



The **AKEY** **BrAKEY** News

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A BIOGRAPHICAL SKETCH OF ADA JAMES

This is Part 2 of 2 with Part 1 appearing in the April, 2013 issue

By Jerry L. Bower

III. The 1921 Fifth Circuit Judge Election and the Levi Bancroft/Ada James Lawsuits

When, many years ago, I first began to do some research in local history and to learn about Ada James and other early community leaders, I was told about a “scandal” concerning an election that resulted in Attorney Levi Bancroft, one of the candidates, suing Ada James for illegal campaign activities. I was also told, “no one ever talks about this episode, for fear of embarrassing family members who remain in Richland Center.” Indeed, the material concerning the lawsuit in the Richland County Room was locked up and “special permission” was needed even to look at it! In 2004 I was doing research on Pearl Lincoln, a prominent lawyer and public official during the first four decades of the 20th Century and I learned that Lincoln, too, was involved in the lawsuit. So, I asked to see the documents, which had been given to the County Room by Pearl’s son, Garrison Lincoln. I was allowed to do so and found nothing particularly scandalous—darn it!—and the director of the County Room decided to remove the “top secret” label and to put the documents in the Lincoln file. So, here’s what I learned.

In 1920 Fifth Circuit Judge George Clementson died unexpectedly. After soliciting nominations for the vacancy, Governor Emmanuel Philipp appointed Levi Bancroft of Richland Center to the judgeship, apparently giving him an advantage for the election scheduled for April 1921. Ada James, a Progressive Republican, did not like Bancroft, who was a conservative “stalwart” Republican. Consequently, Ada recruited Sherman E. Smalley, a Progressive Republican from Cuba City, to enter the election against Bancroft. From the start, this was a mean-spirited campaign and, as election day approached, the outcome was not at all predictable.

On the Sunday preceding the election, Ada James and her crew distributed a pamphlet entitled, “*Why Judge Bancroft Should Not Be Elected Circuit Judge,*” throughout Richland Center and the Fifth Circuit counties. The following Tuesday the voters—both men and women—apparently awarded Sherman Smalley a very narrow victory (604 votes). The final tally gave Smalley 12,552 votes to Bancroft’s 11,948. Bancroft demanded a recount, which confirmed Smalley’s narrow margin.

An outraged Bancroft then filed lawsuits for slander, libel, and violations of the Wisconsin Corrupt Practices Act against four people: Ada James; Pearl Lincoln; R. P. Hutton, the head of the Anti-Saloon League; and even Sherman Smalley. Bancroft sought \$30,000.00 from both James and Lincoln. I was unable to find the amount sought from Hutton and Smalley in the documents. A little later Ada filed a countersuit for \$10,000.00 against Bancroft for slander because he had alleged she had forged her ailing father’s signature on some documents.

Ada’s last minute pamphlet was the centerpiece of Bancroft’s claim for damages. In it Ada made five major statements about Bancroft’s record, which she believed disqualified him from receiving the voters’ support. Ada had not put her name and address on the pamphlet, which triggered Bancroft’s claim that she had violated the Corrupt Practices Act.

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Charge #1: While he was Wisconsin's first assistant attorney general, 1902-04, Bancroft had used a railroad pass from the Chicago, Milwaukee and St. Paul RR in violation of Chapter 357, Laws of 1899.

Charge #2: Bancroft, a "wet," while assistant attorney general, had returned to Richland Center to defend J. W. Houghton, a "notorious liquor outlaw," who was being prosecuted by the "dry" district attorney, Pearl Lincoln. Houghton had been convicted.

Charge #3: Bancroft, while in the Assembly, 1907-1911, had repeatedly testified against prohibition before legislative committees and had consistently supported the liquor interests. Sherman Smalley, by contrast, was a "confirmed dry" who deserved voters' support.

Charge #4: Bancroft had been anti-suffrage. While in the state legislature, he had failed to register pro-suffrage petitions sent to him by the Richland Center Federation of Woman's Clubs in 1907 and 1909. When the Federation president confronted Bancroft about his neglect, he laughingly said, he "did receive some scratches from the old hens" but laid them aside and forgot about them. Further, Bancroft had voted against the suffrage referendum resolution in 1911 and had campaigned vigorously against suffrage during the 1912 campaign. [Ada clearly was appealing to women to use their new power of the ballot against Bancroft, to punish him for his opposition to their right to vote.]

Charge #5: The last time Bancroft had appeared in the late Circuit Judge Clementson's courtroom, he had been cited for contempt.

In preparing for the trial, Ada cited issues of the *Milwaukee Sentinel*, *The Milwaukee Journal*, and the *Assembly Journal* which supported her allegations. Pearl Lincoln's deposition is the only one in the documents in the County Room. In it he claimed that the only assistance he provided to Ada was money for printing and postage. He had not helped write the pamphlet, but he expressed confidence that Ada could "prove the truth" of her allegations.

Throughout the gathering of data for the trial, Ada and Pearl's lawyer, J. M. Clancey of Madison, assured them that he thought Bancroft's case was weak. So, as the trial date neared, Clancey worked hard to convince Bancroft that he couldn't win. The entire furor quietly ended in June 1922, when Bancroft and James both withdrew their lawsuits and Bancroft issued an apology to Ada for accusing her of forgery.

IV. Social Work and Child Welfare, 1929-1949

You will notice that I have omitted most of the 1920s. During this decade Ada had some serious distractions. Her father, David, died in the fall of 1921, and Ada was named executor of his estate. She devoted a great deal of time to carrying out his wishes for his considerable legacy. Much more distracting, however, was Ada's diagnosis of cancer. Fortunately, her doctors were able to control the cancer with surgery and a regimen of daily medications.

Despite these serious personal matters, Ada still focused energy on "social work" during the 1920s and this work gradually became the center of the remainder of her working career. Her late father had assisted in this endeavor in 1921, shortly before his death, when he set up the \$25,000.00 David G. James Memorial Fund, named Ada its director, and designated that the interest from the fund be used to assist "widows, orphans, wayward girls, unwed mothers, and underprivileged children." Throughout the 1920s Ada worked unofficially to carry out the terms of the Memorial Fund.

Then, in 1928, the state legislature and governor enacted a pioneering Children's Code which called for the treatment, not punishment, of juvenile offenders, provided protections for neglected children, authorized county judges to appoint juvenile probation officers and social workers to concentrate on juveniles, established adoption procedures, and created child-custody regulations.

Richland County Judge Pearl Lincoln had been a member of the commission which crafted the Children's Code. Once it was enacted Judge Lincoln requested that the county supervisors create a County Children's Board to implement the Code.

The ensuing resolution, enacted in November 1929, created a five member County Children's Board (CCB) to include the chairman of the County Board, one person appointed by the county judge, one member appointed by the State Board of Control, an educator chosen by the County Board, and a member elected by the other four. County Judge Lincoln, to no one's surprise, named Ada James to the CCB and she was elected its chairman, a post she held until 1949, when she retired. The CCB members received no compensation and paid their own expenses. A November 1930 *Richland Observer* article stated that the CCB had received startup funds from the Federation of Woman's Clubs and the James Memorial Fund. Richland County paid Ada's salary and that of County Nurse Mary Alhorn. Mary Alhorn lived with Ada in the James home on Haseltine Street and took care of Ada years later when Ada became ill.

Both Margaret Scott and Lona Johnson, when I interviewed them in 1986, reported that Ada sometimes used pretty aggressive tactics in her work. For example, Margaret told me that Ada sometimes brought a woman who had "too many children" to her home, cleaned her up, and forcefully provided her with contraceptive information. This was at a time when contraception "was a forbidden topic for public discussion." Occasionally Ada removed children from parents she judged "unfit" without a court order and placed them in foster homes. When an occasional challenge was made over her decision, County Judges Pearl Lincoln and, later, Levi Bancroft consistently backed her up.

Ada was never timid about speaking her mind on controversial issues in which she was interested. In 1935 she wrote a pamphlet on birth control that was described as "scandalous." She also became involved in the sterilization movement of the 1930s, which aimed at reducing the birth rate of the "unfit." In her 1930 Annual Report of the County Children's Board, Ada wrote that "We have three and four generations [in Richland County], none of whom have been able to survive without help. Unfortunately this class is most prolific. Our Board has only begun its work, . . . , but we do know that something drastic will have to be done to stem the tide of moral, mental, and physical weaklings that are coming into the world at the expense of the taxpayers."

Ada's preferred solution was sterilization of subnormal women, so they couldn't bear more children. [I was surprised that I did not find a recommendation for sterilizing subnormal males!] In her Annual Report for 1937, Ada wrote that "The Children's Board recommends that The County Board pass a resolution supporting the sterilization bill that will be introduced in the coming legislature." However, Wisconsin did not enact a sterilization bill, as did several of the states.

Ada also helped youth by backing the Little Theater, the Girl Scouts, the Boy Scouts, and the high school Hornets' Lodge. She gave the Hornets' Lodge the use of the upper floor of a building she owned for its activities. She often had neglected children living with her and Mary Alhorn, until she could find a suitable foster home. She worked with Jane Addams of Chicago's Hull House to bring "Fresh Air Children" to Richland Center in the summer, to give them a break from the urban environment.

Ada James continued these activities, and more I haven't included, until 1949, when the State Welfare Board assumed jurisdiction over juvenile affairs, and the County Welfare Boards were phased out. Ada, age 73, chose this as the proper time to retire. She lived three more years, dying 29 September 1952. Generous to the end, Ada left Mary Alhorn the use of her house during Mary's lifetime.

Major Sources:

McBride, Genevieve G. *On Wisconsin Women: Working for Their Rights from Settlement to Suffrage*. The University of Wisconsin Press, 1993.

Personal Interviews with Margaret Scott (11/20/86) and Lona Johnson (12/2/86).

Richland County Room manuscripts, especially the Ada James, Pearl Lincoln, and Levi Bancroft files.

The Ada James Papers in the Manuscript Division of the State Historical Society.

Check out our website for the past issues of the AKEY BrAKEY News → www.richlandcountyhistoricalociety.weebly.com



The Akey School Museum on Saturday, June 1st with a Grand Re-Opening Celebration

Pictures featured below can also be viewed on our website www.richlandcountyhistoricalsociety.weebly.com

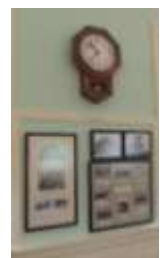
Taken from inside the Akey School Museum, these pictures show the noticeable improvements that have taken place



From walking into the entry way & recognizing that you'll walk back in time to entering the school & seeing the visible water cooler...



Framed on the walls are records and paperwork common to rural one room schools as well as framed pictures from the time period...



The classroom setting with maps and globe to lighting and windows ...and there's still the pendulum clock on the wall which remains

Fancy Creek Technology Museum Tour



Jerry and Donna Sims are enjoying the exhibits

The Richland County Historical Society toured Kent and Marilyn Houck's Fancy Creek Technology Museum on September 25, 2013.

The museum features everything from radios to kitchen appliances to movie projectors and that is a very tiny percentage of the treasures within. If you want a walk down memory lane then this is the place to come.



Bonnie Arbegust checks out one of the models



Jerry Bower attempts to use a vintage phone



Above from left Jim and Sue Patch, Kent Houck in the background,

Jeff Leyda, & Barb Cody on the right enjoy this technology display



David Ewing looks over an old sewing machine

Agriculture Education Anniversary

by Carletta Heide

2013-2014 marks the 100 year anniversary of agriculture education at Richland Center High School. The year 2014 marks the 85th anniversary of FFA at RCHS.

The first events in the anniversary year were held on September 27, for Homecoming. Ag Alumni rode on four units in the parade. Retired agriculture teacher, Fuzz McCauley, was the Homecoming parade marshal. After the parade Gary Gutknecht played music 4 to 6 p.m. and 9 to 11 p.m. at the Phoenix Center for Ag Alumni and guests.

Fuzz McCauley and Gary Gutknecht interviewed Ag Alumni. The interviews were broadcast in September by Nova Video on local cable channel. A DVD was made of the interviews. Other events will be held throughout the year.

The final event will be a banquet Saturday, October 11, 2014, as part of Homecoming. Banquet will be at the Phoenix Center. For further information, contact Carletta Heide at 606 Sunny Lane, Richland Center, WI 53581 or at cheide@mwt.net



Gary Hess presents a Unique Family Business

On Sunday, November 3rd, the Richland County Historical Society sponsored a free public program.

The Frank J. Hess and Sons Cooperage program was held at the Community Center in Richland Center, beginning at 2:00 PM. Cousins Jim and Gary Hess, grandsons of Frank Hess, have commonly presented the program, which included over 70 photos of the Hess and Sons Cooperage.

Frank J. Hess was born in Bohemia in 1870. At age 14 he began to learn the cooperage (barrel-making) trade by serving a three-year apprenticeship at the Pilsner Brewery in Pilsner, Bohemia. At age 20 Frank came to America by ship, then traveled to Chicago by train. He manufactured white oak beer barrels in Chicago and, later, in Prairie du Chien. In 1904, Henry Fauerbach of the Fauerbach Brewery in Madison convinced Frank Hess to move to Madison and start an independent cooperage business. **The Frank J. Hess and Sons Cooperage** became Wisconsin's largest independent cooperage. Over the years the **Hess Cooperage** supplied white oak barrels to 32 local breweries and to large breweries in three states--Maryland, Iowa, and New York.

In his research, Gary Hess discovered that the **Hess Cooperage** had delivered barrels to Richland Center for three years, 1909 to 1912. Since Richland Center was a "dry town" from 1909 to 186, one wonders what was packed in those barrels! The **Hess Cooperage** closed in 1966 because white oak barrels were rapidly being replaced by metal beer kegs.

[The Richland County Historical Society hopes that everyone in attendance enjoyed this interesting program !](#)

The President's Corner *by Jerry Bower*

Wow! It is hard for me to believe that this issue completes the 5th volume of the AKEY BrAKEY NEWS. When we started the newsletter in 2009, we wondered if we would have enough material to keep it going. Now we have 8 pages, instead of 4, and we have several regular features that keep the newsletter fresh.

Bonnie Arbegust has submitted her resignation as our treasurer. She will serve through the preparation of the 2013 annual report. Bonnie has served for several years and I and the Directors thank her very much for her service!

The Akey School Museum season began on Saturday, 1 June, with a Grand Re-Opening gathering on the school grounds. About 50 attended. We were "showing off" the improvements we had made to the Museum. Ten new windows, interior repainting, and newly framed artifacts from Richland County's many one-room schools. All of these received rave reviews.

In late September, about 30 members and guests visited Judge Houck's Technology Museum. It, too, had been expanded and new displays created since our last visit. The displays are just fantastic! Thank You, Kent and Marilyn for your hospitality.

One hundred fifty-five visitors toured the Museum this summer. Many recorded words of praise in our guest register. I thank each one of you for your membership and for your support of the Museum. I especially thank those of you who served as a host/hostess on a Sunday afternoon. I'll be contacting you next spring, to set the schedule for the 2014 season!

Ocooch Mountain Humane Society Antique Adventures

By Carletta Heide

Evan Teiwes, represented the Richland County History Room, and Jerry Bower, represented the Richland County Historical Society, at the August 17, 2013 Antique Adventures which was sponsored by the Ocooch Mountain Humane Society.

Attendees brought items for evaluation by collectors and antiques business people. Informational programs were held on restoring the old Lone Rock flour mill; collecting in the past, present, and future; vintage clothing; photography and charcoal painting; antique quilts.



Displays by collectors included postcards, pincushions, quilt fabrics and patterns, antique technology, art deco, Native American stone artifacts, restoring old buildings, advertising art, and Jewel tea china.

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Boaz Mastodon Historical Marker

<http://www.wisconsinhistory.org/archaeology/first-people/boaz-marker.asp>

Location: The marker is located in a wayside on Highway 14 a little over five miles west of Richland Center and just west of the community of Boaz.

Site Description: This marker is located 1,365 feet west of the actual location where, in 1897, a very heavy rainstorm exposed part of a mastodon skeleton. The rain was so heavy that the Dosch family was concerned that it may have washed out part of a fence. The three sons headed out after the rain to check on the fence and one of them noticed a large object sticking out of the stream bank. A closer look revealed that it was a very large bone. They dug it out, dragged it home, and returned with shovels to look for more bones. As they dug, more and more bones were discovered. They carried each of the bones home and leaned them against a hitching post near the entrance to their farm. The display drew immediate attention. The boys were joined by other local residents who also dug for bones. The discovery created quite a sensation and soon the news of the digging spread all the way to Richland Center. Frank Burnham of Richland Center, and a member of the state Legislature, arranged for the state to purchase the bones for \$50.

Up to until the 1960s, the Boaz mastodon was, like many of the other mastodon discoveries in the eastern United States, interesting but not unusual. In 1962 a geology professor from the University of Wisconsin-Platteville, Harris Palmer, learned that two spear points may have been recovered with the mastodon. This discovery led to the startling realization that the Boaz site was probably a place where American Indians hunted and killed the mastodon. One of the points was a fluted Paleo-Indian point. The association of the point and the mastodon was the first substantial evidence in Wisconsin that linked the Paleo-Indians with the hunting of mastodons. Standing at the marker gives one a sense of the types of areas in southwestern Wisconsin where mastodon skeletons may be buried.

Time Period: Paleo-Indian Dates: 12,500 B.C. – 5500 Years Ago. **The wayside is closed during the winter.