

ORRIN O. PITCHER

(May 30, 1830 – March 20, 1902)

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Orrin Ormsby Pitcher arrived in Mankato, the seat of Blue Earth County, in 1857, four years after the county was formed.¹ Two years later, after reading law in the office of future senator Morton Wilkinson, he was admitted to the bar and began to taking a “leading part in the affairs of the village.” He was elected county attorney twice, serving four years.² He later served one term in the state House of Representatives, twelve years on the city council, and years and years on numerous other local boards.

His entry in *History of the Minnesota Valley*, published in 1882, stated:

O. O. Pitcher was born May 30, 1830, in Cattaraugus county, New York. He spent some time in that state, Illinois and Minnesota, attending school and teaching; came to Mankato in 1857, studied law and in 1859 was admitted to the bar. For four years he served as prosecuting attorney; is now alderman of the city; since 1875 has been resident director of the State Normal school and in 1868-'9 he was a member of the state legislature. Married in 1859, Mary Warren. Their children are Plumer W., Grace and Fannie.³

In 1885, he was elected the first judge of the Mankato Municipal Court, which the legislature had just established.⁴ The term of this office was three years, its annual salary \$1,000. He served one term,

¹ 1853 Laws, ch. 11, §§ 8, 14, at 32, 33, 34 (March 5, 1853).

² County attorneys had two year terms. Stat., ch 7. § 66, at 164 (1850); re-codified Stat., ch. 8, §180, at 100 (1863).

³ Edward D. Neil, *History of the Minnesota Valley* 565 (1882).

⁴ Pitcher's obituary states that he was “appointed” to the Municipal Court by Governor Hubbard; however, § 2 of the law authorizing that court requires its first judge to be chosen in an “election to be holden on the first (1st) Tuesday in April, in the year one thousand eight hundred and eighty-five (1885).” For sure, he was elected, not appointed, but the name of his opponent and the election results are not available because of a gap in Mankato newspapers at the Historical Society.

The Mankato Municipal Court was authorized by the 24th Legislature on March 7, 1885. Excerpts from 1885 Special Laws, ch. 119, §§ 1-3, 19, 20, are posted in the Appendix, Part A, below, at 5-8.

and was succeeded by Jerome E. Porter. In 1893, he received the Republican party endorsement for Special Judge of the Municipal Court, but lost to Democrat Byron Hughes.⁵

The Judge died of a heart condition on Thursday, March 20, 1902, at the age of seventy-one. The next day, the *Free Press* carried his obituary:

DIED SUDDENLY

O. O. Pitcher Receives His Final Summons.

Was One of the Best Known Residents of Mankato. Received Honors From the People.

O. O. pitcher died at his residence at 417 South Second street at 10:20 o'clock last night. While his death was not unexpected, it came suddenly, and was due to angina pectoris from which he had been a sufferer more or less for sixteen years past. During the past three months the attacks of his trouble came on more frequently than they had before that time, and Mr. Pitcher was a great sufferer, the pain being excessive. A week ago Wednesday he was taken with a cold or grip, and this intensified his trouble. He did not again leave his house. Yesterday he was up and around and ate a hearty supper for him, spending the early evening reading, playing solitary and smoking. He was accustomed to having one to five attacks a day, and one of unusual severity came on at 7:30 o'clock

Drs. Steel and Andrews attended the sick man, but were unable to prevent the fatal outcome, although all possible was done for the sufferer. Mr. Pitcher was conscious to the last and conversed with his physicians. Suddenly he threw up his hands and all was over.

Orin Ormsby Pitcher was the son of Orin Pitcher and wife, formerly Amanda Woodruff. He was born at or near

⁵ The endorsed slate and the sample ballot were published in the *Mankato Free Press*, Thursday, March 30, 1893, at 2. The results of the election for Special Judge published in the paper give only Hughes's total (1,032) not Pitcher's. *Mankato Free Press*, Wednesday, April 5, 1893, at 3.

Jamestown, Chautauqua county, New York, May 30th, 1830, and when nineteen years old moved with his parents to Warrensville, Ill. Later the family moved to Janesville, Iowa. Mr. Pitcher was a student, of Mr. Holt, whose daughter was for several years of music and reading in the normal school. He attended Shurtleff college, Alton Ill., for three years.

Mr. Pitcher came to Mankato in 1857, soon after leaving college, and at once took a leading part in the affairs of the village. A year after his arrival he entered the law office of Morton Wilkinson and Cramer Burt, and as soon as he was admitted to practice he formed a partnership with Col. J. E. Tourtellotte, the firm name being Tourtellotte & Pitcher. He practiced law until the municipal court was established, when the governor of the state appointed him the first municipal judge.

During the early sixties Mr. Pitcher served two terms as county attorney, and in the latter part of the sixties he represented the county in the legislature two terms. He was a member of the first fire company, served on the council several years and on the school board for many years. He was resident director of the state norm school for several years, and was the first president or the board of public works. He belonged to the Masonic order and was a Knight Templar.

Mr. Pitcher was united in marriage in 1859 with Miss Mary Warren, who survives him, am well as three children, P. W. Pitcher, Mrs. Grace Fox and Miss Fannie Pitcher, all of this city.

The deceased, during his life time, accumulated a comfortable property, and besides this leaves a \$2,000 paid policy in the Northwestern Mutual Milwaukee. When his health began to fail he retired from active business pursuits, and led a quiet life, as void of excitement as possible. He was a regular attendant at the Episcopal church as long as he was able to, although not a member.

Mr. Pitcher was a familiar figure on our street, and he will be missed. He always took an active and intellectual interest in local as well as national affairs, and was a constant reader. He helped shape a good deal of municipal legislation, besides being practically the author

of one of the city charters. In politics he was a consistent advocate of the principles of the Republican party, and was elected several times on that ticket.

The deceased was broad in his views, a man of strong character and sterling integrity. He leaves a record of which any citizen might well be proud. He did his full share toward the development of the city and its interests, was a friend of education, and in the broad sense was a friend of the people. His death will be sincerely regretted, but his memory will long survive and will be a fitting monument to his life's work.⁶

The following year, a "summing up" of the Judge appeared in a history of Mankato:

PITCHER, Hon. Orrin Ormsby — The first municipal judge of Mankato was born May 30, 1830, at Jamestown, New York. When nineteen years old he accompanied his parents, Orrin and Miranda (Woodruff) Pitcher, to Warrenville, Illinois. He attended Shurtleff College at Alton, Illinois, for three years and then, in 1857, came to Mankato; studied law in the office of Wilkinson and Burt, and in 1859, was admitted to the bar. He at once took an active and prominent part in all the public affairs of the community. His uprightness and integrity won for him the confidence of the people and he was frequently honored by them with positions of trust. For four years he was County Attorney of Blue Earth County. He was a member of the City Council of Mankato for twelve years. He served as resident director of the State Normal School for seven years and in 1868-9 was a member of the Legislature.

When the Mankato Municipal Court was established he was appointed its first judge. He was on the commission

⁶ *Mankato Free Press*, Friday, March 21, 1902, at 3 (funeral arrangements omitted). The Judge's funeral on Sunday, March 23, was attended by the county bar association:

The Masonic lodge turned out with sixty members, and the Blue Earth county territorial old settlers' association and Blue Earth county bar association attended in a body.

Mankato Free Press, Monday, March 24, 1902, at 2.

which appraised the lands of the Winnebago Agency. He also drafted mainly, one or two of the early city charters of Mankato. He served as president of the Board of Public Works, and was a member of the Board of Education for a number of years. He was a prominent member of the Masonic Lodge.

Mr. Pitcher was married in 1859 to Miss Mary Warren, who had come to Mankato with her parents, Mr. and Mrs. Thos. D. Their union was blessed with three children: Plummer W., Mrs. Grace Fox and Fannie. Judge Pitcher died March 20th, 1902.⁷ □

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APPENDIX

A. AN ACT TO ESTABLISH A MUNICIPAL COURT IN THE CITY OF MANKATO, BLUE EARTH COUNTY, MINNESOTA.

1885 Special Laws, Chapter 119, at pp. 349-361.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. There is hereby established in the city of Mankato, in the county of Blue Earth, a municipal court for the transaction of all business which may lawfully come before it. Said court shall be a court of record, and shall have a clerk and a seal, and shall have jurisdiction to hear, try and determine civil actions at law, where the amounts in controversy does not exceed five hundred (500) dollars. It shall also have exclusive jurisdiction to hear all complaints, and conduct all examinations and trials in criminal cases arising or triable within the city of Mankato, heretofore cognizable before a justice of the peace. It shall not have jurisdiction of actions for divorce, nor of any action where the relief asked for in the complaint is purely equitable in its nature nor cases involving the title to real estate; nor for false imprisonment, libel, slander, malicious prosecution, criminal conversations or seduction, or upon a promise to

⁷ *Mankato, Its First Fifty Years* 291-92 (1903) (photo omitted).

marry; nor for an action against an executor or administrator as such, and when in any cause pending in said court a counter claim in excess of five hundred (500) dollars over plaintiff's claim, or an equitable defense or ground for equitable relief is interposed, or whenever it shall appear from the pleadings or upon the trial of any cause that the title to real estate is involved, the said court shall immediately cause an entry of the facts to be made of record, and cease all further proceedings in the cause, and order the clerk to certify and return to the district court in and for the county of Blue Earth, a transcript of all entries made in the record relating to the cause, together with all process and papers relating to the cause, and the clerk shall within ten (10) days after being so ordered make such certificate and return; and thereupon said district court shall proceed in the cause to final judgment and execution the same as if said cause had been commenced in said district court, as near as may be, and the costs shall abide the event of the action; *Provided*, The clerk of said municipal court shall not make said certificate or return, until the costs chargeable by the clerk in favor of the city have been paid.

SEC. 2. The qualified electors of the city of Mankato shall, at the general city election to be holden on the first (1st) Tuesday in April, in the year one thousand eight hundred and eighty-five (1885), and on the day of the general city election every third (3d) year thereafter, elect a suitable person, with the qualifications hereinafter mentioned, to the office of judge of said municipal court, to be called "municipal judge," who shall hold his office for the term of three (3) years, and until his successor shall be elected and qualified. In case of any vacancy in the office of municipal judge, the governor of the state of Minnesota shall appoint some qualified person to said office until the next annual city election, occurring more than thirty (30) days after the vacancy shall have happened, when a judge shall be elected for a full term of three (3) years.

SEC. 3. The judge of the municipal court shall be a resident of the city of Mankato, and a qualified elector therein, a person learned in the law and duly admitted to practice as an attorney in this state. Before entering upon the duties of his office he shall take and subscribe an oath as prescribed in the general statutes for judicial

officers, which oath shall be filed in the office of the city recorder of said city. He shall have the general powers of judges of courts of record, and may administer oaths and take and certify acknowledgments in all cases, and as a conservator of the peace shall have all power and authority which is by law vested in the justices of the peace, or any other judicial officer. There shall be one (1) special judge of said municipal court, whose manner of election, term of office, powers, duties and qualifications shall be the same as those of municipal judge, except as otherwise provided in this act, and his successor shall be elected and vacancies in his office filled in like manner. At the request of the municipal judge, or in case of the absence, sickness or disqualification of the municipal judge, the said special judge shall act as judge of said court. When the special judge so acts at the request of the municipal judge, the said special judge [and the municipal judge] may each have and exercise the powers of said court. The said special judge shall not act on the trial or examination of any case except as above provided, and such special judge acting as judge of said court, shall receive compensation from the city at the rate of three (3) dollars per day, and when said special judge shall act for any other cause than the sickness or disqualification of said municipal judge, three (3) dollars per day for each day that said special judge shall so act shall be deducted from the salary of said municipal judge. This section shall not incapacitate such special judge from acting as attorney in said court: but when such judge is acting as judge of said court, he shall take no action in such case, save to adjourn the same. Nothing in this act shall be so construed as to disqualify or prevent the municipal judge from practicing as an attorney or counselor in any court of this state, except in said municipal court. In all actions or proceedings in the district court of Blue Earth county, wherein the judge of said court may enter a trial of said actions or proceedings, the same may be referred to the said municipal judge to hear, try and determine, or report the evidence thereon and may be ordered or agreed upon, and said judge so acting as referee shall be entitled to the same fee for [said] services as other referees. He may accept said reference with all the powers of a referee.

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SEC. 19. The judges of said court shall receive a salary of one thousand (1,000) dollars per annum, to be paid in equal monthly installments from the treasury of the city of Mankato in like manner as other officers of said city . . .

SEC. 20. The judge of said municipal court shall hold no other office created or existing under or by virtue of the laws of the state of Minnesota, or created or existing under the charter, ordinances or by-laws of the city of Mankato; and said municipal judge, while holding said office, shall have no law partner, but this section shall not apply to the special judge of said court, but when said special judge is acting as judge of said court, his law partner shall not practice before him.

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Approved March 7, 1885. □

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B. RELATED ARTICLES

**“Jerome E. Porter (1843-1910” (MLHP, 2013), and
“Ira P. Shissler (1844-1903)” (MLHP, 2013).**

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