima, Highland - embracing what was Liberty, afterward the townships of Liberty and Ellenboro, Lancaster, Beetown, Wingville, Fennimore and Patch Grove.

The present towns of the county are Hazel Green, Jamestown, Smelser, Paris, Potosi, Platteville, Harrison, Waterloo, Cassville, Lima, Ellenboro, Lancaster, Beetown, Glen Haven, Clifton, Liberty, Little Grant, Bloomington, Wingville, Fennimore, Mount Hope, Patch Grove, Wyalusing, Hickory Grove, Woodman, Millville, Castle Rock, Marion, Muscoda, Waterstown and Boscobel.

Hazel Green comprises Township 1, Range 1; Smelser, Township 2, Range 1; Platteville, Township 3, Range 1; Lima, Township 4, Range 1; Clifton, Township 5, Range 1; Wingville, Township 6, Range 1; Castle Rock, Township 7, Range 1; Muscoda, Township 8 and fractional Township 9, Range 1; Jamestown, Township 1, Range 2; this township is curtailed to somewhat less than a full township by the indenture of the Mississippi. Paris, Township 2, Range 2; Harrison, Township 3, Range 2; Ellenboro, Township 4, Range 2; Liberty, Township 5, Range 2; Fennimore, Township 6, Range 2, and Township 6, Range 3, being a double township; Hickory Grove, Township 7, Range 2; Waterstown, fractional Township 8, Range 2; Potosi, Township 2, Range 3, and fractional Township 2, Range 3; Lancaster, Townships 4 and 5, Range 3 - a double township; Marion, Township 7, Range 3, with the exception of a portion of Sections 5 and 6 cut off by the Wisconsin River; Boscobel, fractional Township 8, Range 3, being that portion south of the Wisconsin; Waterloo, Township 3, Range 4, and fractional Township 2, Range 4; Beetown, Township 4, Range 4, and Sections 1, 2, 11, 12, 13, 14, 23, 24, 25, 26, 35, 36, of Township 4, Range 4; Little Grant, Township 5, Range 4; Mount Hope, Township 6, Range 4, except Sections 1 to 6 inclusive; Woodman, fractional Township 7, Range 4, and Sections 1 to 6 inclusive of

Township 6, Range 4; Cassville, fractional Townships 3 and 4 of Range 5, and fractional Township 4, Range 6; Glen Haven, Sections 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 22, 27, 28, 29, 30, 31, 32, 33, 34, of Township 4, Range 5, and Sections 10, 11, 12, 13, 14, 15, 22, 23, 24, 25, 26, 27, 34, 35, 36, of Township 6, Range 4; Bloomington, Sections 3, 4, 5, 6, of Township 4, Range 5; half Sections 13, 14, 15, 16, 17, 18, and whole Sections 21 to 36 inclusive of Township 5, Range 5, and Sections 24, 25, 36, 35, 26, 23, 22, 27, 34, 21, 20; fractional Sections 19, 28, of Township 5, Range 6, and Sections 1, 2, 3, of Township 4, Range 6; Patch Grove, Sections 1 to 12 inclusive, and half Sections 13 to 18 inclusive, of Township 5, Range 5; also 19 to 36 inclusive, of Township 6, Range 5; Milville, Sections 1, 2, 3, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, and fractional Sections 4, 5, 7, Township 6, Range 5, together with Sections 25, 26, 35, 36, and fractional Sections 14, 24, 23, of fractional Township 7, Range 5; Wyalusing, Sections 1 to 18 inclusive, of Township 5, Range 6, and Townships 13, 19 to 36 inclusive, of Township 6, Range 6; together with fractional Sections 14, 15, 16, 17, 18, of same township and range, and fractional Sections 13, 24 and 25 of Township 6, Range 7.

The number of acres in each of the townships in Grant County is as follows:

Township 1 north Range 1 west - 23,099.37  
Township 2 north Range 1 west - 23,073.12  
Township 3 north Range 1 west - 22,931.44  
Township 4 north Range 1 west - 23,015.71  
Township 5 north Range 1 west - 23,040.31  
Township 6 north Range 1 west - 22,945.05  
Township 7 north Range 1 west - 22,928.77  
Township 8 and 9 north (the latter fractional), Range 1 west - 22,062.33  
Township 1 north Range 2 west - 19,009.29  
Township 2 north Range 2 west - 23,173.04  
Township 3 north Range 2 west - 23,194.69  
Township 4 north Range 2 west - 23,030.40  
Township 5 north Range 2 west - 23,061.77  
Township 6 north Range 2 west - 23,037.33  
Township 7 north Range 2 west - 18,037.85  
Township 2 north Range 3 west (fractional township) - 7,647.33  
Township 3 north Range 3 west - 23,168.07  
Township 4 north Range 3 west - 23,211.56  
Township 5 north Range 3 west - 23,008.76  
Township 6 north Range 3 west - 22,477.43  
Township 7 north Range 3 west - 22,876.67  
Township 8 north Range 3 west (part south of Wisconsin River) - 6,120.14  
Township 2 north Range 4 west (fractional township) - 1,047.86  
Township 3 north Range 4 west - 22,940.04  
Township 4 north Range 4 west - 22,907.04  
Township 5 north Range 4 west - 22,866.22  
Township 6 north Range 4 west - 22,934.08  
Township 7 north Range 5 west (part south of Wisconsin River) - 13,438.49  
Township 3 north range 5 west (fractional township) - 17,833.82  
Township 4 north range 5 west - 23,184.55  
Township 5 north range 5 west - 22,948.01  
Township 6 north range 5 west - 21,645.77  
Township 7 north range 5 west (part south of Wisconsin River) - 3,008.33  
Township 3 north range 6 west (fractional township) - 3,380.33  
Township 4 north range 6 west (fractional township) - 10,986.18  
Township 5 north range 6 west (fractional township) - 18,986.18  
Township 6 north, ranges 6 and 7 west (fractional township) - 14,480.03  
Total - 706,469.23



## Legal Jurisdiction

Federal Courts - By Section 4, of the act of Congress entitled "An act to enable the people of Wisconsin Territory to form a Constitution and State Government, and for the admission of such State into the Union," approved, August 6, 1846, it was, inter alia, provided; \* \* \* "Said State shall constitute one district and be called the District of Wisconsin, and a District Court shall be held therein, to consist of one Judge, who shall reside in said district and be called a District Judge. He shall hold, at the seat of government of said State, two sessions of said court annually, on the first Mondays in January and July; and he shall in all things have and exercise the same jurisdiction and powers which were by law given to the Judge of the Kentucky District under an act entitled, 'An act to establish the judicial courts of the United States.' He shall appoint a clerk for said district, who shall reside and keep the records of said court at the place of holding the same, and shall receive for the service performed by him the same fees to which the clerk of the Kentucky District is by law entitled for similar services. There shall be allowed to the Judge of said District Court the annual compensation of \$1,500."

Section 5 of said act provides for the appointment of a "person learned in the law to act as attorney of the United States" in said district, and provides that, besides the stated fees, he is to receive a salary of \$200. It also provides for the appointment of a Marshal for said district, who is to perform the duties and services, and be entitled to the fees and emoluments given to the Marshals of other districts.

By Section 4, of the act of Congress, approved May 29, 1848, entitled, "An act for the admission of the State of Wisconsin into the Union," the provisions of the foregoing section of the act of August 6, 1846, were modified so as to provide for the holding of "one term of said court in each year at the seat of government, to commence on the first Monday in July, and another term of said court in each year at Milwaukee, to commence on the first Monday in January." It also empowered the Judge of the district to hold special terms of court when he should deem it necessary. The records and papers to be kept at either place as the Judge might direct.

The Hon. Andrew G. Miller was appointed the first District Judge under this act, June 12, 1848. Congress by subsequent acts increased the salary of the Judge of this district to \$2,500 and \$3,500.

By an act of Congress, approved July 15, 1862, the districts of Michigan, Wisconsin and Illinois were constituted the Eighth Judicial Circuit; but, by an act, approved February 9, 1863, Wisconsin was made a part of the Ninth Judicial Circuit, and subsequently transferred to the Seventh Judicial Circuit, the Hon. Thomas Drummond, of Chicago, Circuit Judge.

The business of the United States becoming too large for a single District Judge, by an act of Congress, approved June 30, 1870, entitled "An act to establish the Western Judicial District of Wisconsin," the State was divided into two districts - the Eastern and Western. That portion of the State comprising the counties of Rock, Jefferson, Dane, Green, Grant, Columbia, Iowa, La Fayette, Sauk, Richland, Crawford, Vernon, La Crosse, Monroe, Adams, Juneau, Buffalo, Chippewa, Dunn, Clark, Jackson, Eau Claire, Pepin, Marathon, Wood, Pierce, Polk, Portage, St. Croix, Trempeleau, Douglas, Barron, Burnett, Ashland and Bayfield was constituted the Western, and the remainder of the State the Eastern District. The terms were appointed to be held for the Western District, at Madison, on the first Monday in June, and at La Crosse the first Monday in December; a District Judge for this Western District was provided for, together with a Marshal, District Attorney, a Clerk at Madison, and another at La Crosse. Under these provisions, James C. Hopkins, of Madison, Wis., was appointed Judge of said Western District, on the 9th day of July, 1870. F. W. Oakley, of Beloit, Wis., was appointed Marshal, and Charles M. Webb, of Grand Rapids, appointed District Attorney, at the same date. F. M. Stewart, of Baraboo, was appointed Clerk of both Circuit and District Courts at Madison, August 2, 1870, and H. J. Peck, of La Crosse, Clerk at that place, August 18, 1870. On October 19, 1879, Sidney Foote, of Madison, was appointed a Register in

Bankruptcy and on the 10th of January, 1871, Carson Graham, of Viroqua, was appointed Register at Lancaster.

In 1872, the terms of court were changed by act of Congress, and directed to be held at La Crosse, on the third Tuesday of September, and abolishing the December term there, but reserving to the Judges the right to appoint special terms if they deemed it necessary. In March, 1877, Mr. Foote, Register in Bankruptcy, died and was succeeded by Mr. S. W. Botkin, of Madison. On the 4th of September, the same year, Judge Hopkins died, after a service of seven years. His successor, the present Judge, Romanzo Bunn, of Sparta, was appointed October 13, 1877. On the 5th of February, 1878, Henry M. Lewis, of Madison, was appointed District Attorney, vice Charles M. Webb, resigned. These officers now constitute the officers of the Federal Court of the Western District of Wisconsin.

Territorial Courts - The act of Congress, which provided for the organization of the Wisconsin Territory, declared that the judicial power therein should be vested in a Supreme Court, District Courts, Probate Courts and Justices of the Peace. The Supreme Court was to consist of a Chief Justice and two Associate Justices, any two of whom should be a quorum; and they were required to hold a term of court annually at the seat of government. The Territory was to be divided into three Judicial Districts; and it was provided that a District Court or Courts should be held in each of said districts, by one of the Judges of the Supreme Court, at such times and places as might be prescribed by law; the jurisdiction of these several courts was to be "as limited by law;" but the act declared, that both the Supreme and District Courts should "possess chancery as well as common law jurisdiction." That "writs of error, bills of exception, and appeals in chancery causes," should "be allowed in all cases from the final decisions of the District Courts to the Supreme Court," under regulations to be prescribed by law, and that in no case, removed to the Supreme Court, should there be a trial by jury. It further provided that "writs of error and appeals from the final decisions of the said Supreme Court" should be "allowed, and taken to the Supreme Court of the United States, where the value of the property or the amount in controversy be ascertained by the oath or affirmation of either party," should exceed \$1,000. The Supreme Court was also empowered by the act to appoint its own Clerk, as were each of the District Courts.

The Judges of the Supreme Court, as well as a United States Attorney and Marshal for the Territory, were to be appointed by the President, by and with the advice and consent of the Senate. In spite of vigorous efforts of leading politicians of that early day to induce the President to appoint to all the leading offices of the new government persons then resident in the Territory, President Jackson appointed as Chief Justice, Charles Dunn, then of Illinois, and, for Associate Judges, he selected William Frazier, of Pennsylvania, and David Irvin, formerly of Virginia, but who had been, during the preceding four years, Judge of the additional or Fourth District of the Michigan Territory, which comprised the whole of that territory west of Lake Michigan. William W. Chapman, of Burlington, Iowa, was appointed United States Attorney, and served until July 4, 1838, when he was succeeded by Moses M. Strong, of Mineral Point. Francis Gehon, of Dubuque, was appointed Marshal, serving until June 19, 1838, when Edward James was appointed to that office.

At the first session of the Territorial Legislature, held at Belmont, commencing October 25, 1836, the Territory was divided into three Judicial Districts, the First District consisting of Crawford and Iowa Counties; the Second, of Dubuque and Des Moines, and the Third, of the counties of Brown and Milwaukee : and it was further provided, "That Charles Dunn, Chief Justice of the Supreme Court of the Territory of Wisconsin, shall perform district duties in the First Judicial District; that David Irvin, Associate Judge of said court, shall perform district duties in the Second Judicial District; and that William C. Frazer - Associate Judge of said court, shall perform district duties in the Third Judicial District. It was further provided, that "there shall be two terms of the District Courts held annually in each of the counties now organized in the Territory, at the court house thereof, or place provided for holding court, which terms shall be commenced and held at the respective times, following, to wit: In the county of Crawford, on the first Mondays in May and September; and in the county of Iowa, on the third Monday in May, and the first Monday in October." Grant County, as a part of Iowa County at the time the districts were created, was

included in the First Judicial District. At the same session of the Legislature, but subsequent to the districting of the State, several new counties were formed, among them. Grant; and it became the duty of Chief Justice Dunn to hold terms in the new county which continued a part of his district.

Of Chief Justice Dunn, a late writer speaks as follows: "The Chief Justice of the new Supreme Court was then in his thirty-seventh year, of Irish descent, of Virginia ancestry on his mother's side, a native of Kentucky. Having enjoyed the advantages of nine years' preliminary education at Louisville, before he attained the age of eighteen, and having read law for about three years with distinguished lawyers of Kentucky and Illinois, he was admitted to the bar in the latter State before reaching his majority, and had practiced there during most of the next sixteen years, except so far as his practice was interrupted by the duties of various civil and offices. He had taken part in the Black Hawk War as Captain of an Illinois company, and had entered Wisconsin with the Illinois forces engaged in the pursuit of a retreating enemy. During the campaign, he had been wounded by a blundering sentinel, and had been disabled for further service. An able and well-read lawyer, endowed with a fine physique, with a countenance open, ruddy and frank, whose lines were nevertheless strong and indicative of good sense and a strong will, with a firm, manly and dignified bearing, familiar with the habits of border life yet with the manners of an urbane and cultivated gentleman. Judge Dunn, though still a young man, had little difficulty in commanding the respect or winning the general good will of the people among whom his lot was now cast."

The first session of the District Court in Grant County, was held at Cassville, commencing June 5, 1837. The first docket of the court shows the following cases: James H. Johnston vs. A. R. T. Locey, action, trespass. Francis Gehon vs. J. B. Estes, action, trespass. A. Levi & Co. vs. Coyle & Palmer, action, trespass. Stewart McKee & Co. vs. John R. Farnsworth, action, trespass. Holder vs. Keller, action, debt. A. Cornell (assignee) vs. R. Ray, action, same as above. C. A. & C. L. Lagrave vs. J. B. Estes assumpsit, discontinued with leave to withdraw de con.

The first grand jury was as follows: Jeremiah Dodge, John R. Farnsworth, Alexander D. Ramsey, Andrew McWilliams, Isaac Lander, Moses Hicklin, Daniel Richards, Clovers A. LaGrave, Abram Miller, James Bonham, Thomas Shanley, William P. Fleharty, Elisha T. Haywood, James R. Vineyard, Henry Hodges and James Grushong. James R. Vineyard was selected to act as foreman.

Upon the opening of the court, it was "ordered by the court that Orris McCartney, Henry Wood, James Boice and Aaron Boice appear here on the first day of the next term of this court, and show cause, if any they can, why they shall not be fined for contempt of court in not attending at this court as grand jurors."

The first case brought before the attention of the court was that of Stewart McKee and Lind vs. John R. Farnsworth for trespass. Moved by defendants' attorney to quash the complaint. The case was continued to the following morning, and court adjourned until that time. Upon pre-assembling, the complaint was quashed and defendants empowered to collect costs from plaintiff. The first bill returned by the grand jury was a "true bill" against John R. Farnsworth for retailing ardent liquors; case continued until next term of court and then dismissed. The first execution issued was in favor of James Gehon against James B. Estes, indorsed "satisfied by order of plaintiff."

At this session of the court, Thomas S. Wilson was appointed District Attorney, pro tem, by the presiding Judge. Among other matters, Justice Parson was granted leave to keep a ferry across the Mississippi opposite his house. James H. D. Street as Sheriff of Grant County, and Robert R. Read and George Moore, his Deputies, were granted pay for three days' attendance upon court, this appearing to have been the limit of the first session. One term of court was held at Cassville, the court house at Lancaster not, as yet, having been completed. At the October term ensuing, J. Allen Barber was admitted to the bar of Grant County as attorney and counselor at law, being the first one so admitted; Edward Southwick was also admitted at the same term.

The first session of the court at Lancaster took place at the October term, 1837. The court house not being quite finished, the court was held in a little frame structure standing about where the bank is now situated. There being no Crier, the court appointed Lewis Reynolds to act in that capacity, and also appointed Harvey Pepper as Constable. From this time forward until the organization of the State government, in 1848, regular terms of court were held by Judge Dunn at Lancaster, the county seat.

The last term of the District Court was held in June, 1848. On the 29th of May, of that year, Wisconsin became a State, and a new period began in her judicial and political history. None of the Judges of the Territorial Supreme Court were afterward connected with the State Judiciary. While still on the bench, Judge Dunn had been elected as a delegate from La Fayette County to the second Constitutional Convention. In this convention, he served as Chairman of the Judiciary Committee, and possessed a "commanding influence" in the convention. He was afterward a member of the State Senate from 1853 to 1856, and was a member of the Judiciary committee of that body during the entire four years, and its Chairman until 1856, when the majority of the Senate being of the opposite political party, he was succeeded in the chairmanship by David Taylor. Judge Dunn died April 7, 1872, at the residence of his sister at Mineral Point, in the eightieth year of his age.

By the constitution of the new State, Wisconsin was divided into five Judicial Districts. Grant County was included in the Fifth Judicial District, which comprised besides, Iowa La Fayette, Crawford and St. Croix Counties, and three new counties attached to some of these for judicial purposes. The Legislature was authorized to alter the limits or increase the number of these circuits, with certain restrictions. These Circuit Judges were then to form the Supreme Court of the State, which court was by law compelled to hold at least one session annually at the seat of government.

The first election for Circuit Judges was held on the first Monday of August, 1848, and the following persons chosen: First, Edward V. Whiton; Second, Levi Hubbell; Third, Charles H. Larrabee; Fourth, Alexander W. Stow; Fifth, Mortimer M. Jackson. The first term of the Circuit Court in Grant County, opened Monday, October 2, 1848, Judge Jackson, presiding. Upon the opening of the court the following persons, "who were formerly" attorneys and counselors at law in the District Court, came forward and took the oath, and were admitted as attorneys: Nelson Dewey, J. Allen Barber, Orsamus Cole, Stephen O. Paine, Joseph T. Mills, Cyrus K. Lord, Royal C. Bierce, William Hull, James W. Seaton, Ben C. Eastman. Willis H. Chapman, attorney at law in the courts of Illinois, was also admitted at the same time.

The first grand jury for this court was composed of the following persons : Thomas Cruson, Simpson Oldham, Warren Hannam, Sr., William Richardson, Jeremiah E. Dodge, Samuel Wilson, A. W. Emery, Jonas M. Smelzer, John S. Kirkpatrick, James Prideaux, Thomas J. Taylor, Robert Langley, Neely Gray, Jacob Benninger, James Barr, Abner Coates, Sr., Robert R. Young, James Bonham, James R. Short, Lewis Rood. Thos. Cruson was elected as Foreman.

The first case brought before the court was the State of Wisconsin vs. William Morris, Reuben Ray, Thomas Cobb, Thomas G. Kirkpatrick, Benjamin Baldwin, Solomon Roberts, Samuel Dorsey, William Clise and Pendleton P. Stone, for riot. Case stricken from the docket on motion of the District Attorney J. Allen Barber, subject to re-instatement at the option of the District Attorney. The case was one growing out of a charivari given in accordance with the custom of "ye olden time." Judge Jackson continued as Judge of the Fifth District until 1852, when he was succeeded by Montgomery M. Cothren, who served two terms, retiring in 1864. Joseph T. Mills, of Lancaster, was the next Judge of this circuit, and held two terms, and was followed by Judge Cothren, the present incumbent.

County and Probate Courts - County Courts were established in this State by Chapter 86, of the revised statutes of 1849, and the jurisdiction and powers previously exercised by Probate Courts were by said Chapter 86, transferred to the County Courts.

Prior to 1849, the Judges were styled Probate Judges, and prior to 1844, they were appointed by the Governor of the Territory.

Civil jurisdiction, to a limited extent, was vested in County Courts by the act establishing them. In 1853, a decision of the Supreme Court, in the case of James Nerval vs. James P. Rice and Lutia A. Rice, action of assumpsit, commenced in County Court of Rock County and appealed to the Supreme Court, struck a heavy blow at the common law jurisdiction of the County Courts. The court held that the statute creating the County Court, in so far as it provides for the trial of issues of fact by a jury of six men instead of twelve, is repugnant to the constitution of this State, and void.

"The right of trial by jury, secured by the constitution, contemplates a jury of twelve good and lawful men as the same was understood by the common law."

At the session of the Legislature of 1854, Chapter 86 of the Revised Statutes of 1849, so far as it related to civil jurisdiction of County Courts, was repealed, except in Milwaukee County, where this court has always retained civil jurisdiction to a limited extent. The other counties of the State in which County Courts have this jurisdiction at present are Dodge, Brown, Fond du Lac and Winnebago. A list of the County Judges of Grant County is given in another place.



### County Buildings

Court House - Immediately upon the meeting of Board of Supervisors for the newly created Grant County, in 1837, proposals were entertained for building a new court house, and at a subsequent meeting the contract was let to Messrs. G. M. Price and Daniel Banfill, the former taking the wood-work and the latter the mason-work of the building. Building operations were at once commenced, and the court house finished the following year. This building was occupied until in 1851. Its dilapidated condition called either for extensive repairs or the erection of a new structure. The latter measure was decided upon, and the contract awarded to Messrs. Alcorn, Wood and Prentiss, who commenced work upon the new building in 1852, turning it over to the county the succeeding year. This building forms the wing of the present court house. A relic of the first court house of Grant County still remains in the shape of the stairs, over which the feet of so many weary applicants for the interposition of the strong arm of the law have passed. At present these steps do duty as an outside means of reaching the second story of the residence of Judge Mills. By 1865, the needs of the county for a larger building were so glaringly portrayed, that, at an annual meeting of the County Board in November of that year, \$5,000 was appropriated for the enlargement of this repository of justice and county business. The contract for the erection of the present east front was then given to John Thornton. At the same time the roof of the old court house was raised several feet, giving the court-room a much airier and handsomer appearance. The new front was finished the following year. The original contract price was \$5,000, but at a subsequent session of the board the sum of \$1,087.76 was added to this in order to reimburse the contractor for his work which, while it had been performed in an eminently satisfactory manner, had by this sum exceeded the contract price, and feeling that they now had a building which they could regard with pride, the county generously came to his relief and awarded him the above sum. A lengthened description of this building is unnecessary. It is an edifice that does credit to the county, and provides in a commodious and safe manner for all the varied county interests that have their headquarters there.



### County Jail

The ease and facility with which prisoners effected their escape from these prison walls finally awoke the county to the necessity of providing a jail that would be capable of holding securely the desperadoes and

ruffians who visited this section. Notice was accordingly given early in 1872, that bids for the proposed new structure would be received, and, in July of that year, the contract was awarded to Haugh & Co., of Indianapolis, for the sum of \$20,500. All but the iron-work was sub-let by this firm to Norris & Hinkley, of Monroe, Wis. The following description of the new prison is published in the Herald of contemporaneous date:

"The edifice will be made of brick and be two stories high above the basement room, the latter having an altitude of seven feet and five inches, and extending three feet below the surface of the ground. The basement will be divided into two compartments, one of which (the front) is to be used as a fuel room, and contain the furnaces for heating the various rooms, cells, etc., above. Eight basement windows will light this portion of the building, each grated by two horizontal and seven vertical bars of iron. The walls are to be one foot six inches thick, laid with good building stone in the best sand and lime mortar. The dimensions of the building to be  $36\frac{1}{2}$  x  $45\frac{1}{2}$  feet, all measured outside of brick-work. All outside walls above the water table will be twelve inches in thickness, to be built of the best quality of Lancaster brick. The floors will be of bush-hammered limestone, seven inches thick, laid level and properly bedded in mortar. All window-frames and sash to be of good, solid oak.

"The building will contain twelve cells, six on the first floor and as many on the second. Each cell will be five feet by seven and eight feet high, made of jail plate a quarter of an inch thick, and set on iron pillow-blocks six inches from the floor. The doors to these cells will be two by six feet, made of articulated iron-work secured with heavy bolts and provided with strong locks. A corridor composed of articulated iron-work will surround the outer tier of cells on both the first and second floors. This grating will extend from floor to ceiling. Separating the corridor from the gallery will be another grating of iron-work, the horizontal bars of which are to be of strong band-iron, and the upright of one-inch round-iron, spaced three to a foot. The lower ends of these bars will pass through the stone floor and be securely riveted. The gallery is to be two feet wide, and will extend all around the main prison. Besides the cells, gallery and corridor already referred to, the first floor will contain a kitchen and guardroom; the second a jailer's bedroom and a female ward furnished with six beds and provided with an iron door. The walls on three sides of the main prison to be eight feet in height, the wall on the north side the entire height, the whole ceiling of the apartment containing the cells as well as the floor, walls and ceiling of the female ward are to be lined with jail plate-iron a quarter of an inch in thickness. There will be eight windows in the prison, and two in the female ward, each made secure with cast-steel gratings, consisting of three horizontal and seven vertical bars, the latter let into the caps and sills two inches, and the spaces around them at the bottom will be filled with melted lead. There will be two swinging beds in each cell, and six in the ward for women. These will be hung with chain suspenders and hinged with strong hinges, four inches from the wall. To be made wholly of iron."

Some slight changes were made in the original plan, two feet being added to the height of the basement, and six inches to the thickness of the basement walls, besides several minor additions.

The site selected for the new building was a vacant lot on the corner of Jefferson and Maple streets, and just north of the old jail. Work was commenced soon after the awarding of the contract and carried rapidly forward, and in September of the following year, the completed structure was turned over to the county and accepted. The total cost of jail and lot was \$21,740, \$800 having been paid for the lot and a small sum allowed the contractors for extra work according to changes made in the original plans.

It had been intended at first to include a Sheriff's residence with the new building, and plans for a building  $44 \times 27\frac{1}{2}$  feet, two stories high, with a mansard roof, had been accordingly drawn. The cost of this additional building would have been about \$7,500, but from motives of economy the residence was omitted, something that was afterward much regretted. This contemplated addition will doubtless be completed according to the original plans ere many years roll round, as only this is needed to round-out and finish to completeness what is undoubtedly one of the finest jails in the State.



## County Poor Farm

This property which lies some two miles southeast of town on the Platteville road was purchased by the county in the fall of 1845, the purchase being brought about in a great measure by the efforts of Judge Barber and Dewey, who previously had purchased the property and offered the county the land at the cost price, namely, \$3 per acre, providing they would establish there a poor farm, the need of which was already felt. The proposition was accepted, and November 17, 1845, deeds were made out direct from James Wilter, of Monroe, Green Co., to the county of Grant, by which the latter became the owner of 240 acres of the half-section sold by Wilter. Work was begun upon the proper buildings thereon, and the farm was ready for occupancy the following year. Isaac Martin was the first Superintendent. October 24, 1866, the main building was destroyed by fire, the incendiary being an insane pauper named Susan, who started the blaze in her cell. There were no men on the place at the time, and although the women present fought strenuously against the fire fiend, they were unable to subdue it, and before help could arrive from Lancaster the flames had such possession of the structure that all efforts to save it proved unavailing. The furniture and some few other articles were saved. The building was uninsured, and the loss to the county was estimated at \$7,000. At the meeting of the Board of Supervisors in the November following, the sum of \$5,000 was appropriated for rebuilding the structure, the new building not to cost over \$8,000. During the interval, a stone building about a mile south of the poor farm, the property of the Hon. J. P. Cox, then lately deceased, was leased for the use of the Superintendent and inmates until the new building could be erected. The present poor house is a commodious and neat-looking structure, combining comfort with all the requirements necessary for such an institution. Its cost, however, somewhat exceeded the price set by the Board of Supervisors when rebuilding was first determined upon.

Source: "History of Grant County Wisconsin"  
Chicago Historical Company, 1881  
C W Butterfield

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Grant County portion of the [WiGenWeb](#)