

Annotated Bibliography

Lawyers in Washington Territory and State

Babcock, Barbara A. "Making History Lelia Robinson's Index to American Women Lawyers." Women's Legal History Biography Project. Stanford Law School. 03 Feb. 2009 <<http://womenslegalhistory.stanford.edu/articles/makinghistory.pdf>>.

The biography of Lelia Robinson serves both as a tool to understanding the views of the Washington Territory, but also gives insight into the works and struggles of early women pioneers in the legal profession. After pages upon pages of Washington history this short synopsis of a female lawyer shows another side to the coin of the legal practice. I find that it was interesting that this one woman had so much fight in her that she not only became “the first woman lawyer to argue to a mixed jury, but the first to strike a woman from the panel.” With so much of early history being placed on the foundation of the area, it was both refreshing and enlightening to have a view point of a movement beyond that of just statehood.

Bancroft, Hubert Howe, and Frances Fuller Victor. History of Washington, Idaho, and Montana: 1845-1889. The works of Hubert Howe Bancroft, v. 31, San Francisco: History Co., 1890. P. 54-56

Bancroft delves into the exact history of the time frame. The pages explicit to my research helped give exact information regarding trials and the situations that led to the application of lawyers in the area. One in particular was that case regarding a title case involving Michael T. Simmons. As a research tool this source gives great details regarding the scope of time, as well as, giving exact information relating to the law practice in the area and key

members. The text would be extremely helpful in any project regarding the specific times, dates, and events of the states and specific cities.

Beardsley, Arthur S. The Bench and the Bar of Washington: the first fifty years. 1849-1900. Seattle: Unpublished, 1940.

Although this work by Professor Beardsley was never published it still exists as a useful tool for both families searching to understand their family's contribution to the state's legal practice and to scholar's research relating to the legal history of Washington State. The manuscript is a collection of newspaper clippings as well as photographs of State Lawyers and Judges. As a lawyer, librarian, and historian Beardsley wanted to compile a history of Washington's Legal Community. While the text was never published it still remains in the University of Washington's Gallagher Law Library, where it can be accessed. While extremely helpful as a tool giving examples of people and events, the access to the documents is specific to going to the library itself, but once gained the information is in great detail.

Beardsley, Arthur S. The Codes and Code Makers of Washington, 1889-1937.

Seattle: University of Washington Press, 1939.

Much like his other work this text by Beardsley extends the information of the law practice in Washington State's history. The publication can be found in the Gallagher Law Library at the University of Washington, although for security purposes it is kept off the public shelves. The text is beneficial in the history of the beginning part of the twentieth century and gives a detailed run through of the codes and their creators. Unfortunately, the text is also a lot to take in and comprehend, and must be a text untaken only with the knowledge that there is a lot to wade through in comprehending the memorization.

Beckett, Paul, and Celeste Sutherland. Washington State's Lawmakers: Some personal factors in Washington State Legislature. The Western Political Quarterly, Vol. 10, No. 1. (March 1957), P. 180-202.

Beckett and Sutherland examine the personal connections between thoughts of the legal profession who create the beginning and continuation of the Washington State Legislature. This source is helpful in collaboration of my other sources, because this fills in the cracks of the other works. This is a useful too of those looking into the behind the seen ideas that create our legislature, while it is not specific to a time frame of early lawyers in the area it does serve as a helpful guide to understanding why those who practice law do what they do.

“Biographical Dictionary of United States Congress.” Biographical Dictionary of United States Congress. 10 Feb. 2009 <www.bioguide.congress.gov>.

This work is an excellent synopsis in explaining the journal and purpose of Samuel Thurston's contributions to both the state itself and the development of the legal structure. Helpful to anyone interested in the person behind the county that holds the state's capitol. The biography is also another example of a source not specifically relating to a legal research topic, but does shine light on another key member in the area's structure, who like many others practiced a form of law in addition to his seat in the legislature. Then both useful and bothersome about the work is that it leaves more questions than answers because of the short length at which the history of the person is gone into.

Blackenship, Georgiana Mitchell. Early history of Thurston County: Together with Biographies and Reminiscences of those Identified with Pioneer Days. Tumwater: 1914.

This locally publicized text gives a generalized explanation of the people and places involved in the creation of the State of Washington. The work was reminiscent of schooling textbooks that skimmed the surfaces of history. But at the same time it is helpful to get a slightly altered view, because it backs the fact of seeing events from different viewpoints. You ultimately get to see different reasons as to why groups came but you begin to make the connection of how all these different sections could come together for something greater than they were.

Bonney, W.P. History of Pierce County Washington. Chicago: Pioneer Historical Co., 1927, 54-58.

Bonney closely examines the events leading up the first criminal trial in what would be the Washington Territory. This article gives the early understanding and application of area laws, and awards. Also, it explains a connection and irony in the fact that the first criminal trial and execution both took place because of the broken laws of Indians. Showing that before it was a state or even a territory there was seen to be a separation between the pioneers laws and Indian codes. Both a source for historical military endeavors, the text helps in showing the interactions of the population of the area.

Bowsell, H. James. American Blue Book Western Washington. Seattle: Lowman and Hanford Co., 1992. P. 13.

This excerpt is specific to my interest in the topic itself. This piece is in regard to the biography of a judge assigned to the Federal District Court. E.E Cushman, famously known for his involvement in the case of child kidnapping and extortion of a wealthy Washington State family, that created the largest northwest wide search of the perpetrators. Boswell explores Cushman's devotion to showing the problems that faced the area and the importance of finding a source to the problems. This source is useful if you have interest in local judges or have an interest the beginning of a family law practice that still goes on today.

Copeland, Tom. The Centralia Tragedy of 1919: Elmer Smith and the Wobblies. Seattle: University of Washington Press, 1993.

This book is both useful in a historical outlook on an early tragedy and trial in the area, and a viewpoint of how unions survived in the state. It reads out as a story of the event, unlike from a text book it left out some connecting points. Not extremely well known by many today, this event can in a way give a small explanation of relations between those different groups that collectively were seen as Washingtonians. This would be a helpful source for those looking into labor unions and their connection to Washington State.

Cushman, Jon E. "Lawyers in Washington." Letter to M. Katy Kuchno. 15 Jan. 2009. Olympia, Washington.

A helpful tool in finding information regarding certain professions is to either have personal connections to the job or to write a letter asking for information and help from a reliable

source. In this case, basic family knowledge was produced as well as an extensive list of all other known players in a certain frame. Primarily, the information in the letter runs over the beginning part of the twentieth century and leads up until today. This source proved to be extremely helpful in naming other bar members that could be explored in further detail as well as literally naming the connecting links of early law firms with those of today. The only downside, if one could be found rests in the pompous tone of the author when referring to disliked colleagues.

Glover, Eli S. Bird's eye view of the city of Olympia, East Olympia and Tumwater, Puget Sound, Washington Territory, 1879. 1878. Office of Attorney Bill Gilbert, Olympia.

A picture is said to be worth a thousand words. This photograph of Olympia and Tumwater in 1879 does just that. Upon comparison to the view seen today from that same spot, an evolution can be seen of the area from a wilderness of one kind to a wilderness of another. While not specific to the legal profession the image does give insight into the surroundings of those found in other sources. Researchers are able to put a picture to the description being expressed in other words. This photo and others like it that reside in the office of Jon E. Cushman are there not only as art but also a reminder of the beginning of the state where generations of his family chose to set up not only family roots but also roots in the practice of law.

Hunt, Herbert, and Floyd C. Kaylor. Washington, West of the Cascades; Historical and Descriptive; the Explorers, the Indians, the Pioneers, the Modern. Chicago: S.J. Clarke Pub. Co., 1917.

Hunt examines the vastly different groups that helped make up both the outline and structure of the area west of the cascades. The work itself gives a cross section of viewpoints from all groups from the explores, the natives, the ones that fought their way to traverse the growing country, to the modern population of the west coast of the United States. This is a valuable tool in describing the lives of people west of the cascades both past and present. And is a helpful any source of study in America.

Kuchno, M. Katy. Your Family History in Washington. E-mail to Benjamin D. Cushman.

10 Feb. 2009.

The electronic conversation with Mr. Cushman gave a detailed and personal description of the family history of one of the northwest's great legal families. Unlike other sources that pass over the things that led many lawyers to the area, Cushman was able to give a family background that led to his ancestors to become part of the Washington State Bar. This like the explanation of how members learned law, "E.E. Cushman and his brother learned law while riding the rand, driving cattle from Wyoming to Texas and Back. They packed law books in their saddlebags and "read the law" for seven years – allowing them to take the Bar Exam in Washington." This source is helpful in understanding the family legacy of the legal profession in Washington, as well as description of what some people went through for a profession.

Lockman, Heather, and Burke Long. The Bigelow House [videorecording]. Olympia

Heritage Commission: City of Olympia, 1992.

For anyone interested in an early family who lived in Olympia, this video of the Bigelow House is a perfect resource of information. Giving a view of the changes made to the house also

gives a history of the area. As the oldest wood built structure, the house has as much to do with local history as the town. The video tells the story of not only the house but also of the family and man who built it. Daniel Bigelow, a local lawyer and key member of the legislature has huge personal ties to the governmental structure of the town and the state, and this video gives you his and his families' story.

Mindes, Marvin, and Alan C. Cook, Trickster, Hero, Helper: A Report on the Lawyer

Image. American Bar Foundation Research Journal, Blackwell Publishing, Vol. 7, No. 1 (Winter, 1982), P. 177-233.

Mindes explores the different stereotypes that the legal profession has been described by for decades. This proves to give a great image to compare early lawyers to. Compared to their modern counterparts' early attorney's held high respectable seats in legislatures, they helped to better and construct newly founded areas. Seen in Mindes work as the hero and helper, from going through other texts, this is one of the only that sheds light of the early trickster side of lawyers.

Rathbun, John C. History of Thurston County, Washington from 1845-1895. Seattle:

Shorey Bookstore, 1972.

Rathbun breaks down the discovery and creation of Washington Territory, as it transformed from untamed wilderness into a growing locality. Rathbun delves into the tasks of explaining the early process and progress of the land that would in time become Thurston County. Stating early that the purpose of the text is to give later historians a resource in explaining the area. A majority of time is spent giving the rundown of the land, key players, and

detailed lists of governmental seats throughout the time frame. The scope of the text illustrates the reasoning and events that led to the eventual adaption of the territory into statehood. As a resource for the historical placement of lawyers in Washington, it does prove a valuable tool in giving specific people, and shines light on the fact that in the time the profession of attorney most often meant having a hand within the government system as well. Showing that attorney's most often had seats on the legislature and most practices centered on the parceling up of land. Overall, Rathbun's book is a helpful in any research centered on the formation of Thurston County and the surrounding areas, although it can be a tedious read in working your way through list after list of governmental appointments.

Warren, James R. "Law and Lawyers in Seattle's History." Historylink.org Online

Encyclopedia of Washington State History. 14 Sept. 1999. Accessed 24 Feb. 2009

<historylink.org>.

Warren focuses primarily on breaking down and explaining the growth of the legal profession in Seattle since the late 19th century. Listing specifically increased number of lawyers in that time, "law firms grew from 311 in 1900 to one that required 94 telephone directory pages in 1999." Warren also takes time to explain the practice of family law firms, and gives emphasis of this fact as to why many early law practices still exist in some form or another from those established in the late 19th century. Like many other sources, Warren's article shines light on fact that lawyers played large parts in the communities they belonged to, taking up governmental seats and used their power and knowledge to bring better conditions to those around them, ending the article by stating, "we may be tempted to curse the multiplication of laws and lawyers, but history shows that they have left our community better off than they found it."

While Warren does give closer examples of how the legal profession grew, it does leave some questions as to what lawyers specifically did in the early 20th century, and other than stating a few firms doesn't really give many specific characters to the profession, although, it must be understood that this is just an excerpt of a larger publication. As a research tool, Warren's article helps make the firms of the past relevant to those of the present by literally connecting those to current firms.

Washington State Trial Lawyers Association. Roster- Washington State Trial Lawyers Association. Seattle: Washington State Trial Lawyers Association, 1983.

Just as the citation suggests in its redundancy, this source really is just a run through of those involved in the legal practice of the state. But what this does is given future historians a clear run down of those admitted. A hard part about learning early histories is not having a clear list of those; the census wasn't an efficient template. While the roster is a boring and a tedious read, it would be extremely helpful in locating specific people. Although a downside is that it is only specific to trial lawyers, leaving out a group of attorney's who do not do trial law.

Weber, Dennis. The Creation of Washington Territory: Securing Democracy North of the Columbia. Columbia: Fall 2003; Vol. 17, No. 3. Accessed 11 Feb. 2009.
<<http://whs1.order-vault.net/wshs/wshs/columbia/articles/0303-a4htm>>.

The article gives a detailed description of the formation of the State of Washington. Giving the reasoning for locals' want of separation from Oregon, the work also supplies the reasoning of movement into the area by the ones who experienced it. Weber doesn't just go over events; he takes time to explore them both in a historical and analytical way. He tells of the

mistakes made, and different side views of how things went down. Overall, it creates a detailed picture of what transpired between the people and the government in the pioneer's fight to bring Washington to statehood.