

THE ORAL HISTORY

OF

JAMES B. MORAN

SENIOR DISTRICT COURT JUDGE

of the

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF ILLINOIS

AS TOLD TO

COLLINS T. FITZPATRICK,

CIRCUIT EXECUTIVE OF THE SEVENTH CIRCUIT

2006

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Today is February 16, 2006. We are in the home of Northern District of Illinois Judge James B. Moran in Evanston, Illinois. We are recording his oral history. I am Collins T. Fitzpatrick, the Circuit Executive of the Seventh Circuit.

Judge Moran, why don't you start with a history of where the Morans came from. Let's start from as far back as you know and then bring it down to the present. Let's start with the paternal side first.

JBM: The paternal side is fairly short because the Morans came from the west side of Ireland. The records were all burned in the Easter Uprising of 1916. So exactly where they came from, I don't know.

CTF: Do you know when they came?

JBM: I know that my grandparents' parents came and that my grandparents were born in the United States shortly thereafter.

CTF: Did they come into New York?

JBM: I think they came through New York, but I'm not even sure about that.

CTF: So they came to New York or somewhere on the East Coast?

JBM: Right.

CTF: How did they get to the Midwest?

JBM: They came to Chicago. How they got up to Escanaba, I'm not sure. I think it was because my great-grandfather Blake got involved in timber.

CTF: But you don't know how he got into timber?

JBM: No.

CTF: Roughly, when would this have occurred?

JBM: This would be late 1800s.

CTF: 1890, 1880s?

JBM: Probably.

CTF: Okay. Was he married when he went to Escanaba?

JBM: Yes, he was married.

CTF: Was your great grandmother from Ireland, or do you know?

JBM: Let's get generations straight here. Now we're talking about paternal grandparents.

CTF: Okay.

JBM: He married Anna Moynahan, I think, in Chicago, then he went up. He was not well educated. In fact, Anna Moynahan was a school teacher. She, to a certain extent, provided an education for her husband, who became, over the course of years, a well-regarded and successful businessman in Escanaba – he had a number of business interests.

CTF: They had how many children?

JBM: They had two, my father and an aunt.

CTF: What was the aunt's name?

JBM: Helen.

CTF: And did she ever marry?

JBM: She married. She had two children.

CTF: What was her married name?

JBM: Rolfe.

CTF: Do you have any contact with the Rolfes?

JBM: I think both Anne and Jimmy are dead and Anne married a doctor. She was a nurse and they spent their entire careers on cruise boats in the Pacific, which was not a bad life. Never had any children. Jimmy had a heart attack and drowned while on vacation in the Caribbean.

CTF: Your dad's first name?

JBM: Edward, James Edward.

CTF: Okay. What did he do?

JBM: Daddy, well, he went to the University of Michigan and then he went to Harvard Business School. Then he went with an investment banking firm on LaSalle Street and that's when he and my mother were married. She was also from Escanaba. He did very well.

I was born in Evanston. They were living in Winnetka in a house up there when the Depression came, and that pretty well destroyed him. He never got over it.

CTF: Why did he decide to go back to Escanaba?

JBM: He didn't. He stayed here. My mother and he got divorced in about 1933, and she went back to Escanaba.

CTF: There is you, your sister Sue – are there other siblings?

JBM: Sister Nancy and my sister Martha.

CTF: Okay. What is Sue's last name?

JBM: Schramm. She lives in northern Virginia. My sister Nancy and her husband live in northern Virginia. My sister Martha lives in Spring Lake, Michigan.

CTF: Spring Lake, that's in the lower peninsula?

JBM: Yes.

CTF: Your mom goes back with four kids to Escanaba?

JBM: Yes.

CTF: How old are you? What is the order in the family?

JBM: Two years apart. Nancy is the oldest, then Sue, then me, then Martha.

CTF: So how old are you when you go back to Escanaba?

JBM: About four.

CTF: Okay. So you go to school, grammar school and high school. But do you have an interest in going to the University of Michigan, which is the flagship school of the state and a state school?

JBM: Yes. Well, my father had gone to Michigan. My uncles had gone to Michigan. My great aunts had gone to Michigan.

CTF: I take it that because your grandfather wasn't educated, but your grandmother was a school teacher, that the push for education came from your grandmother?

JBM: Probably. No, I don't think so. I think from both sides, both of them. But then when I was in high school, I had the best of all possible worlds. I got a Pepsi-Cola Scholarship, which was a forerunner of National Merit – they issued two per state – and then they paid full tuition to any university in the entire world for four years, and round-trip tickets and some living expenses. But I made it very cheap for them, I went to the University of Michigan. An interesting offshoot of that is the other person

who got a Pepsi-Cola Scholarship from Michigan that year was some kid by the name of Daniel Ellsberg.

CTF: So the readers know, Daniel Ellsberg became very famous for releasing the Pentagon papers, which were government documents that undercut what our government was saying about how well the Vietnam War was going. That's a quick summation?

JBM: Yes.

CTF: Growing up in Escanaba, did you work?

JBM: Sure.

CTF: What did you do?

JBM: Washed windows, mowed lawns, filled stokers, took out clinkers, lots of – you know, whatever needed to be done.

CTF: Did you ever work at the lumber mills?

JBM: No.

CTF: Did you ever have an interest in doing that?

JBM: No.

CTF: Did you work summer jobs, as well, the sort of jobs working for other people?

JBM: Well, in a manner of speaking, yes. For several years a friend of mine, one year younger, Dean Shipman, who actually just retired as being a long-term state court judge up there, and I, were the harbor masters at the Escanaba Yacht Harbor. Since he had a boat and I had a boat, then that meant that one of us could be sailing half the time.

CTF: Well, you had a boat already. So you had an interest in sailing. Where did that start? When did that start?

JBM: Well, my mother remarried in 1943, and my stepfather sailed. He really got interested in sailing during the Depression because he was out of work. In the Upper Peninsula, the unemployment rate was about 50 percent. The only people who had jobs were WPA and government jobs who were taking care of the people who didn't have jobs. So he and a buddy got a hold of this old clunker that was in terrible shape and fixed it up and they spent a lot of time just cruising around, because they didn't have anything else to do.

JBM: How did the family support itself?

CTF: Well, when they got married, he was, well, basically, the chief bookkeeper, auditor, financial person for a timber company.

CTF: Had he been married before?

JBM: Yes, briefly, many years before.

CTF: Did he have any kids?

JBM: One, who I think I met once.

CTF: What was his name?

JBM: Can't remember.

CTF: Okay. Did you play sports or activities at Escanaba High School? I assume that was the name of the high school?

JBM: Escanaba High School, yes, it was. I played intramural basketball. I was terrible at it, but I had a good time. I did speed skating. I once came in second, only because there were only two people in the race. I went out for running the 440 track in high school, and basically because it got you out of school and into the sunshine. And the track coach wisely suggested that I try shot put instead, because he knew why I was there and that I

wasn't going anywhere running. And if I went out there to do shot-put, I could just do that a couple of times, otherwise enjoy the afternoon. But I did a lot of other stuff, debate, ex tem speaking, editor of the paper, all that sort of stuff.

CTF: You then go to Michigan?

JBM: Yes.

CTF: You know, it's a lot farther south. The winters aren't quite as cold. You're now in a very strong academic community. What impact did that have on you?

JBM: I just had a wonderful time in college. I loved it. I joined a fraternity. I missed a triple crown. I was Phi Beta Kappa. I was Michigama, which is sort of Michigan's equivalent of Skull and Bones but I missed the Stein Club by one vote.

CTF: What is the Stein Club?

JBM: How much beer you can drink.

CTF: Okay. That's what I was wondering. And you didn't ask for a recount?

JBM: I did not ask for a recount.

CTF: Okay. Did you work at all at Michigan?

JBM: Oh, sure. I mean, I waited tables and all that sort of stuff.

CTF: What about summer jobs, did you just go back to Escanaba during the summers?

JBM: Yes.

CTF: The harbormaster job sounded like a real sweet deal.

JBM: It was, it was.

CTF: Did you do that more than one summer?

JBM: Yes, three. Then the last part of one summer I worked on a little powerboat cruiser with some professor from IIT, cruising up into St. Joseph Channel, St. Mary's River.

CTF: Where is that?

JBM: It's up at the upper lake, hang a left to go into Lake Superior. His wife and his daughter and I were the crew.

CTF: Okay, so he was just cruising the Great Lakes?

JBM: Right. I think the high point of that summer was spending the day with Helen Hayes, whom he took on the boat for a cruise around – very unpretentious nice lady.

CTF: Let's jump back to your mother's side of the family.

JBM: Okay.

CTF: From what I've read here, you can trace them back to the Welsh countryside and the Midlands, I guess, of England?

JBM: Yes.

CTF: In the 1200s?

JBM: Yes.

CTF: Why don't we put a little of that in here – into this?

JBM: Okay. Well, my mother's side were Nugents and Blakes and Harts and Hortons. My grandfather was a Horton. They were the ones who came over – well, who were basically yeoman farmers in England and came over, a number of them – quite a few of them and quite a proud group. Dated themselves back to the 12th century. The most immediate ancestor coming over was a Reverend Peabody, came over in 1630 sometime. Had three wives. They kept dying in childbirth and he would marry another. He was a Quaker.

CTF: Did he come from England, or did he go to the Netherlands and then come?

JBM: England. And then he got Nugents involved and others, and so some of the ancestors include John Greenleaf Whittier, John Jay, and others.

CTF: I know who John Jay was, the first Chief Justice. Who was John Greenleaf Whittier?

JBM: He was a poet of some renown back then, and there were others involved in laying out towns like Springfield, Mass., and Heather Hill, and so forth.

CTF: So they were typical people who came, probably, for religious reasons – religious freedoms – to the Massachusetts Bay colony?

JBM: Yes. You know, I'm not sure the Hortons came through Massachusetts. They may have come through Pennsylvania. But anyway, they spread out to the west and the farm country. And so, by the time of the Civil War; I mean the Revolutionary War, I had lots of predecessors on my grandfather's side who fought in the Revolution. My grandmother's predecessors were all Tories, and my grandmother always resented the fact that my mother could be a member of the DAR and she couldn't.

CTF: How did they get to Escanaba?

JBM: My great-grandfather, James Blake, and his wife, Nancy Nugent, went up to Escanaba just after the Civil War, after he got mobilized out. And he got into the timber business, where he was really quite successful. And they didn't just live in Escanaba. I think her family was from Clifton, Wisconsin. Actually, they both were living in Peshtigo at the time of the great Peshtigo fire, which was the same date as the Chicago fire and with a much greater loss of life. I mean, the whole town just burned out. People went down to the river and boiled in the river, but he was up cruising timber away from Peshtigo. She had gone, since he wasn't there, she had gone to visit folks in Clifton. Each thought the other perished in the fire, and it wasn't until about three days later that they discovered that they were both alive.

CTF: Well, attached as an appendix to this oral history are the letters that were sent by James Nugent.

JBM: Yes.

CTF: Why don't you tell us who James Nugent is in the family tree?

JBM: Okay. James and Alfred Nugent were the brothers of my great-grandmother, James Blake's wife.

CTF: And they are the letters that they wrote?

JBM: Those are letters that James Nugent wrote to his parents during the Civil War.

CTF: They're really very, very interesting and show obviously a lot of literacy.

JBM: Well, he joined the Union Army from being an undergraduate at Appleton, Lawrence College.

CTF: Now, your parents are both in Escanaba?

JBM: Okay.

CTF: It's not the biggest town in the world.

JBM: Right.

CTF: But how did they meet?

JBM: Because they both grew up at the same time in Escanaba.

CTF: Do you know anything about their first dates?

JBM: No. Daddy was certainly upwardly mobile. His parents were first-generation Irish born here. He ended up going to Michigan and Harvard Business School.

CTF: And your mother was upwardly mobile. They must have been here for a while?

JBM: Yes.

CTF: They clearly were well-educated people.

JBM: My mother had gone to Lake Forest Academy. I think she first went to Castle-on-the-Hudson. That is a finishing school in New York. Then she went to Lake Forest Academy. She graduated from Wisconsin.

CTF: Going back to the University of Michigan, you are about to graduate.
 What year is that?

JBM: '52.

CTF: '52. Are you drafted or do you volunteer?

JBM: Basically, drafted. I went to my draft board and said I wanted to go to law school. They said, "Fine, you can, in two years." And so I would, in the normal course, have gotten drafted in October. I accelerated, so I went in in early August or July so I would get out in plenty of time to go back to school.

CTF: What did you do in the military, which branch were you?

JBM: Well, my military history is sort of interesting. I couldn't get into the Navy, because I had a bad eye from a skating accident. I was chasing somebody on the ice, and they had their blade up like this, and I fell on it but I was draftable. I flunked automotive information because I was sailing when kids were fussing around with the internal combustion engine. I went through basic training, then got diverted to a program called Scientific and Professional Personnel because of my economics background at Michigan. I went down to Ft. Jackson, South Carolina.

They never heard of the program, so they sent me off to Camp Stewart, which was a tent camp near the Okefenokee Swamp, for the purpose of training there; except they weren't training there, because they were supposed to train on 90 millimeter guns, but they didn't have any, so I spent several weeks cleaning out the dayroom and that sort of thing. They had to give me some number, military occupation specialist, MOS, so they gave me the MOS of bugler – I had never seen a bugle – and ammo handler on a 90 millimeter gun. Well, I had never seen one of those either. Then I worked on the camp newspaper. There were three of us, lieutenant, sergeant, and I put that out on a flatbed press in Jessup, Georgia. There was only one cardinal principle, and that is, the commanding officer's picture had to be on every page in the upper part of the page.

CTF: Sounds like some government publications that I have seen before.

JBM: Yes, right. And then I got waved off to Korea. I had some arrangement with some colonel on *Stars and Stripes* in Tokyo to pull me out of there. But I happened to arrive on a weekend, and she wasn't there. So off I was to Korea, which I never should have gotten to, because all I had was eight weeks basic training. And I will say I was better off than one kid on the troop transport who had been in the ceremonial guard in Washington. He didn't even know how to take a rifle apart. He had no training whatsoever, and he was going to be infantry.

CTF: I should know my dates better. At this point is the Korean War still ongoing?

JBM: Yes, it's late winter 1953. So, I get to Korea on the basis of my 90 millimeter MOS. End up with a 40 millimeter full track. Well, it's basically an anti-aircraft weapon. I'm sure you've seen pictures of them. And you've certainly seen pictures of Bofors, the boom, boom, boom, boom, boom.

CTF: Recoiling double barrel?

JBM: Yes. It was used for direct fire. Lived in bunkers. We spent a certain part of the day shooting up trenches about a mile across. Then at night we tried to hit the same place on the supposition that maybe they were digging them out. And then things got very confused, because Syngman Rhee decided that he could go north all by himself, and the Chinese wanted to disabuse him of that notion. So they came, we were just coming off-line; we were heading south off-line. The Second Division was replacing us and the Chinese hit the Kumsong River salient and just totally crushed three Korean divisions. I mean, they were just people streaming through us and then we just slid off behind the base of the salient. By the time they hit us, they had made their point, so they really didn't hit us hard but it was a little confusing for a while. Well, in the ten weeks I was over there, before the Armistice, UN casualties were I think

60,000, almost entirely South Korean. But it was interesting, you know. You could sit up when the dive bombers came in – you could sit on top of your bunker and watch them dive-bomb the Chinese positions. The Chinese were not going to be shelling you while the dive bombers were there. So you could just sit up and watch the show.

CTF: So you are there for ten weeks?

JBM: Yes.

CTF: Then the Armistice occurs?

JBM: Right.

CTF: Did you still stay in Korea?

JBM: Yes, the Armistice came. I had gotten a ride to the regimental shower point and some kid, some corporal, really dressed to the nines, came out to tell us that the war was over at 10:00 o'clock. And the reaction of the troops was, "Oh, shit. One, I'll never get home, because no more combat points. And two, it's really gonna get chicken shit now." And they were right on both points. So we were there and pulled out, pulled out of the DMZ that next day after. Probably one of the biggest artillery duels of the Korean War, because nobody wanted to lug all that ammunition out of the

DMZ, so they just shot it up at each other. I mean, our batteries were firing as fast and furiously as they possibly could, and the Chinese were doing the same.

CTF: Is this before the 10:00 o'clock cease fire?

JBM: Yes. At 10:00 o'clock, dead silence. And they had released to the battery all the beer that had been held in reserve because we were on line, and I will say it was a pretty drunk battery by the time night was over.

CTF: So how long are you on the DMZ then before you get to come home?

JBM: Until next year.

CTF: Until next year?

JBM: Yes.

CTF: So the summer of '54 is when you come back?

JBM: Yes.

CTF: When did you start applying to law schools?

JBM: Well, with total chutzpah, I only applied to one law school. I applied to Harvard Law School, and I assumed they'd take me.

CTF: Well, you were Phi Beta Kappa, Michigama, you said?

JBM: Yes.

CTF: And you are a cum laude graduate, right?

JBM: Yes.

CTF: You also have two years in the Korean War?

JBM: That helps. So I took my LSAT at the American Embassy in Seoul.

CTF: Were there many others taking it at the time?

JBM: Yes, quite a few, yes. In my class in law school, well, I stayed in the Reserves when I was in law school because I was a Master Sergeant and they paid you double for weekend drills, and they paid very well. And my unit was staff officers, World War II, mostly lawyers from Boston, junior officers, non-coms, Korea, enlisted men, Harvard undergraduate. It made a very interesting unit. So the commanding officer, colonel, would be

saying, "Now, I know you have a biology test on Tuesday, but would you please wipe your boots before you come next time?"

CTF: You also then have the benefit of the extended GI bill?

JBM: Yes, and a scholarship. So I came out of law school owing nobody anything.

CTF: Why did you go clerk for Judge Lumbard?

JBM: Because one day I was sitting in evidence class and the instructor, Dean Cavers, came up and said, "How would you like to clerk for Judge Lumbard in the Second Circuit?" And I said I hadn't really thought about it. I thought about it briefly and thought it was a good idea.

CTF: What else do you remember of your three years at Cambridge?

JBM: I thoroughly enjoyed it. I had some wonderful professors. I particularly liked Henry Hart and Al Sacks but I had a lot of good ones. It was intellectually challenging. It was fun. Some things I had to endure, like estate planning, which I had absolutely no interest in whatsoever but, other than that, it was fun.

CTF: You go to New York City?

JBM: Okay.

CTF: It's a long way from Escanaba?

JBM: Yes.

CTF: Where did you live?

JBM: Brooklyn Heights.

CTF: Okay.

JBM: I was then married. Arrived in New York with a couch on top of the car, and everything packed into the car with no real understanding of New York, other than we had been down there to go to the theater a couple times. So we went to a cheap hotel near the theater district, got up the next morning at dawn, got the Sunday *New York Times* and started looking for an apartment, which was a very discouraging proposition because we kept going to places that were obviously not suitable. Finally it was getting late in the afternoon, and we were I think at the second level of the subway on Wall Street, and I asked for a ticket to Ft. Green Park. The ticket person said, "You got a gun?" I said "No." He said, "Why do you want to go there?" I said, "We're

looking for an apartment." He said, "You don't want to go to Ft. Green Park."

CTF: Where is Ft. Green Park?

JBM: It's in the slums, bad part of Brooklyn. So he closed up his little shop, took us out to the big map and said, "Okay, where you gonna work?" I said "Foley Square." He said, "You want to live in Brooklyn Heights?" And I said, "But there aren't any ads for anything in Brooklyn Heights." He said, "That's not the way you get an apartment in New York. You go over to Brooklyn Heights. You go to work in the morning. Your wife goes over to Brooklyn Heights. She sees a super carrying stuff out to the curb. She says, 'Have you got an apartment?' He says, 'No, but my buddy Pete had one last week. And you can find him at.' "So then you go see Pete. And Pete says, 'No, I rented that one a couple days ago. But my buddy Joe, he had one open up yesterday.' So then you go see Joe, and you get an apartment." And that's exactly the way it happened.

CTF: Was the couch stolen off the top of the car?

JBM: No.

CTF: Okay. What was Judge Lumbard like to work for?

JBM: A delight. One of his favorite expressions was, "Don't assume a God damn thing." He was, as a former prosecutor – very, very careful about the facts. And since, and I believe this to this day, the overwhelming majority of cases are fact driven, if you get the facts right, everything else falls into place. So if you are very careful with the facts, then the rest of it comes fairly easy and he admonished all his law clerks that way. He also had a standard admonition for his law clerks, which was "don't stay in New York," because he believed that a lawyer should not only be a competent, successful lawyer, but also play a role in the community, which New York at that point was pretty much like all the firms in the country are now, with an emphasis on billable hours. People just didn't have time for family and civic endeavors, which he thought was a shame.

CTF: When did you meet your first wife and where and when did you get married?

JBM: At Michigan. We got engaged about the time I graduated. I got married at the end of my first year in law school. Had four children.

CTF: When did the children come along?

JBM: John was born in Brooklyn when I was there as a law clerk. Jennifer, Sara, and Polly were all born here in Evanston.

CTF: Where did you think about coming to practice besides Chicago when you finished your clerkship?

JBM: Well, I guess, one diversion was back to New York. One of the pleasant experiences of New York was, well, Learned Hand was right across the court, so I got to know him very well. Learned Hand, who gave me what I've always thought of as my most treasured compliment, was when he came into the office one day with a draft opinion which I drafted – he knew I drafted it – with paragraphs circled – and he threw it on my desk and said, "Who wrote this? Who wrote this? Law clerks don't write this well," and left, which I treasured.

CTF: What was the opinion about?

JBM: I can't even remember.

CTF: So, again, why did you come back to Chicago or why did you come to Chicago?

JBM: Well, living in New York is great if you are single or just married and don't have any children or if your children have gone and you've got a lot of money, but raising children in New York is not a good idea. You've got school problems. Just if you want to go swimming, it's get

up at 4:00 o'clock in the morning to make arrangements to get out to Jones Beach, that sort of thing. So when it came time to figure out where I was going to practice, well, I thought about Boston, and I thought about San Francisco, both of which included in their compensation the privilege of living there, so they paid you almost nothing. And I thought Chicago, which I was very comfortable with, which I knew, which I had spent a lot of time at.

CTF: When did you spend a lot of time here?

JBM: Well, my father was down here.

CTF: Okay, that's right. I forgot.

JBM: And going from Michigan to Escanaba, one always had to go through Chicago.

CTF: Well, I wouldn't have thought of that.

JBM: Hum?

CTF: I wouldn't have thought of that, but you're right, because there was no bridge.

JBM: No bridge.

CTF: Where was your wife from?

JBM: She was from Gross Isle, which is just south of Detroit and the river, across from Windsor.

CTF: When did you take the bar in Illinois, after law school or after your clerkship?

JBM: Well, let's see. I can't remember.

CTF: Okay. So you're coming back here. You decide on that?

JBM: Right.

CTF: Who do you interview with firm-wise?

JBM: Well, one of the nice things about clerking for Judge Lumbard is he had replaced Harlan when Harlan went to the Supreme Court and they were very good friends. So he always sent his clerk to Harlan for three weeks. So I had three weeks on the Supreme Court and then I left there. I came to Chicago and interviewed. I had a whole bunch of law firms I was interviewing. I never got to about two-thirds of them.

Took a lot longer than I anticipated but I was very comfortable with Bell, Boyd.

CTF: Why?

JBM: Laird Bell had previously been Chairman of the Board of Trustees of the University of Chicago. He was then Chairman of the Board of Carlton College. Tom Marshall was Chairman of the Board of Education for the City of Chicago Schools. Glen Lloyd was Chairman of the Board of Trustees for the University of Chicago Law School – very strong tradition to public service and I certainly didn't want to practice law all the time. So I went with them. I don't think – I think one year I got up to 1,400 billable hours. Mostly it was around 1,100. And I did all sorts of other things with the firm perfectly happy with me doing it.

CTF: What were the other things you did, Jim?

JBM: Well, I was president of the Democratic party in Evanston. I was very active in the Committee on Illinois Government.

CTF: When you started as president of the Democratic party in Evanston, was that a very big group?

JBM: No. When I first was chairman of the seventh ward, which is northeast, I had one precinct where I had two Democratic election judges, but in the general election only one Democratic vote. I could never figure out who was the traitor.

CTF: So it started out a little slow in the Democratic Party?

JBM: Yes, yes.

CTF: Were you active at all politically at Michigan, or in law school?

JBM: Yes. I was in the general assembly at Michigan and various other organizations, Union League – I mean the union, Michigan Union, I was vice-president.

CTF: But besides student government, were you active at all in the Democratic party in the state of Michigan?

JBM: No.

CTF: What about up in Escanaba?

JBM: No. Well, we were, my wife and I were both very active in the Adlai Stevenson campaign in '56 but then I was in law school.

CTF: And at that point, you had met Adlai---

JBM: Yes.

CTF: Who was your classmate?

JBM: Adlai, III.

CTF: So, when you were active in the Stevenson campaign in '56, what did you do for the campaign?

JBM: The usual, delivered stuff, you handed stuff out, you made calls, you put stuff together to have other people do things, made lists.

CTF: Basically the Cambridge, Somerville, Boston area?

JBM: Yes. But it was an interesting campaign headquarters, because it was people like Arthur Schlesinger and various other people who ended up being muckety-mucks in the Kennedy Administration.

At the end of that campaign, Stevenson had his last rally in Mechanics Hall in Boston, because Adlai IV had just been born and he wanted to see Adlai IV, his grandson, and the state ticket had been very weak in supporting the national ticket. But at the last minute,

they agreed to make a push. That meant that before the national hookup, we had to have a state hookup for an hour, and there wasn't any money for that. So I do remember going around to all my law professors dunning them for money, which they readily gave to me, and we did raise it. So there we were at Mechanics Hall and there on the platform were, among others, John F. Kennedy, who was then a skinny kid.

CTF: He's a Congressman at this point?

JBM: Yes. Buffie, Adlai's sister, and we're sitting there. I think it was Adlai's sister who was speaking and there was a roar from the back of the auditorium that kept coming forward. We thought maybe Stevenson had come a little early. It wasn't Stevenson. It was Mayor Curley who had not been invited. So he just marched right up, sat down in Elizabeth Buffington's seat. So she got finished talking and she had no place to sit down. It was John F. Kennedy's turn so he got up and she sat down in his seat. Then it was, well, Curley sat there with a big smile on his face. It was musical chairs from then on.

CTF: Mayor Curley was the notorious mayor of the City of Boston for a long time. So, you come back here. You get active in the Democratic party in Evanston. But until the orange at-large ballot, you don't run for office?

JBM: No.

CTF: Do you have any interest in running for office?

JBM: I hadn't really thought about it but I spent a fair amount of time in Springfield because when Kerner was governor, then Dawn Clark, later Dawn Clark Netsch, was his administrative assistant and legislative advisor. You at that point had a governor's staff of Chris Vahaplis as press secretary, Dawn as legislative assistant and administrative assistant, and two secretaries and a chauffeur, and that was the governor's staff, and now it is several hundred.

So, when the legislature passed a thousand or so bills and went home, Dawn couldn't read all of them all by herself. So she kind of leaned on friends – me, Harold Katz, Harry Golter, Jim Otis, two or three others. We'd go down Thursday night. Get to the capitol about 9:00 and work until about 1:00. Then go back to the hotel. Jim and I shared a room in a hotel that was so grungy that all the wallpaper was coming off and we shared a bathroom with a couple salesmen in the next room but they didn't have any money for that either. Then you get up, have breakfast, be back at the capitol at 8:00. Work through lunch. Take a break at 6:00 and we'd all go out for dinner for about an hour and a half and then go back and work until 1:00. Then Sunday night, we'd leave about 4:00 p.m., and I'd get back home about

11:00 p.m. Monday I'd go to the office and sleep. I did that for two sessions and it was extremely educational.

CTF: Out of the work that you did, how many bills were vetoed?

JBM: Not very many and I will say that out of all the bills that we reviewed, I can only think of two that Kerner disagreed with us. One was a political hot potato, a Teamster bill and the other was a nothing bill that he didn't want to veto just because it kind of stuck it in the eye of the legislature. He didn't think it was necessary to do so.

CTF: You started to mention other activities that you did while you were at the law firm.

JBM: I concentrated on the Democratic side.

CTF: You were on the school board here?

JBM: No.

CTF: But you were in some – what other organizations were you active in?

JBM: Gateway, which I help found. Well, back when I was in the legislature, every session usually through the auspices of Nick Zaconi,

they would try to pass a treatment program for drug abusers which would always get shot down in flames by the law enforcement people.

So when I was there, I thought the thing to do was form a commission which included law enforcement as well as public aid, mental health, et cetera, et cetera, et cetera, and try to come up with a program that everybody could agree on which was the Narcotics Advisory Council.

Well, then I was out of the legislature, but I was still the secretary of that and I spent a lot of time on that. The next time around, we did get unanimous agreement on a program which included methadone, included therapeutic communities, included diversion and took it back through the legislature.

We had one brief brush with disaster, because even though O.W. Wilson signed on, the lieutenant in charge of the Chicago narcotics detail did not and he fed a bunch of garbage to the *Chicago American*. They came out with a strong editorial against the whole program. Well, I knew who had written the editorial. So I got in touch with him, gave him a whole bunch of rejoinders, and three days later, the *Chicago American* – I've never seen this before or since – wrote an editorial saying, hey, we were wrong three days ago. We endorse it. And the punishment for the lieutenant was that when we

went down for the public hearings before the Senate Judiciary Committee, he was designated as the Chicago Police Department's official representative. Then I could sit there and say everyone supports this bill. In fact, O.W. Wilson sent down his representative to memorialize the fact that he is supporting this bill. Lieutenant so-and-so, would you please stand up. Thank you, Lieutenant. Please sit down.

CTF: How did you end up getting slated on the orange ballot?

JBM: Well, they were looking for – each party was looking for about one-half incumbents and about one-half people who they thought would appeal to newspaper editorial writers and, given my experience in Springfield, background and so forth, I guess they figured that I qualified.

CTF: You start on the orange ballot, the background of it is that the parties couldn't agree on the redistricting, if I remember correctly?

JBM: Right.

CTF: So then the parties agreed to run?

JBM: Two-thirds.

CTF: For each party?

JBM: Right.

CTF: So you would always get one-third elected?

JBM: Right.

CTF: And nobody else came in to run?

JBM: After that.

CTF: After that they do redistrict, and you run?

JBM: Yes.

CTF: Where was your district?

JBM: Evanston, New Trier, basically, Skokie.

CTF: You have a Republican district?

JBM: It was a Republican district, and I basically was running against my roommate in the legislature, Harold Katz. He won.

CTF: But you never ran again for that?

JBM: (Shaking head.)

CTF: You became active in the Evanston Township. You ran for?

JBM: I was a member of the city council.

CTF: That's an elected post?

JBM: Yes.

CTF: By wards?

JBM: Yes.

CTF: Okay. You didn't stay for long there?

JBM: Four years was long enough. They were long hours. Nothing happens in Evanston without a great deal of discussion. So meetings had a tendency to run until midnight.

CTF: You mention that you were a founder of Gateway?

JBM: Yes.

CTF: Obviously we talked about the bill through Congress or through the state legislature, but then what did you do for Gateway?

JBM: Well, I was its first president. There was another person briefly president, but I was basically the first president for several years. We started off with a budget of \$98 thousand for the year. Our present budget is about \$63 million. I'm still on the board.

CTF: But Gateway has expanded beyond drug treatment?

JBM: Illinois –

CTF: Isn't it trying to bring --

JBM: Substance abuse.

CTF: But isn't it also trying to bring people, felons back in jobs?

JBM: No.

CTF: It's just all drug treatment?

JBM: Yes.

CTF: Okay.

JBM: But not just in Illinois. We're in Texas, Missouri, Virginia, as I said New Jersey.

CTF: Why are you in some states and not others?

JBM: You bid on contracts.

CTF: What other organizations were you active in pro bono?

JBM: Well, I have been for many years a member of the Woodlawn Community Development Corporation.

CTF: How did that come about?

JBM: Because Leon Finney – they went through a period where their bookkeeping became very messy. The U.S. Attorney was breathing down their neck. They figured that bringing in some more people from

outside on the board might help. They brought in me and a few others.

CTF: But how were you picked?

JBM: I don't know. Leon just called me up.

CTF: Asked if you would serve?

JBM: Yes.

CTF: Are you still on the board?

JBM: I'm still on it.

CTF: And what have you, I mean, I know that the Woodlawn Organization has done a lot to redevelop property in the Woodlawn area and residential housing?

JBM: Woodlawn Development Corporation is kind of the real estate end of TWO. It administers a number of CHA projects, and builds new developments.

CTF: The CHA projects though are probably scattered site ones?

JBM: Not all.

CTF: Not all?

JBM: They're not high rise.

CTF: And do they extend beyond Woodlawn?

JBM: Yes, not far.

CTF: What other organizations have you been in?

JBM: Well, let's see, for many years I've been on the board of the Evanston Defender Program, which I helped pass when I was on the city council. We're now working almost entirely with juveniles. But it's got a lawyer; actually about two-and-a-half lawyers, and a social worker. So it, basically, is a program where some juvenile gets into trouble, you represent the juvenile in the legal issues, but at the same time you get the social worker involved because so much of this is, you know, the result of dysfunctional families, and the rest. In fact, a lot of the referrals are from the police department because they know the families that are in trouble. So the social worker can then network not only the kid but also his family into what resources we have here in Evanston, and they're rather considerable.

CTF: Jim, what are the cases that you remember as a lawyer that you think had an impact or were of particular interest?

JBM: The appeal on the Chicago conspiracy trial. *United States v Dellinger*, 472 F.2d 340 (7th Cir. 1973) *cert. denied*, 93 S.Ct. 1443. That was fun.

CTF: That was a different cast of characters in the representation?

JBM: Yes.

CTF: Knowing you and knowing some of the others, I wonder what the meetings were like in talking about litigation strategy?

JBM: Well, actually, my direct relationship was almost entirely with people from the Center for Constitutional Rights at Rutgers.

CTF: Okay.

JBM: And Tony Amsterdam. I had fairly direct contact with – what's his name? What's his name? I can't remember.

CTF: William Kuntsler?

JBM: Kuntsler, who I thought was a real hot dog. Lenny Weinglass was a decent guy, not terribly experienced at the time.

CTF: My favorite was at the end of one of the appellant's briefs, they had a picture of Mao. It said "All power to the people" underneath. This was part of their appellate brief they were submitting.

JBM: Well, what I remember about that is that the Court of Appeals said, okay, since it's totally fact-intensive, let's not have an appendix. Let's do it all in one, this incident – then this incident, bring in the record as you go. So it was a long brief. It was about 300 pages.

CTF: Right.

JBM: My one contribution was to spend one weekend with a marker excising every adjective and every adverb from the entire brief because they didn't need them. Deadpan, it was even more powerful.

CTF: Right. What other cases do you remember?

JBM: Well, one case, if it was nowadays, would probably have caused me a great deal of grief being confirmed which was defending an abortion clinic where the Better Government Association and the *Sun-Times* teamed up to print these lurid exposes of this particular abortion

clinic. So the state moved in to lift their license. It was kind of a hurry-up administrative proceeding, but it was a lot of fun because you do things like – well, in the first place, the BGA plant at the abortion clinic, and that was their big problem, their plant thought that she really needed to give them a story. So she kept adding things on and she gave all sorts of medical records to the *Sun-Times*.

Now, can you imagine the ethics of turning over abortion records to a newspaper? The *Chicago Reporter* got their nose totally out of joint and as it happened, I mean, you do things like they have a story about how drunken doctors were performing an abortion on some woman who was screaming in pain, and they give enough detail so that we could go back and trace it through their records to identify the patient. So we'd come in with, one, a sales receipt for one bottle of champagne, which was for a birthday lunch for about 15 people. That was the alcohol consumed at the time. And taking a deposition at a motel at night, out in the suburbs someplace, of this woman with both sides there. With her saying, "But that's not the way it happened. Everything was fine. And then I got up and went fishing with my boyfriend." I mean, they were just making stuff up.

CTF: Was this all before the administrative hearing then on the license revocation?

JBM: (Nodding head.)

CTF: Now, how did you get into that case?

JBM: You know, I don't really remember. I do remember talking to the owner who felt he had been totally railroaded, which he was, saying: "Okay. We'll look into it. If we think you're being railroaded, we'll represent you. If we don't think so, I don't want to." I got into it and felt he was being totally screwed, which he was.

CTF: What other cases do you remember? Any cases not on the pro bono side for Bell, Boyd?

JBM: We got paid on that one.

CTF: You got paid on that one?

JBM: Yes. Well, we got paid until the owner got gunned down.

CTF: The owner got gunned down?

JBM: Right on Michigan Avenue in broad daylight. Nobody could ever figure out why.

Well, usually I did a lot of – we represented Underwriters Laboratories. So we had a lot of UL cases. We were general counsel for Touche, Ross so we represented them on class actions all over the country. I did a lot of securities work. We were counsel for a number of brokerage houses; again, securities cases. So my practice was mostly federal. A lot of it was securities. Some of it was intellectual property, some labor law on occasion.

CTF: At some point somebody asked you to be a Federal Judge, or would you think of applying to be a Federal Judge?

JBM: Well, you know, Adlai and I were acquaintances in law school and we got to be very good friends through Community on Illinois Government and the General Assembly. Then after I left the General Assembly and he was treasurer, I did stuff for him and I pretty well ran his diversion program. It used to be that the state treasurer had all these state deposits, and particularly state deposits of federal money. If they earned interest on the federal money, that money went to the federal government and traditionally, instead of earning interest on it, they got campaign contributions for placing it one place or another. We changed that so that if they put the money into loans for low income housing, certain kinds of agricultural loans, there is another sector that we would put the money in the bank – they would then loan it to the developer, and the bank got the use of the money.

Most of the deposit ended up being for a worthy purpose and I pretty well ran that for a couple years, two, three years, working with the developers around the city. At this point is about when I got divorced. So I was a single parent with four children about to go to college, so that –

CTF: Did the kids stay with you?

JBM: Yes. So that going to the federal bench was not economically very possible. Finally, Adlai said, "One, I don't think Carter is going to get re-elected. Two, I'm not sure I'm going to run for re-election. So it's now or never." I said, "Okay," and the rest is history.

CTF: What differences did you see in Bell, Boyd from when you came to when you left?

JBM: Well, when I first went to Bell, Boyd, it was, as I said, billable hours were not a big deal. Public interest was a laudable purpose. Unfortunately, in that sense, it's now like most of the firms – the bottom line is important.

CTF: And that was a number of years ago?

JBM: A number of years ago.

CTF: You get sworn in as a federal judge. What were the toughest things about the job? You hadn't any experience to speak of in criminal cases?

JBM: Well, I had done some criminal cases out at 26th and California.

CTF: As pro bono work?

JBM: Yes.

CTF: Did you get those through the bar association?

JBM: Other than the fact that I ended up with about 125 fully-briefed motions, some of which were three years old, so it took me quite a while to dig out from under, I don't think of anything as being terribly difficult. It was fun right from the start.

CTF: The *Almanac of the Federal Judiciary*. If you read the comments, they talk about how even-tempered you are and that lawyers like to appear in your court. What do you attribute your even-temperedness to?

JBM: Genes maybe – being an alderman in Evanston certainly helped. I mean, just being involved in political life helps dealing with all sorts of

different people. You've got very different ideas as to what should happen, and trying to work things out.

CTF: What cases were the most interesting that you've worked on as a district judge?

JBM: Oh, boy. My United Air Lines flight attendants case, which I inherited.

CTF: Who did you inherit that from?

JBM: A succession of judges. The last one before me – I think it was Frank McGarr.

But by then it had been established that the no marriage rule was a violation of Title VII and we were to a remedy phase. It was a question in early 1980s, going back to the middle 1960s, of approximately 1,400 flight attendants who had left the service; who have, in fact, left the service anyway because they got married, which half of the women in those days did, who would have stuck around and for how long. And if you are going to provide relief for some or all, how that's going to dovetail with the incumbent workforce, who were basically women who had been there far longer than any of the plaintiffs in the class and who had made it their career, and where

your benefits, your routes, everything depended entirely on seniority.
How to put all that together was an interesting exercise.

CTF: It would be. It's purely equity fairness?

JBM: Yes.

CTF: What other cases do you remember?

JBM: Oh, I inherited the Teamster pension and welfare, well, actually pension cases. The trustees –

CTF: This is where the trustee, there was an outside trustee appointed, is that it?

JBM: Well, there were the union trustees. They invested a lot of money in Las Vegas – not a prudent thing to do – although as it turned out, a rather lucrative thing to do. The Department of Labor got itself all exercised, spent a hell of a lot of money investigating them and suing them, and a bunch of class action private lawsuits. So we had tons of lawyers and all the insurance companies were pointing fingers at each other. We finally resolved that one. I will say it was a very interesting exercise. We used to have weekly meetings where I would have a law clerk sit in, because people had specific positions, and in

the course of a couple of hours of discussing where we go from here and so forth, somebody would change their position a hair, which provided you a new basis for discussion. And so we went through this for months. I eventually resolved them.

CTF: The comments from the *Almanac of the Federal Judiciary* about you as being a very good settler, but there was somebody who thought you ought to be giving more guidance, which is the exact opposite of what mediators are taught.

JBM: I know.

CTF: So that lawyer obviously hadn't gone to mediation school.

JBM: Well, you get some lawyers who say, "Give me a figure I can take to my client," and sometimes I do.

CTF: Is that pretty effective?

JBM: Yes. I mean, you do have – I always have status conferences in chambers because lawyers are much more candid sitting around a table without a court reporter than standing up in open court with a court reporter with an audience of other lawyers.

CTF: Of course, Jim, I have to tell you that the rumor on the street was that you had conferences in the chambers because you could smoke.

JBM: Okay, but I gave that up about 15 years ago. And they are more candid. You'll have lawyers say, "We think we know how to get this case settled. We've got an idea as to what a figure should be, but we've got stubborn clients." So I will say, "Why don't I recommend to them that they settle at whatever the figure was, and you can use me any way you wish," meaning, well, I know this isn't a fair figure, but this is what the Judge has recommended. And you know, if you don't accept it, God knows what a judge is going to do as a result of your not following his recommendation. And it works.

CTF: What about some of the criminal cases that you had? Looking through the clippings, you had Debra Hartman?

United States v Hartman, Not Reported in F. Supp.,
1989 WL 112316 (N.D. Ill.); *United States v Hartmann*,
Not Reported in F. Supp., 1990 WL 36725 (N.D. Ill.);
United States v Korabik, Not Reported in F. Supp.,
1989 WL 36228 (N.D. Ill.); *aff'd*, 958 F.2d 774 (1992);
United States ex rel. Kaenel v United States, Not Reported
in F. Supp., 1994 WL 630638 (N.D. Ill.)

JBM: Oh, that was an interesting one.

CTF: She's the one who was convicted of –

JBM: – gunning down her husband. The only real question was, as he stepped out of the shower and was gunned down was, was he gunned down by the hired hitman or by her lover? That was never resolved, but it didn't need to be.

CTF: Was she very cold in the courtroom?

JBM: No. She was a very good looking young woman, you know, Polynesian. You see her mother, you know she was going to pick up a little weight as the years go by, but at that juncture, she was extremely good looking.

CTF: What other cases can you think of?

JBM: A case that involved two and a half tons of pure cocaine, which had come up from Colombia through Honduras, with connivances of the Honduran military; picked up in Honduras by counterrevolutionary elements – Cubans – and brought into Miami for transshipment to New York. *United States v Telechia*, Not Reported in F, Supp., 1995 WL 688672 (N.D. Ill.); *United States v Telechia*, 151 F.3d 1024 (Table), 1998 WL 476760 (7th Cir.(Ill.)) Unpublished Disposition;

United States v Telechea, Not Reported in F. Supp., 1999 WL 675195 (N.D. ILL.); *United States v Telechea*, 221 F.3d 1340 (7th Cir.(Ill.)

Some overly zealous customs inspector, on a hot July day, insisted on probing into the middle of a shipment of plantains, and out came a little white powder. So they pulled stuff apart, put it back together again, and sent it on its way; put everybody under surveillance and off it went to New York. The Cuban, who was a really bright and very successful businessman, spent a fair amount of time in Castro's jail, and I was always convinced was in this not for the money, because he didn't need it. He was in it for the excitement – a little drama – but being a businessman in Miami had become a little boring. He knew it had been pulled apart. He knew the Feds had found it. He tried to convince the Colombians of that. They thought he was trying to divert it to his own benefit. He realized that if he didn't stay with the script, that his family was at risk. So he played, he played it all the way through, knowing that the shoe was going to drop and it went to New York. They had suspicions there, so they diverted it to Chicago. Then repacked it here, and were heading out to New Jersey when bing, bing, bing, they arrested all sorts of people in Miami, New York, New Jersey, and Chicago. So it was a lot of defendants, and a very interesting case.

CTF: What happened to the Cuban? I assume he was convicted along –

JBM: He was convicted, but he got out after not too long by being a very helpful witness in another major case, and is now a drug counselor at a drug treatment facility in Miami.

CTF: For Gateway?

JBM: Not for Gateway. One of the defendants fled; some of the defendants fled. We got one, who was a Honduran, who got picked up, ultimately turned himself in, I think because his compatriots were about to eliminate him and he figured he was safer in Federal custody than he was out on the street. But then he decided he wasn't guilty. So we had to try him. So they reassembled the old group, much shorter, and they filled me in on the gaps that I hadn't known before.

CTF: What was the Herrera case?

JBM: That was just a run-of-the-mill Mexican marijuana – heroin drug case. *United States v Herrera-Corral*, Not Reported in F. Supp., 1986 WL 887 (N.D. Ill.) There were just a lot of defendants – a big family.

CTF: Yes, Herreras. I mean, I've been around and I assume that it's like Smith or something?

JBM: Yes, it is.

CTF: There may be cases, when you review this, that you think merit some inclusion.

JBM: Okay.

CTF: What about being chief? Judging from the clippings, you took the job but you'd definitely preferred being a trial judge?

JBM: Well, I always referred to being Chief Judge as being responsible for herding butterflies.

CTF: And I would say in the group you might have had some moths?

JBM: Yes, and actually, it was at a time of, let's say a low point in collegiality between the Court and one judge.

CTF: Yes.

JBM: So that that was always a pain, but it worked out.

CTF: What changes would you like to see in the courts, if any? You've had a lot of experience as a lawyer, and a lot of experience as a judge.

JBM: I really think that the present structure works pretty well, as long as people don't get too hidebound by rules where they think they have to turn corners and stuff. If you remain a little bit flexible, you can reach common sense solutions to stuff.

CTF: Do you have any regrets?

JBM: No.

CTF: Good.

JBM: Zero.

CTF: One thing that we didn't include is that you met Nancy –

JBM: Yeah.

CTF: -- at some point and married Nancy?

JBM: Yes.

CTF: So why don't we talk a little bit about Nancy.

JBW: Well, this provides a little interesting gossip. My wife had an affair with Nancy's husband, which went on for a year, which was emotionally –

CTF: I actually was looking for not that part, but just how you met Nancy. Maybe you have to put that in to set the table?

JBW: They lived on the next block and then eventually – during that process – I saw a lot of Nancy because we'd discuss how we would feel, what was happening, how we were coping and all this sort of stuff. Then about a little less than a year later, everybody separated and a few months after that, I was still in the process of seeing Nancy on occasion – how we were doing and so forth and so on. Things blossomed and eventually we got married. It took a while because, in those circumstances, blending eight children together with that background wasn't the easiest thing to do. Eventually it all worked out. It was a very strong marriage.

CTF: It certainly was from my perspective – just an outsider watching. A wonderful woman. You've adjusted to being a bachelor though?

JBW: Well, I haven't had much choice.

CTF: What about your love of sailing? We talked a little bit about the harbor master job that allowed you to spend half the time being paid to sail a boat.

JBM: I've been sailing ever since.

CTF: There is also something in the comments about that you've never competitively sailed or maybe you did and you got away from it?

JBM: When I was in high school, I had my little Sea Gull, which is an 18-foot centerboard sloop. I competitively raced and decided –

CTF: Not a big crew on that?

JBM: No, two besides myself. I decided I didn't like racing because you ended up screaming and swearing at your friends.

CTF: I think that's an interesting point. So you became a cruising sailor.

JBM: Yes.

CTF: Where is the longest you've ever sailed?

JBM: Well, I took Allegro, my schooner, down the Mississippi; across the Gulf to Key West; up the east coast; up the Hudson into the Mohawk River Valley, the Erie Barge Canal; back into the Great Lakes and then back to Chicago.

CTF: How long did that take you?

JBM: Well, the trip down the lake, down the Mississippi was – I don't know – we started in October as I recall and I don't even remember how long it took because I was not on that launch. It was friends and family and then we crossed the Gulf starting Christmas Eve, where I said to the children afterwards that they had cocktail party conversation the rest of their lives, because we were headed from Gulfport to Naples and caught a pretty bad northern storm, so it was off the port quarter. I didn't know how hard it blew until I read *The Perfect Storm* in which they describe sea conditions. When they got to describing sea conditions at 55 miles an hour, I said that's the way it was. So we were 24 hours with 30-foot seas.

CTF: How long is the Allegro?

JBM: Forty-three feet.

About every 2 or 3 minutes, one of them would crest and break the entire boat. You couldn't even hold on. You were strapped in with harnesses but it would just pull you to the end of the harness and then you would have to fight your way back to the wheel. So it was an interesting 24 hours.

CTF: How many were on the boat at the time?

JBM: Well, six of my children plus Katie's then intended, Joe Trippi, who I said to him afterwards, he would always remember Christmas 1980 as the Christmas where his Christmas dinner was one lettuce leaf, which he promptly threw up; and two others. Actually, there were only three of us that could handle the wheel.

CTF: Because you were trained or because they were sick?

JBM: It was more a matter of strength than anything else. I mean, here go here (indicating), seas are coming at you like this, the natural tendency is to do this and then roll, broach. But if you'd broach, you're liable to roll right over. We broached once. So it's a matter of riding the crest which takes a certain amount of strength and a certain amount of experience.

CTF: How many who were on the boat ever went out for a long sail with you again?

JBM: All of them.

CTF: Good. How was the trip up?

JBM: Trip up was fine. It had its low points. When we were at a marina near Savannah, it was really hot and humid – about 100 at night with about 98 percent humidity and mosquitos that looked like sparrows. Somebody offered to let us sleep on their boat, a big motor cruiser with air conditioning, but they forgot to leave us the keys. So there we were, looking in from the outside and my daughter, Polly, was in the process of coming down with mononucleosis. We had to fly her home from Beaufort. So that wasn't exactly fun but then things like New York City and the Fulton Street Fish Market and the Southport Ship Museum, where with an Alden schooner, I fit right in with the decor, so they let me stay there. So I got out my white Docks and blue blazer and invited my friends from New York. We had cocktails on the Allegro in lower Manhattan.

CTF: So when did you get back – when did the boat come back to Chicago – that spring?

JBM: That summer.

CTF: So it must have been laid up in some port for quite a while?

JBM: Well, the reason we went down there was a friend of mine who was a cabinet maker said, "Jim, if you take the boat somewhere warm, I'll put a teak deck on her." and Key West was warm so we took her down there and he did put a teak deck on the boat.

CTF: So that was in Gulfport?

JBM: No, that was in Key West.

CTF: Okay.

JBM: The boat spent the winter in the old submarine pens which were then full of old wooden boats and scruffy-looking young guys and gals who would be flat broke and then they'd sail off for a while, for a week or so, and come back and have some cash to spend.

CTF: Magic money trees down there?

JBM: That's right.

CTF: Have you gone on any other sail anything like that?

JBM: Well, I've done a lot of cruising – short cruising in the Caribbean – Bahamas.

CTF: Anything in the Great Lakes?

JBM: Well, I got up into Canada. I mean, practically every summer I get up to the head of the lake at least.

CTF: Why don't you give criminal work to law clerks?

JBM: Because criminal motions are almost invariably very pedestrian and just to protect the record. I can dictate or write three pages and do motions. Everybody knows what the answer is going to be. It's just to keep the record clear. I know what the answer is. Why inflict that on a law clerk?

CTF: That's a good reason.

JBM: If you're the one trying the case, you're the person who knows what the case is about. When you get to instructions, it's much easier for me to do it than say, "Josh, why don't you take a look at this." Once in

a while there will be a legal issue that we need some help on but not very often.

CTF: Do you prefer bench trials or jury trials?

JBM: It depends. I prefer a bench trial if I can rule right from the bench. If I'm going to have to go back and write an opinion, I would prefer to have a jury trial where the jury says "yes" or "no" and that's the end of it. But I don't do many bench trials, and the ones I do are generally where I just rule from the bench.

CTF: Who were the judges who most impressed you both before you got to the bench and after you had been on the bench? I assume, obviously, Lumbard?

JBM: Lumbard, Hand – incidentally, I got a letter this week from Ron Dworkin, who was Learned Hand's law clerk when I was Lumbard's law clerk.

I must say I didn't really think about it that way when I was a lawyer. I used to have a lot of cases with District Judge Sam Perry. I remember once being quite pleased because he ruled in my favor on a summary judgment motion where I was the plaintiff charging fraud.

Getting a summary judgment as a plaintiff on a fraud claim doesn't come down the pike every day.

I just never really thought about it in those terms. I used to think things like, sitting in Hu Will's courtroom, thinking to myself, "Judge Will, you don't need to say all that. Things will go faster if you said less."

CTF: Hu Will had a lot to say.

JBM: He did, but you spent the entire morning in the courtroom. And then certainly famous ones like Hoffman.

CTF: Did you ever try anything before Julius?

JBM: Yes, I had one memorable experience before him. This was after I had been one of the lawyers on the appeal. We were representing Ralston and Company on a case that was going to be MDL'd to Oklahoma. So we got an extension of 30 days to file an answer or otherwise plead. Well, the MDL panel hadn't ruled yet. I was off in New York taking depositions and I said the day before the answer was due to go in on a motion for another 30 days. Frank Higgins, who was my compatriot, was going to do that but he was sick that day. So Carol Childs, who was a very good-looking young blonde associate,

went in and the next thing I heard was Carol hysterically sobbing over the telephone that Julius not only denied the motion for 30 more days, he had entered *sua sponte* a \$25 million judgment against Ralston and I wasn't quite sure whether it was because I was the lawyer or because he thought Carol was a secretary or what. Anyway, I said, "Carol, I'll get on the next plane. You get a certified copy of the order showing the motion and that the answer wasn't even due until tomorrow. Put together just a general denial and I'll go in tomorrow morning and we'll straighten it out." Well, he had to vacate the judgment but not before he had spent half an hour ripping me up one side and down the other in front of a crowded courtroom, where the only thing I could say was, "Yes, sir" or "No, sir" – stressful. The only thing I could really think of was, "You arrogant little bastard."

CTF: There are a lot of Julius stories. I have my own.

JBM: Somebody could put a whole book of Julius stories together. That's your next project.

CTF: No, no. I'm not working that side. That's not what I'm interested in.

CTF: Is there anything else you want to include here that you can think of? Let me end it then with this question. We can add anything you want. But what motivates you? What makes you tick?

JBM: I haven't the vaguest idea. Well, I will say one nice thing about being a judge is that things more often than not come out the way you think they should, more often than if you're a lawyer, and you can have an influence on why that happens. So that's satisfying. I certainly think the job of a judge is to resolve disputes. Sometimes you have to leave them to a jury – hopefully not so.

CTF: Good. Thank you.

JBM: You're welcome.

(Interview concluded.)

APPENDIX

Letters home written by Judge Moran's great-great-uncle, James Nugent, during his service with the Union Army during the Civil War.



STATE HISTORICAL
SOCIETY OF WISCONSIN
816 STATE STREET
MADISON, WISCONSIN
53706-1488
PHONE: 608 264-6400
FAX: 608 264-6404

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July 8, 1996

The Honorable James B. Moran
Judge, U.S. District Court
Northern District of Illinois
219 S. Dearborn St.
Chicago, IL 60604

Dear Judge Moran:

I apologize for the long delay in responding to your letter of May 13, 1996. This has been a particularly busy summer season, and I have been out of the office a great deal. I want to tell you how much we appreciate having the Civil War letters of James H. Nugent and your transcription of the letters. I have had the opportunity to read the transcription. James Nugent wrote some of the best, most descriptive Civil War letters I have ever seen. I suspect that this derives from him having received some college education.

Historians regularly use Civil War letters to study battles, life in the Army, and the history of particular military units. James Nugent's letters will be most useful to those studying camp life and military medicine. Due to accidental injury, illness, and battle field wounds, he clearly spent most of his military duty in the hospital. After having both diphtheria and mumps, it is no wonder that he jokes about getting out of the hospital soon provided he doesn't get scarlet fever or smallpox. By devoting considerable attention to describing conditions around him, Nugent has created a valuable historical resource.

I have only one question about the collection. With the letters, you included a carbon copy of a transcription of an efficiency report completed by Brig. Gen. Lewis Case in 1813. This is a very interesting document because of his blunt assessment and his opinion of Irishmen. Do you have the original document or any information about the background behind the document? Any information you can provide would be useful.

To complete the donation process, I am enclosing our standard deed of gift form. Please sign and return the form at your earliest convenience. Should you have any questions or concerns, please feel free to drop me a note.

Thanks again for your wonderful donation.

Sincerely,

Richard L. Pifer
Archives Division
608/264-6477

117 Kedzie Street
Evanston, Illinois 60202
(312) 475-3422

Christmas 1988

Dear All,

Several years ago one of the banks in Escanaba ran across an old box which contained, among other things, some old letters. Most of them had been written by James Nugent to members of his family while he was serving in a Wisconsin regiment, part of the Army of the Potomac, during the last year of the Civil War. I thought you would find them interesting as a contemporaneous and very personal part of both national and family history. My secretary, Addie Yanow, transcribed them, bless her. I include the transcriptions and also copies of a couple of the letters. I think I should send the original letters to whatever Wisconsin state historical group collects this sort of thing. Does anyone have another suggestion?

I have other materials from Uncle Warren and, having read the letters, I thought I also should figure out where James Nugent and we come from. So here goes.

Joseph Peaslee, with his Welsh wife, came to America about 1635. The first of the Hortons emigrated about the same time. I don't know where the Peaslees came from. They were Quakers, and Joseph and Thomas Whittier laid out Haverhill, Massachusetts. Those families intermarried, with one descendant being John Greenleaf Whittier. A grandson of Joseph married a daughter of Susan North, who was executed as a witch in Amesbury, Massachusetts, in 1692.

A fifth generation Peaslee from New York's Dutchess County (FDR country), was in the Revolutionary War. His niece married John Jay, first Chief Justice of the Supreme Court, and we're related to them somehow, although I don't know how. A seventh generation Peaslee in 1850 married a Scotch-Irishman, William Campbell, whose father was right off the boat. The Campbells spread through Pennsylvania and New York, and we don't hear any more about the Peaslees. The Peaslees seem to have been pious types, big in the pulpit, for causes, and in bed. The male Peaslees often had more than one wife ("died in childbirth") and lots of children. The Campbells lasted as family names. I can't remember which Campbell lady was supposed to have taken out her teeth for the Indians, but that, supposedly, was almost yesterday.

The Hortons were a proud lot and there were a lot of them. I have a very thick book which traces who begat whom. Apparently they go back to the 1200s, with crests and all --gentlemen squires (a few of them) in central England. I think they were, basically, good yeoman farmers. Anyway, a number of them came here early, settled around Springfield, Massachusetts, and, by

the time of the Revolutionary War, had propagated to the extent that the names of patriotic Hortons go on for pages. Elias Horton, born in 1801, moved to Lawrenceville, Pennsylvania. One of his sons was Elisha. He married Kate Campbell, daughter of William, in Pennsylvania, in 1871. One of their four children was Frank, my grandfather.

Now we shift gears. James Blake was born in Vermont in 1846, the only son of Robert and Maria Blake (I think -- his origin, according to some family stories, is much more obscure). His family moved from Vermont to Ohio and, after two years, to Manitowoc, when he was a young boy. Not quite 16, he ran away to Nashville to join the Union Army. The family stories are that he served in all the major campaigns in the west as a Tennessee cavalry scout, although he apparently never talked about it. I do have his saddle pouch, still a soft leather pouch with a small ferrotype embroidered in, probably of his mother. After the war he went to Lawrence College.

There he met Nancie Nugent, the daughter of Henry B. and Miranda Hart Nugent (and I think the "Hart" was from lower Michigan, where descendants have been Senators and such). Nancie grew up on a farm near Clifton, not far from Oshkosh, one of numerous Nugents who owned and farmed much of the land in the Fox River Valley. James and Alf Nugent were her brothers. James and Nancie married when they were both 23 and moved to Nahma, where Great Grandfather Blake was superintendent of a local timber company. My great aunt Belle was born there. They then moved back to Wisconsin to Peshtigo. According to family stories James was in the woods at the time of the great Peshtigo fire, which wiped out the town the same day as the Chicago fire and was far more devastating. Nancie was visiting her family in Clifton. Both thought the other had perished in Peshtigo. Shortly thereafter they returned to Northern Michigan, where Jessie, Frances and Nancy were born. James became a patriarch in Escanaba. Nancie lent her name to the turkey dressing we all eat (at our house at Christmas, pursuant to a prenuptial agreement) -- Grandmother Blake's dressing.

The four Blake girls, mostly raised in or near timber camps (except Nancy), were a strong-willed group. Belle married Tom Daley (who never said much) somewhat late in life. She had been a school teacher in Fayette, when it was an active town. Belle and Tom went across country on a trip to the west coast when the roads, for automobiles, were still primitive and one had to ford streams. Jessie married very young and died fairly young, victim of a botched operation. She married George Beath, with lots of Beaths resulting. One son died from eating candy dyed with color which was toxic -- pre-FDA days. That's another family story.

Frances married Frank Horton. They had two children, my mother Kathryn and Uncle Warren -- and then were divorced when divorce was unheard of. Still another family story is that they were both family-proud -- Frank's family had been in the Revolution while Frances' had been Tories, and that was a major source of friction. That seems to be stretching things a bit, but I do recall that Frances (Gahgoo) always resented the fact that my mother could be a member of the DAR and she could not. Nancy graduated from the University of Michigan when few women attended universities, married a charming local photographer, had one son, was married briefly, divorced him (two divorces out of four marriages was a record in those days), and never mentioned him again. Aunt Nan was for many years assistant librarian in Appleton, Wisconsin, where Lawrence College is located, and, while I was growing up, chief librarian in Escanaba.

Kathryn went from Escanaba to Lake Forest Academy, then to Castle-on-the-Hudson (while her brother was at West Point), and then to the University of Wisconsin. Warren, after a teenage attempt to remain with the Canadian Air Force during the First World War, was in the Navy and almost died in the 1918 influenza epidemic; tried West Point and then went to the University of Michigan, where he graduated from the law school. A high school friend was James Edward Moran. His parents were second generation from Ireland, I believe. Grandfather James Byron Moran (I was named after him, after being Peter and James Edward for a time -- but that's another story) was a self-made and self-taught man who became a successful businessman and a patriarch type like Great Grandfather Blake. Grandmother Anna Moran was a Moynihan. She was a school teacher and, indeed, helped in the self-education of her husband after they were married. Her sister, Mary, was a five-foot spinster school teacher in Chicago. Living in an Irish bungalow neighborhood near 81st and Vernon Mary taught in an all black school. I visited her once when I was about eight and recall my first major political confrontation. I thought the Spanish Republicans were obviously right and she thought they raped nuns and incinerated priests along with their churches. She also thought all blacks, except her students, were animals. Her students were specially gifted, unique young people. Grandmother Moran was equally strong-willed. My grandfather voted Democratic and my grandmother Republican. According to family stories, election day was a waiting game of considerable intrigue, as one sought to vote without the other doing so.

The Morans compressed upward mobility. Daddy went to the University of Michigan and then to Harvard Business School. He and my mother were married in Chicago (by a priest, a minister, and a civil official, as a prologue to a "do" at the Edgewater

Beach Hotel); he was an investment banker on LaSalle Street. They lived in Rogers Park, then in Evanston and then in a big white house in Winnetka. We were all born in Evanston Hospital. And, then, the Depression came. But that is the beginning of another story (as well as an end, in a way, of a story) and a shift, for a time, of the focus back to Escanaba.

And now you are in a time frame where you have heard the stories, and it is too recent to continue this as a written form of oral history. I may be wrong on some of the particulars, and my sisters will say so (but they may be wrong about what I am wrong about). They surely can fill in more details. I am sorry now that I didn't write down what people said when the Civil War veterans still marched in the Escanaba Fourth of July parade or, far more recently, we didn't talk to Aunt Nan on tape. We have a cavalry scout's pouch, but it can't tell us a lot we want to know. Maybe this helps a little.

P.S. I throw in "An Early Efficiency Report" for good measure, which turned up in the papers I was reviewing. It indicates perhaps a tad bit of negative feelings toward our Irish forebears.

LAWRENCE UNIVERSITY

Appleton, Wis., Sept. 28, 1861.

Dear Father,

Having spent nearly all of my money in getting settled down I write home to know, when thoes [sic] bolts of mine can be here. I have bought me a whole suit of black clothes. I would not have bought me a whole suit, but seeing the boys here all with new clothes, and being used to dressing as good as any of them, I thought I would buy me a whole suit. It cost me \$24.50. I had \$34.00 when I came. That leaves \$9.50. If that load of bolts brings me twenty dollars I can get along very nicely.

Please try and send me thoes bolts as soon as possible for I am in great need of them. I have made arrangements with John Lercomb about those certificates, and told him I would try and pay him when the load of bolts came. You know I owe him \$3.00 on last term's schooling. I suppose of course you will pay it. Pleas [sic] write back Saturday if you dont say more than a dozen words and tell me what arrangements you made with Blanchard, how much you give him a cord for fetching the bolts, and when they will be here. My studdies [sic] this term, are Geometry, Latin and Quackenbosses Sophmore rules of Rhetoric. They are all very different, I assure you, and I will have to pay strict attention to them in order to keep up, but keep up I will if I have to study night and day.

Please write by return mail to Your Affectionate Son

James H. Nugent

Camp Randall
Madison. Oct. 1st/64.

Dear Father,

I have been here over two years weeks and have not received a word from home yet. I can not account for it. We are going to leave for Winchester tomorrow. We go into the Army of Sheridan. I have the honor of being first Corporal. I did not care for I did not try for it, did not even speak to the Captain about it. I enlisted as a private and I was willing to serve as such. I expect to be detailed in some office when I get South. I have been trying very hard to get a furlough since I have been here but it is impossible, and tomorrow Sunday, we leave for the front. Our war news have been glorious for the last ten days, haven't they?

I wish you would write me soon, and tell me who was drafted in Harrison. Was Nicoli drafted? How does your wheat turn out. Your potatoes, everything, in fact you can write about home is interesting to me, while I can write you nothing of very much interest. Has Mr. Jones bought that place?

It beats all, what things are brought here in Camp to be sold, to lure the soldiers money away. We have peddlers here of every description. They have no conscience about their charges. I have seen butter sell here at two dollars per pound, eggs 35 cents per dozen, milk twenty cents per quart. All appear to vie with each other in robbing soldiers. There are about four thousand troops in camp here now. It is strange how soldiering changes a persons politics. Good McClellan men come here, and in two weeks they are loud for Old Abe.

Direct to James H. Nugent, Co. H. 5th Wis. bat. Madison. If I am not here the letter will be forwarded to the Reg.

I would like to hear from Alf. I wish you would send me his address.

There is a big Democrat meeting up town today. I expect there will be great times. They swear they will fire the cannon in honor of McClellan. The soldiers swear the[y] shall not. The Governor in honor fear of trouble, has ordered a hundred men out to keep peace.

I am perfectly well and hearty.

Your Affectionate Son,
James H. Nugent.
Co. H. 5th Wis. Bat.
Camp Randall

H. B. Nugent
High Cliff, Wis.

Washington, D.C.
Saturday, Oct. 8, 1864.

Dear Mother,

Here I am right in the city that makes the laws for us. I arrived here last night. We had rather a stormy time coming. We were run into by a train of cars while we were standing on the track in Pennsylvania. One man was killed and four wounded. The man that was killed was in the same car with me and only stood about four feet from me. Two others were wounded in the same car with me. It was very providential that we were not all killed. The car was smashed in about four feet on each end. When I heard the crash coming I ran for the middle of the car, and thereby saved my life. Our company so far has had bad luck. We lost one man in Madison - shot himself - one in the smash up, and two wounded. And in Baltimore we had four men poisoned. One out of the four died. Wednesday night I was corporal of the guard all night, watching the corpse of the man that was killed. The first business of the kind I ever did.' I have seen four dead men since I left home, and I am getting quite used to it.

You must not feel worried about me at all Mother. I am perfectly well, and am doing first rate. I am going to try my best to get into some office as clerk. I hope I shall succeed.

I hope I shall meet you all next fall again. I tell you Mother I shall be able to appreciate home, when I get back. Today I am twenty one years old, but I suppose you have thought of it before this. Give my love to father. Tell him to take good care of himself, for you know he is not a quarter as strong as he was five years ago.

Now Mother, you and father must write me every week whether you get a letter from me or not. You can not imagine how much joy a letter from home gives a soldier. I am anxious to hear all local news. Tell Nancie to write to me soon.

I will send you home picture in a few days.

Write soon to your

Affec. Son
James

Direct Co. H. 5th Reg. Wis. bat.
Via Washington, D.C.

Washington, D.C.
Thursday, Oct. 13, 1864

Dear Mother,

I received your letter day before yesterday. Oh! how much good it did me. I write a pile of letters home, and expect a pile of letters from home.

I sat yesterday for some photographs, for my friends. They will be done soon. Pictures are very high here in Washington. Photographs six dollars per dozen. Common ambiotypes one dollar a peice [sic].

We all board here at the Soldiers Hot. We have salt pork, boiled, swill coffee, and hard tack, meal after meal. I do not eat it only about quarter the time. When I do, I furnish a little butter, sugar, and milk, for myself, so make out quite a meal. I have been boarding at the Hotel at 10 dollars per week, but I found I could not afford that. Now I spend about 85 cents per day and with government rations live quite well. Living is pretty high here. Milk 20 cents per quart, Butter 80 cts. per pound, flour 20 dollars per barrell. For a single meal one dollar. I have drawn my gun a accoutrements, and fourty [sic] rounds of cartridges. I tell you I look quite ferocious. I received a letter from Nancie yesterday. Will answer it soon.

We expect to start for Harpers Ferry tomorrow tomorrow [sic] but we cannot tell, such is only the rumor. However our letters will come to the Reg. wherever we may go.

I am tenting with a splendid fellow. He is second corporal, I am first. He has been to college all his life, is very quiet and steady and is a great deal of company for me. His name is Ed. Pratt. Not much like our Clifton Ed Pratt. I will send you his photograph the same time I send you mine. I am very lucky getting in with such a good fellow. The Rebel Deserters are coming in here very fast, some sixty or seventy every day. They say they are heartily tired of the war. I talked with two of them last night for a long time, a ragged, dirty, half starved set they are. They say the whole Rebel Army is like them, I hope so.

Now Mother do do write often. Tell Nancie and John to do the same. Father owes me a letter, tell him to send it along also. Give him my love.

Tell John to pay for a years subscription to the Island City Times for me. I have written to the Editor about it. Write soon to your Aff. Son, James H. Nugent.

I send you also a photograph of our
1st Lieutenant, Herman H. Kribs.

Alexandria, Va.
Wednesday, Oct. 19, 1864

Dear Mother,

I received your letter last night. Never was a letter read with more relish than it. I had not heard a word in about a week. I also received one from Lom last night. What is the matter with John? Why doesn't he write? I have written him more letters that I have any one else, but have not received a line from him. I am somewhat concerned. About my watch, I sent it to him while I was in Madison, and I am afraid he has not received it. I also sent him a package of clothes from Washington. Has he received it? I wrote to Nancie the other day giving her an account of my adventures up to that time. I will now take up the Narrative from that time. Day before yesterday we were put aboard of a train of cars again as train guard. We went out 80 miles, and returned in the night. Coming back we passed within 1/2 mile of Moseby with six hundred men. We stood with our arms in our hands for two hours all ready to fight. We did not have to as good luck would have it. I saw Rebel blood, however. We had 20 prisoners aboard the train, 4 were in the car I was in charge of. I was sitting talking to one of them, when suddenly the cars give a sudden start throwing some of our boys on their knees. One gun went off. The ball passed within three feet of me, and hit the second man from me. A Rebel prisoner. The ball went in right under his left eye and came out the back part of his head, tearing his face all to pieces. I picked him up in my arms, and the blood ran in my sleeve. He lived all night, but died the next morning. It was a horrible sight to see a mans head tore all to peices [sic]l. How curious it is. Every man that has been killed or hurt yet by or in the 5th Reg. I have been right by. As yet I am all right, hearty and well. I expect to learn a great deal the coming year. I send you my picture, also one of my tent and bunk mate Ed. A. Pratt. You will see he is a fine gentlemanly looking fellow.

You need not send me that house wife. I have one already, a good one, which I bought in Madison. I wrote to Alf about a week ago.

Write soon don't fail. Love to all. I am drafted and am all right. I am sorry Nicolli is, Love to father, tell him he must be sure to write,

Your Aff. Son, James H. Nugent

U. S. CHRISTIAN COMMISSION
sends this as the Soldier's messenger to his Home.

Let it hasten to those who wait for tidings.

"Behold! Now is the accepted time; behold,
now is the day of salvation."

Central Office

Branch Office

11 Bank Street, Philadelphia No. 500 H Street, Washington.

Winchester, Oct. 26, 1864

Wednesday Noon.

Dear Father,

I received your letter today. I need not tell you how pleased I was to hear from you. We are here in Winchester in the midst of destruction, Orchards destroyed, houses torn down, and burned. Railroads torn up. Everything in fact one complete ruin. We are encamped [sic] on the Battle Field of the 19th of September, the first victory Sheridan won. Old Guns, swords, balls and shells cover the ground. Mounds are everywhere, where dead are buried. Yesterday I saw a shoe lying on one of those mounds. I undertook to pick up the shoe. What was my horror to find a leg come out of the grave with the shoe.

We came here Sunday. We marched twenty two miles and carried every thing, think of it. Carrying a bushel and a peck of wheat twenty two miles in a day! I was completely used up. I have been excused from duty ever since. When we got here Sunday we were so tired that we spread our blankets right out in the rain and went to sleep. Ten out of the company had their knapsacks [stolen] out from under their heads. I among the number. I lost every thing. I must steal and make up my loss. Such is [the] milatarie! The guards of our company had fallen asleep, they were so tired poor fellows. They were put under arrest next morning. We have been formed into line of battle two or three times since we have been here but have not felt any bullets yet although we have heard them.

I have no paper, but I managed to borrow this dirty sheet. I am sitting cramped [sic] up, with my paper on my knees. So you must excuse this miserable looking letter.

You must direct to Co. H, 5th Wis. bat. 3rd Brigade, 1st Div. 6th Army Corps. Via Washington D.C. I havent received but three or four letters since I came into the service.

Love to all. Write soon to Your
Aff. Son,

James H. Nugent.

[On the last page, in the upper right-hand corner
appears what seems to be the date "March 14th - James"]

Sunday Morn.
Winchester, Va. Nov. 6
Sheridan Field Hospital

Dear Mother,

Do not be alarmed because you receive a letter from me from a hospital. I am not so very sick. When I've [sic] arrived at Martinsburg I was helping the sick out of the cars. I caught my foot between two sones and hurt it. I did not mind it at the time. The next day we were ordered to the front - that was two weeks ago today. So we started for this place. We marched and carried a knapsack twenty two miles the first day. That was tough & laid me up. When the Regiment moved farther on I was unable to go. So I was obliged to come here. And here I am, in a Field Hospital. I am perfectly well. Am fat, eat heartily, and feel good; but I have to walk with a cane. I guess I shall be able for duty again in two weeks. I hope so at least. Oh! how lonesome I am. I haven't heard a word from Wis. in about two weeks. I suppose there are letters at the Regiment for me. You cannot imagine the horror Mother that a person seeks here in this hospital. All the wounded from the battle of the 18 of October are here. There are some horrible sights to be seen. It is strange how a person get used to such things. At first I was awfully shocked Now I do not mind it at all. Day after tomorrow is election day. I hope it will have success in keeping Old Age in another four years. The Army is not so unanimous for him as a great many think. There are a great many McClellan men, but they are not such men as the peace men of Wisconsin. They are true Union men but think that little Mac would bring the Rebels back sooner than Old Abe. I heard today that the 5th Wis. was going to winter in Washington. How true it is I cannot say. I hope so. I do hate standing picket in the winter in an enemies country.

We have pretty good times here. There are twelve of us lame fellows in one tent so we enjoy ourselves quite well. Still there is "No place like home." I will know how to appreciate home, when I get there, if I ever do. I am learning a great deal here of human nature. I see all kinds of it. Some men are so frightened all them time that they are sick. While some hereoes lay with kboth arms off, without a murmer [sic]. I wrote to Alf but havn't received an answer yet. Direct as before. Do not worry about me Mother. I am all right. Love to Father and all write soon to
Love you

Jim H. Nugent.

U. S. CHRISTIAN COMMISSION
sends this as the Soldier's messenger to his Home.
Let it hasten to those who wait for tidings.

"Behold! now is the accepted time; behold,
now is the day of salvation.

CENTRAL OFFICE:
11 Bank Street, Philadelphia.
Washington.

BRANCH OFFICE:
No. 500 H Street,

Sheridan Hospital
Winchester Co. Nov. 15, 1864.

Dear Mother.

I was very much pleased the other day by receiving seven letters from Wisconsin. One from you, Nancie, John, Mat Robinson, Carrie Collins, Lom, and one from Lt. Adinant of the 43rd Div. Charley Stithonor from Appleton. I was quite overjoyed.

Of course you are interested about my health. I am feeling first rate as far as health is concerned, but my ankle is quite lame yet. You would laugh to see me hobbling around the Hospital with my cane. I told you how I hurt my leg, I believe. Now Mother, I know you are worrying about us all and me, and you are doing so uselessly. I know nothing about Alf, but as far as I am concerned I am getting along "bully". I am about as much concerned about you as I am about Alf. You will worry so much you will make yourself sick. Now don't trouble yourself too much. It won't do us a particle of good, but only gives us anxiety. That dollar you sent me came splendidly to me. I was entirely out of money and stamps. I took the dollar and bought me a pound of butter and four quarts of potatoes. Lord! I am living like a King!

The Sanitary Commission is a glorious thing, Mother. Tell Father to give something to them. They are doing more for suffering humanity than any one at home imagines. They come around every day and give the poor sick and wounded fellows butter, applesauce, canned peaches and everything that a sick man can relish. I saw a man die this morning. A splended looking young fellow. He was wounded in the battle of the 19th of October, and has been suffering ever since. This morning he went to his "sorry home."

It is raining very hard today but I have good quarters. Sheridan Hospital consists of about sixty large tents laid out in streets, like a young city.

Father owes me a letter. I wrote him some time ago which I have not received an answer to. Tell him to be sure to write soon. Write to me immediately direct as before to
- Your Affectionate Son.

Love to all.

James H. Nugent.

Sheridan Field Hospital
Winchester, Va., Nov. 22, 1864

Dear Mother,

Your dear welcome letter arrived here yesterday along with letters from John, Nancie, and Lym Beach. I have gotten considerable [sic] many letters of late, thanks to my friends. As you perceive, I am here in the hospital yet but I am entirely well and will probably start for my Regiment in a few days. I have been here most four weeks, but hav'nt [sic] received an answer yet to some any of my letters from this place. How long it takes a letter to get round.

You may keep what clothes of mine you have in your possession till I get home. Tell John to sell what he has in his. You see Mother how time flies. Two weeks more and quarter of my time will be up. I don't mean to say that I am home sick, but I would give anything if my time were up now.

I wrote Alf a good long letter some time ago but have not received an answer yet. Do you know whether he is with General Thomas or Sherman? We are having very cold weather here now. Colder than I ever saw in Wisconsin this time of year.

Love to Father and all the folks. Tell Margret Ann, I will not forget her when I come home. Dan is doing well with his farming.

Your Aff. Son, Jim.

Write Soon.

Tell Father I am looking anxiously for a letter from him. He must write today. Jim.

Ward 14, Cuyler Hospital
Germantown, Philadelphia,
Dec. 15, 1864.

Dear Mother,

I wrote to Nancie this morning, but as I was able to procure a sheet of paper and an envelope of a fellow, so I hasten to write to you. You will see by Nancie's letter and the other ones that I have written that comparatively speaking I am out of danger. I did have quite a tough time of it while in Winchester but am quite well now. I am only weak and quite poor. The diptheria and fever together gave me a tough one.

I suppose Alf is having a tough time of it now. Send me the latest news you have from him.

I wish Mother that Father and you would send me your pictures. You know I have neither one of them. You said I believe that you were going to send me a house wife. I told you I had one. Well the one I had was stolen from me, so if you could make me a very small one, the smaller the better, and send me while I am here in this Hospital it would be very acceptable.

The fellow that lay in the bed next to me is a splendid fellow. He came from Winchester with me. He is a seargeant [sic] in the 125th Penn. and lives here in Philadelphia. His father is a pretty big man here. He is Provost Marshall [sic] of this District. Barrett has envited [sic] me to eat a Christmas dinner with him in the city. His mother was here today and she extended the invitation to me also. I accepted. So Mother you may think of me Christmas as eating a Christmas Dinner in the house of one of the Big Bugs of the City of Philadelphia. I was always lucky about getting acquainted, and associateing [sic] with pretty good society, havn't [sic] I been?

Write me every week Mother as long as I stay here. Now don't fail! I may stay here one month and maybe two. Maybe also till spring. There is no telling. Just as soon as you get this letter sit right down and answer it.

Your Aff. Son
James H. Nugent
Ward K. Cuyler Hospital
Germanton, Philadelphia
Pennsylvania

U.S. Christian Commission
sends this as the Soldier's messenger to his Home.
Let it hasten to those who wait for tidings.

Central Office: Branch
Office:
11 Bank Street, Philadelphia. No. 500 H Streets,
Washington.

Ward K. Cuyler Hospital
Germantown, Philadelphia,
Dec. 18, 1864.

Dear Father,

As I am feeling pretty well and strong today I will improve the opportunity, by writing to you. I wrote you a letter a long time ago, while I was at Winchester I think, which I have not received an answer to yet. I hope to soon. Of course you know all about my sickness, and my being here. And how I got here.

We have first rate news today from Sherman and Thomas, which makes all the poor sick and wounded fellows here brighten up. If you want to see true Union feeling father, look for it in the army, and especially in the Hospitals. Men that are crippled for life, do not regret it at all, but say if they had another leg or an arm they would give it freely in such a cause. There are about six hundred patients in this Hospital. About one half of them are Germans and Irish. It is strange how they differ from the foreigners at home, while at home they are all rebels, here in the army where they experience all the trials and suffering they are true blue for that Old Flag.

What business are you are you [sic] into this winter, for I know you are into something. How is business in general this winter.

I have been made quite home sick today, by a lot of fellows, from this ward starting home on furloughs. It is impossible for one to get one, for the doctor says if I stay here I will be able for duty in thirty days and if I go home I may catch cold on the journey and be sick again. Then too they do not grant furloughs to one years men. I would so like to be home Christmas and New Year's. If I had been here before election I might have gone home to vote, but then I was living in Sheridan Field Hospital and they do not grant furloughs from Field Hospitals.

I will have one third of my time served on New Year's day. I do not regret my coming in the Army, if I am not going to be sick all the time, if I am I am sorry I came.

A woman came into the ward today to see her husband. She had a baby with her. I declare it almost made me homesick to hear one cry. The first one I had seen for four months. You would laugh to see the boys make a fuss over it. Each one wanted to hold it. It was such a curiosity, especially to old vets that have not been home in two or three years.

A Merry Christmas and Happy New Year to you all. Write soon to your affectionate Son,

James H. Nugent
Ward K. Cuyler Hospital
Germantown, Philadelphia
Pennsylvania

U.S. CHRISTIAN COMMISSION

"This is a faithful saying, and worthy of all acceptation,
that Christ Jesus came into the world
to save sinners; of whom I am chief."

Ward K. Cuyler Hospital
Germantown, Philadelphia
Saturday, Dec. 24, 1864

Dear Father,

Tomorrow is Christmas, and everybody at home is anticipating a happy time. I did not think I was such a home bird as I am. While I was with my company I did not mind at all being away from home and friends; but here in the hospital, among strangers, I am lonesome sometimes.

I received your kind letter this morning. That letter told me more news than any letter I have received since I have been in the Army, and I wish father you would take time and write me often. I will answer the very day I receive them. I will write too very frequently when I do not owe you a letter. There is one thing father I have been going to speak to you about from time to time, but have put it off. I will do so no longer. I want to ask your forgiveness for the many times I have been saucy to you. I always thought I was right, and when I think I am right I have just Nugent enough in me never to give up, unless I am convinced that I am wrong I am so convinced. I see now that whatever the circumstances a Son ought never to sauce a parent. Whatever I may have said father, has been said to you, and no one else, in the heat of passion. At the same time I would have quarrelled with an outsider for saying a word against you. I think, should I live to get back, we could do business together for years without any misunderstanding. Hoping that you will forget and forgive all of my passionate outbreaks, I will drop the subject. Tell Mother I have not received her letter yet which she said she would send me right after you sent yours.

You spoke about my getting a discharge in the spring. That is impossible. A man does not get out of the service now like he used to two years -- when if a man had a sore toe, he got a discharge. Now if he is not possibly fit for field service, he is put in the Invalid Corps, and set to doing guard duty in forts or to catching deserters. So you need not expect to see me before next fall. If all goes right I will be home then.

The war news is splendid, is it not. The Rebellion is catching it from every quarter. I am sorry those Stacy Notes are not paid. John had a harder trial settling my business than you know of. Two months from now I will have a hundred and 40 dollars coming to me. Then he can settle things, if not before.

Merry Christmas & Happy New Year to all. Write soon to Your Aff. Son.

James H. Nugent.

(Note at top of letter:) "I will send you a paper, in one piece, which I will mark. You will see what a monstrous city Philadelphia is."

U. S. CHRISTIAN COMMISSION

"This is a faithful saying, and worthy of all acceptance,
that Christ Jesus came into the world to save sinners;
of whom I am chief."

11 o'clock forenoon
Ward K, Cuyler Hospital
Germanton, Philadelphia

Christmas Day

Dear Dan,

A Merry Christmas to you and all the folks at home I had just one sheet of paper today and I have determined to use it by writing to you. How are you spending your Christmas. Now I want you to write back to me just as soon as you get this. Be sure to tell me just where you are at this moment, 11 o'clock forenoon. I received a letter from Father yesterday saying: that you had a very lame arm. You had been vaccinated and caught cold. I hope your arm is well now so you can enjoy your Christmas. The Small Pox is raging around this section, so day before yesterday the Doctors called us all up and vaccinated us. My arm isn't sore yet. It hasn't had time to work yet

I sent a little paper to Jessie this morning. Tell Lis and Marg to read it for her. We are going to have a big Christmas dinner in the hospital here tomorrow. I will not be here as I am to take dinner in the City.

There are five hundred and sixty four sick and wounded

U. S. CHRISTIAN COMMISSION

Ward K, Cuyler Hospital
Germantown, Philadelphia
Jan. 2, 1865.

Dear Mother,

I waited very anxiously for the mail to come in this morning, hoping for, yet fearing a letter. I got two letters one from John, and one from Lom. I was almost afraid to open either of them for fear of bad news from Nancie. Oh how glad I was to hear that she was better, and that there was a little chance of her getting well. Take good care of her mother, I need not tell you that for I know you will but be very careful when she is getting better that she does not catch cold. That would be death to her. I must also caution you Mother about your own health. With two boys in the Army, one not heard from in two months, the other in a Hospital, and one girl very vry sick at home, you must'be worrying yourself most to death. Now don't worry for me Mother. I am all right and getting fat very fast. Alf, poor fellow, has had a long march, but he has had no fighting, so I guess he is all right. You folks at home must take good care of yourselves, and leave providence to take care of Alf and me.

You said in the letter that you wrote for father, that you would write me the next day. Have you done so? If so, I have not received it. Where did you direct it to? You said I would find something in it. What was it? I am anxious to know even if I do not get the letter.

We had a grand New years dinner here today given us by the Surgeon in charge of the Hospital. I[t] was as good a dinner as I want. I enjoyed it a good deal better than I would if I had not received those leters this morning.

I hope you had a Happy New Year. I will send you the "Bill of Fare" of our dinner today. You will see by that, that we had a feast.

I wish I could know that all my friends tonight were as well off as I am. I have a good bed to sleep in and a good fire to sit by. The only trouble is these things will change now in a week or two. I may stay here a month yet, and I may leave tomorrow. Give Nancie, if she be alive, my love. Tell her I am so glad to hear she is better, and I hope, she and I will yet see happy times together.

My love to all. Tell father to write soon. Also write immediately yourself to

Your affectionate Son
James H. Nugent.

Menasha Wis.
Jan 22d 1865

Dear Brother

I would have written to you some time ago but - I thought - that Jane had answered your letter long ago and I have been so busy since I came home that I have hardly had time to Eat or Sleep. I am glad that you had such a Bully time going through Dixie. I should like to have gone that trip with you better than any trip that I ever heard of. Bully for Sherman and the Boys in Blue. I think that the Rebellion has got - nearly to the end of its rope I hope so at all events. There is some squirming about the coming Draft - but - the Town has raised about \$9000.00 by Tax and Subscription and are going to try and fill their Quota if they dont - my sight is good for another Trip to Dixie for I got over my lame side last summer at Memphis and would make a good soldier. I have got the shop to running in good shape again, have 4 hands besides myself. Hoha, Winters, a man from Oshkosh, and Oll Keyes, he is leaving. He is a good mechanic and takes hold of the work first-rate. I have now three spoke machines to build and other machinery to the amount - of about - \$1500.00, besides the regular shop work. So you see I can be as busy as I like. I have sold the old shop. It will be seasoned tomorrow. They are getting in lots of timber here this Winter and and [sic] working night and day and machinery will get out of repair, so Have lots of work. I ought to make something to make up for what I lost last summer about \$150.00. Jim is here and will finish this. Write love and Beleive [sic] me as ever

Your Friend & Brother, Dan Hart

Menasha Jan 22 1865

Dear Alf,

You of course are surprised to hear from me in this place but here I am, By hard work, I managed to get a furlough for 20 days. I found Nancie a great deal better than I expected. She is getting along finely. The Doctor does not come to see her any more. He says if she does not catch cold, she is all right. She looks very poorly but is improving every day.

I have written you three letters since I enlisted but have received but one from you. You must write me soon. My directions will be Co. H . 3rd Brig. 1st Div. 6th Army Corps via Washington D.C.

It is Sunday night. I came from Clifton today, am going to Oshkosh tomorrow and the next day to Appleton. I have to start back one week from tomorrow.

I have just come back from church where I saw all of the young folks. They, your cronies, are hving great times this winter. The little cusses are beating the big boys in having parties and sleigh rides. Next winter Alf you and I, I hope will be here to enjoy ourselves as well as them. Dan is as fat as a hog, is getting along well. He works very hard getting out saw logs. He goes to school about half the time.

Write soon to your Brother. Jim.

Menasha Jany 27th, [1865]

My Dear Nan

I received your welcome letter and was so glad to get it. Well, I am getting a little better every day but very weak yet, but thought I would write myself. Flo is not very well, has a bad cold and sore throat, but we are all on the gain and will look on the bright side. Phil came over Friday night and staid until Monday noon. We had a big snow storm here Sunday. Pa was awful glad to get that money from Jim. It come good I can tel[l] you. We have got plenty of wood now to last a month. Jim was good to send it for it is a hard time in the year for him to pay out money. You was so good to send me that dollar. We have had a pretty hard time. I do not know what I would have done if you had not been so good to us. I have got such a craven appetite for the last few days when I get strong. I will write you all the particulars of my sickness. I wish I could come up and stay'with you the rest of the winter. I would give anything in [the] world if I could. Poor Flo she has had a hard time. I do feel so sorry for her. She is so good to me but she hates the sight of pa. She received 2 letters from Mary yesterday. I glad Edna is better. I wish you was well. Nan I think so much about you. Give my love to the girls. I will write to you again in a few days. I have written to Jes today a short letter and I am pretty tired. With love and kisses to your dear self

Mother

[This letter was written
with no punctuation.]

Ward K, Cuyler Hospital
Germantown, Philadelphia
Saturday, Feb. 4th, 1865

Dear Father and Mother,

I arrived here this morning all right. I had a splendid trip. Stopped one day in Milwaukee, saw Carrie twice, had a splendid visit with her. Stopped at Mr. Lercombs. They were as clever as could be. Charley Lercomb, John Brother has enlisted. Mrs. Lercomb feels very bad about it.

Every body here expects peace right off. I hope we will have it, but I hav'nt [sic] the least hopes of such a thing. I feel a good deal more lonesome and bad leaving home this time than I did before. But seven months will soon roll around when my time will be out. I am very anxious to hear from Nancie. I do hope she will get along now. Give her my love, tell her I will write her a long letter soon. I do not know when I will be sent away from here, maybe tomorrow and maybe next month. I mean to try and get detailed here if I can. I doubt it however for there are hundreds trying the same thing.

Remember now Father if you come east in the spring, and I am north of the Potomac, you must be sure to come and see me. I send you a three cent greenback, a new issue. They have just come around, and are quite a curiosity to me. I was only two days coming from Milwaukee here. I feel quite near home, because I can hear from you in three days, provided you mail your letters in Menasha.

If I am sent to the front I think I can get detailed in some office. My leg will not allow me to travel and carry a load.

Write back immediately without fail. Love to Nancie and all the rest of the folks.

Your Son with much love.

James H. Nugent

Camp Distribution
Alexandria Va.
Saturday afternoon, Feb. 18.
[1865]

Dear dear Mother,

Long and anxiously I have waited to hear one word from home. About three weeks ago, I left Clifton and all my dear friends. I left Nancie sick you know. I have just been miserable ever since waiting for letters. Today is Saturday. I will get some Monday, I think without fail. God grant that they may be acceptable.

You may think it strange my stopping here so long. Well, I will tell you. I have been waiting for the ice to get out of the Potomac till today. This forenoon I was detailed as orderly of one of the Barracks, but I am afraid I will not stay here long for I hear there is a rumor, that this camp is going to be broken up next week. If that is the case I will know it in a day or two.

My regiment was in a fight last week, and lost three men, wounded. I expect to see bullits [sic] and smell powder, before many months.

On the 4th of March, the day of Old Abe[']s taking the Chair for his second term, my time will be just half out, What will six months more bring forward. I hope Alf and I will both be home in that time. When have you heard from Alf? I wrote him a long letter day before yesterday, and sent him a picture I had taken in Neenah the Monday afternoon that I left home in the forenoon. I hope he will get it. He is seeing pretty hard times now I guess for Sherman is cutting and slashing in his usual style in South Carolina.

I have just got back from the Sutlers where I have just had a good meal of buckwheat cakes and coffe [sic] with milk and sugar in it. I neve[r] eat a meal, but what I think of what you folks are doing at home at that time. Give my love to all, Father and Nanci in particular. I am going to send Margret Ann a present in a few days. Tell Dan he must not forget to write to me. Direct as before the Cuyler Hospital, then I will surely get your letters in time. Here I would not be sure of them.

Write soon dear Mother to Your Affectionate Son, Jim.

Carver Hospital
Washington, D.C.
Wednesday, March 8 ['65]

Dear Dan,

I ought to be in bed now, but am bound to sit up long enough to let you know at home that I am yet alive, but not quite well. I wrote to John Monday and sent it to Menasha. In that I told him all about my being sick, Having the Mumps. I have been pretty sick but am better. I received a letter from Mother and Nancie Monday. I was very much pleased to hear that you were all so well. I was sorry to hear Dan that you had done the foolish trick of Running away and trying to enlist. For Gods sake Dan don't enlist. You dont [sic] know what it is to be a Dog, a perfect slave. I wouldn't have you enlist for ten thousand Dollars. Then too Dan you ought to stay at home, you are the only boy there now. Wait till you come to be away from home for any length of time, then but too late you will know how you love home.

I do not feel able to write any more today. My love to all. I will write to Nancie and Mother tomorrow. Write me a good long letter Dan, and write soon Direct to this place.

Your Aff. Brother
James H. Nugent
Carver Hospital
Washington, D.C.

P.S. I dreamed last night that I was to home and [sic] and I were working together. How bad I felt when I found twas a dream.

Carver Hospital
Washington, D.C.
Sunday, March 12, '65

Dear Lom

I received a letter from you some time ago which I have not answered on accou[n]t of my sickness. I caught cold when I had the Mumps, and it settled on me, so I had a pretty severe time of it. I was sent here to the City and put in this Hospital.

I am about well now and of course will leave these diggins soon, If I don't catch the scarlet fever or Small Pox. It would be just like my luck to do so. I have had a long seige of it, in the Hospital. I have received quite a number of letters since I received yours, and the last one I got was first rate, everybody was getting well. I recd a letter from Alf dated Jan. 22. He was all well then. How is the Draft? I suppose by this time you know who are the lucky ones I do hope you are not drafted. When you write be particular and tell me all about the Draft and its victims in Menasha. When you find out Lom where John Yonner[?] and the rest of those boys are please let me know their address. The 1st Wis. Heavy Art. is somewhere about here but I cannot tell where. If I knew I would go and see them.

My time is a few days more than half out. I owe my venerable Uncle five months and twenty two days more service and then I am done, me thinks. I hear you say Lom "And He will be glad of it." Well I havnt [sic] done him much good so far that is a fact.

John Lercomb writes me to be sure and "Introduce a tree between myself and the enemy" the first fight I get into. Not a bad idea. This is perfect spring weather here, or May rather, the grass is quite green and the trees are beginning to bud. I suppose Menasha is all frozen up yet.

I was here Enauguration [sic] Day, but was not able to hold up my head. It was a big day here. I never saw so many drunken men as were around this Hospital.

Give my love to little Cint[?] and to Minnie and Jane.

Write soon Lom to the Regiment to

Your Brother and friend
James H

1865

Carver Hospital
Washington, D.C.
Wednesday Mar. 15

Dear dear Mother,

I don't know whether I owe you a letter or not, I think not, be that as it may, I am going to write you tonight, and every other day or night when I feel lonesome. I like writing and I want you Mother to do the same thing. Whenever you feel like talking to me just go in the front room and write me and when you get enough written to constitute a letter mail it and send it to me. I have plenty of correspondents Mother, but none of them suits me as well as you and Father and Nancie. Home is the place I want to hear from, and the folks at home are the ones I like to hear from. For Heavens sake Mother am I not going to have you or Fathers or Nancies pictures or Dans either. Go right to work Mother and and [sic] look up some old picture of some of you folks and pack them off to me, you need not doubt but what the[y] will be acceptable to me. I havn't [sic] a picture of any of you folks in Clifton. Not one.

Well Mother I am well again and as usual with me when I am getting well, I am getting fat. I expect every day to have to leave, although I am in no hurry to do so, for I have good comfortable quarters here and a first rate bed to sleep in. Next week I will probably have to enjoy the luxery [sic] of sleeping on the ground, but never mind I have only five months and 20 days longer to serve my venerabl[e] Uncle Sam. That time will soon roll around, but poor Alf has most two years yet. I received a letter from him some time ago which I will send you in this letter.

How does Margret Ann like her present?

You are probably all frozen up in Clifton yet here we have green grass. The gardens are all made and the trees are beginning to bud out.

Write soon Mother, tell John Father Nancie and Dan to do the same

Direct to the Regiment
Your Affectionate Son
Jim Hart Nugent

Before Petersburg
Wednesday, Mar: 22, 1865

Dear Father,

It is blowing "great guns" here today, the hardest wind I ever saw for a steady all day blow. Every thing is quiet here now. Occasionally the Pickets fire upon another but very seldom. The Johnnie Pickets and the Sixth Corps Pickets are quite friendly. Whenever deserters come over from the enemy of course their men fire at them. That is the only time they fire at us; and then just before they fire they will yell out "lay low Yanks. We are going to shoot." So down we get about as near the ground as it is possible for us, we draw ourselves down to about half our original size, then "zip zip" comes the minnies over our heads. Pretty soon we hear our pickets yell out "halt." Out goes the corporal of the guard and soon he returns with two or three kit muskets in his hands, and followed by two or three Johnnies. Then it goes on one night after another. They did not formerly bring in their guns but Gen. Grant let them know in some way that he would pay them 18 dollars apiece for them, so now every man brings in his gun, and goes north with some Yank money in his pockets, a happy man. We lay here 10 miles from City Point and eight miles from our extreme left. The Ninth Corps occupies the ground immediately on our right (towards City Point), the Second Corps on our left. Still on left of the Second Corps lies the Fifth Corps, one of the largest corps in the Army. Probably it numbers 35 thousand men. I have accounted for four corps of this Army. The 22 Corps lies partly on the right of the Ninth and partly in the rear. These five splendid corps constitute with Gregge Cavalry [sic] the Army of the Potomac commanded by Maj. Gen. Meade. This army lies all south of the James River. The Army of the James is comprised of four corps. You can form some estimate of the number of men opperating [sic] directly against Lee. Each of the nine corps I have mentioned will average 25 thousand men. The grand aggregate 225 thousand men. It seems impossible for you folks at the North to form any estimate of "how many men Grant has." I have given you, father, I think a very correct estimate of the number of men here. Army correspondents may state contrarily, but I think I am about right. I know the number of corps here as well as they and I know the number of men in a corps as well as they. And I have no object in writing you any thing but the truth. Quite an army! Don't you think?

A very amusing scene occurred on the Picket line, the other day, in front of the 5th Corps: A piece of wood lay between the Picket lines. Neither party could get the wood to burn, and both needed it very much. So one day one of our boys called to a Reb. to come out and divide the wood, so out came the Johnnie and the two paced it off and equally

March 22, 1865

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divided the wood they wanted and nobody had been hurt. If a tree falls across the line, each party owns [sic] the wood that comes on his side of the "Playes". Very frequently it happens that a Johnnie is chopping on the butt of the tree and a Yank on the top.

I think I wrote to John last Monday about a Lieut. in this Division having a child the other day. He had been in the Army over two years. The event made quite a talk in the Sixth Corps.

The 5th Wis. are encamped within ten feet of the line of breastworks. So we would be apt to have a brush if the Rebs were foolish enough to attack us. But they are not. I believe it to be a physical impossibility to drive us out of our fortifications. Every quarter of a mile we have strong forts, and breast works all along one continual fort, in fact from City Point to Hatchers Run. A distance of eighteen miles.

From the Ninth Corps you can see the spires of Petersburg very plainly. I was over there the other day -- to Ninth Corps not Petersburg -- and took a "look" at the wonderful place. I hope to have a closer view before the summer is out. Of course I hope to get it peacibly [sic].

It is laughable Father to hear the rumors that are flying through the Army. The first of last week we were going to Wisconsin, "sure hop," to do Provost duty. The 50th was coming to take our place. Our Colonel, so the story ran, was a Brother-in-law of the Governor and we were surely going. One man heard the Colonel say it. Another read it in a Wisconsin paper. The boys were all excitement. The story however soon died out. The next one that comes along is that Peace Com's have gone through the lines of the Ninth Corps. Plenty of men could be found to corroborate [sic] the yarn. Next comes the story that Admiral Porter was at review Monday and picked us and two other Regiments out to take to Charleston to garrison the forts in that vicinity [sic]. That story was all the rage for a few days, but like all the rest it proved to be a canard. I think we will leave Grant's Command about the first of September, to come to Dear Wisconsin, and be mustered out of the Service of our venerable Uncle.

The rumor that is flourishing now is: that Gen. Grant telegraphed to Gen. Meade this forenoon that he had just received positive information that we would have peace in ten days. And so the thing goes from one day to another.

March 22, 1865

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The boys "kill time" in talking over such rumors and I guess that is the purpose of starting them.

The 5th, since it left the state, has done some very hard marching, especially while acting as train guard in the valley, and has been in one "bit of a fit" at Hatchers Run. Lost three men. One killed dead, one wounded, and one fellow fell dead with a fit. Whether the fit was brought on by fear or hard marching, I know not. Probably both.

I had a little money when I came here, but it is "played out" now. To show you how money goes, I will give you a partial list of prices current. Butter - stole from the Government supply of wagon wheel grease, and then salted about half - one dollar per pound. Milk, none to be had now as white chalk is scarce, and water also.

Cheese that was made in the year of our Lord One, and has to be tied up in a bag to keep it from walking out of the tents nights - 80 cents per pound. Sausages - prices are regulated by the number of defunct Gov. mules to be picked up. At present the articles are very scarce. Consequently sausages sell at the enormous price of \$125 per pound. Whey will be cheaper probably after the next hard storm. Water sells low -with no extra charge for mud in it. The low price of the article is owing probably to the enormous quantity of whiskey drank by the Officers. And every third man is one.

Eggs, with no extra charge for chickens, and rottin [sic] ones the same price as sound ones - 90 cents per doz. I presume they will come up soon as the hens have refused to lay any more except on a gold basis. Lard - the price depends on whether it comes out of hog or horse, but I think I hve said enough.

I am "sound as a buck". Am in good quarters and good spirits and am not anxious for a move. The theory of fighting and picketing is very nice, the practice far different. I wish father you would see Stone and have him send "The Island City Times" to me. I haven't received a copy of it yet. I am anxious to do so, to get home news.

I have to go on picket tomorrow morning at six o'clock. So I will have to "tumble in."

Don't forget to write soon to your affectionate son.

March 22, 1865

4

James H. Nugent.

If you can't read this letter save it and I will make it out in September, if the Johnnies spare me. I have written in great haste.

Your son, Jim.

Camp 5th Wis. Vols.
April 3, 1865
Between Petersburg and
Richmond somewhere.

Dear Father,

I am not hit yet although we have been through one of the hardest fights of this war. Petersburg is ours. I hear tonight that Richmond is also, if it is not it will be in a few days.

Oh! Father, it would make your blood run cold to see the fights that I have seen within the last week. War is awful. Poor Alf is wounded, I hope it is only slight so he can get home.

The Rebellion is about played out I think. We have taken ten thousand Prisoners within the last two days.

I picked up today on the battle field a nice Book. When I saw it, I thought, "There is a nice Present for father, I will try and send it to him." So I send it tonight by a fellow to City Point to mail. I hope you will get it for I have been to considerable trouble to save it.

Write to me often father, tell all the folks to do the same. Love to all.

Your Affectionate Son
James H. Nugent

UNITED STATES SANITARY COMMISSION

6th Corps Hospital
City Point, Va.
Thursday, Apr. 27, 1865

Dear Mother,

You are indeed not having a pleasant year in 1865. Your whole family been sick, and now your two boys wounded. One of whom has lost an arm. As for myself I am all right. I do hope Alf is most well by this time. As I wrote to Nancie and John, after seeing what I have seen, I feel almost satisfied with Alf's success. If we only have him alive I am satisfied. Where is he now Lom and John did not say? Has he been sent North yet? If he has I will stand a chance of seeing him for I will be sent North soon myself. I may go back to Philadelphia. I hope so.

My wound is healing nicely. I can walk around with a cane first rate, but the Doctor orders me to keep to bed as much as possible.

I borrowed a fiddle the other day and with that, reading, writing, and thinking of home, I manage to kill time quite comfortably. When I get North I shall like it better for then I will be in more direct communication with you folks at home.

Did father get that book I sent him, which I picked up on the battlefield. I hope he has for I was to a great deal of trouble to save it for a present to him.

I hope Mother that Alf and me will both be home to eat a 4th July dinner with you. I will be well probably before that, and Alf by that time will probably be so he can travel.

Now Mother please do not worrie [sic] about Alf and me. I know you to [sic] well. I know you will be making yourself almost if not quite sick, about us. It will do us no good Mother at all. In fact make us worse, for if you are all well at home, we each one of us, can look ahead with pleasure to the time when we shall all meet again under the dear old, paternal roof.

Give my love to father and Alf. Do not omit yourself. You need not write to me till you learn my address.

Your Aff. Son,
James H. Nugent

U.S. Christian Commission
"This is a faithful saying, and worthy of all acceptation, that
Christ Jesus came into the world to save sinners;
of whom I am chief."

6th Corps Hospital
City Point, Va.
Wednesday, May 3, 1865

Dear Father,

Here I am all alone, so to speak, for I have no word from home later than the 8th of last month, when you had just heard from Alf, poor fellow, and he had his right arm off. I do not know whether he is alive yet or not. He is young and growing and on that account stands more chance of getting well.

My wound is getting along finely, is most well. I will be home with my discharge probably by the 4th of July. Just as quick as I get to a General Hospital and my leg heals up I can have my discharge. At least so says the Order of Gen. Grant. I have been marked for the Gen. Hos. for the last two weeks but have not got away yet. The reason is the Hos. boats have been busy carrying of [sic] the wounded of the 9th, 5th and 2nd Corps. The Old 6th Corps comes last. That is always the way the 6th Corps is, always first in a fight and last to go to the rear. I cannot tell you when I will leave here. I may leave tomorrow and maybe not till next week. Such is the life of a soldier.

If I were a mind to Father I could write you from now till tomorrow night, and then not tell you half I want to of the Battles, my sojourn in Petersburg, situation of affairs there. You know the first week after I was wounded I was in a Rebel hospital in Petersburg. Rebel Surgeons and Patients. There were only about a dozen of us "Yanks" there. I will reserve it all till I get home.

I hear you are coming east this spring. Also that you have a touch of the Petroleum Oil fever. If you come east you must certainly come and see Alf and me.

Just the moment I get to a Gen. Hospital I will write and let you know where I am. Till then you need not write me at all. My love to all.

I hope you received that present I sent you.

Your Affectionate Son, J. Hart Nugent

UNITED STATES SANITARY COMMISSION.

6th Corps Hospital
City Point, Va.
Thursday, May 11, 1865.

My dear Mother,

I received your dear letter of Apr. 23rd last evening. I need not tell you how glad I was to get it and also to hear that Alf was getting well. You said you expected him home "next week." As that was three weeks ago he must most likely be at home by this time. I do so hope that he is and that he is doing well.

As for myself, I can form no idea of when you may expect me. I am about as sound as ever. My wound is healed, almost, but here I stay with all the rest of the 6th Corps sick and wounded. Whether we will be sent back to our regiment or sent to a General Hospital and be mustered out then is more than I can tell. All the sick, wounded and convalescents who belong to other corps have all been sent to a Gen. Hospital. Why the 67th Corps is kept here is more than I can tell. One thing Mother, you need not worry any more about fighting for it is all done, that will be done in this war. I make my calculations to be home by the 4th of July, and not much before. So Father and Lom have got the oil fever and are coming East. I wish I could get my discharge in time to go home with them. I do not know how long I will stay here Mother, but you folks at home may write me here. My friends will forward the letters on to me wherever I may happen to be. You folks at home need not feel the least bit uneasy about me now for I am about well. Am in with a lot of good boys, and am enjoying myself first rate. I am very very much obliged for that dollar. Oh Mother I must tell you, I had a dish of strawberries and cream yesterday. And I picked the strawberries myself. The wild ones here are ripe. I picked my cap full in about an hour.

Write soon dear Mother. Love to all.

James H. Nugent
6th Corps. Hospital
City Point, Va.

Love to all. Write Back tonight Jane.

UNITED STATES SANITARY COMMISSION.

Harewood Hospital
Washington, May 14th
Sunday Eve, 1865

Dear Jane,

I arrived here today on the Hospital boat "State of Maine." I take the first opportunity to write to you. So you can write back to me immediately and let me know how you all are. I write to you instead of Lom, for what I want for I suppose Lom is in Pennsylvania by this time. Jane I wish you would send me five dollars. John will pay you. I would write to him but it will take to[o] long to reach him. You can send it to me if you have it to spare and get it off him when he "comes down." Please send this letter home so they will know how to direct to me.

Well Jane I am all right. My leg is entirely healed up, I am well - and am doing finely, only anxious to hear from home and from Poor Alf, How, and where is he. Tell me his address. I do not know when I shall be home any more than you --

Write soon Jane to your Aff. Brother

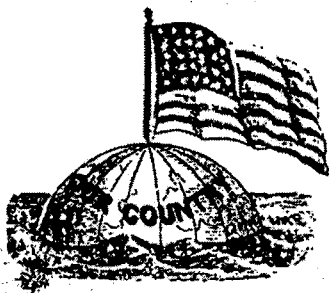
James H. Nugent
Ward 22, Harewood Hospital
Washington D.C.

Nahma July 2nd, 1869

Dear Mother,

Your good letter was recd some time ago and I have not been as prompt in answering it as I should have been. I thought I would wait until I got to doing everything but there does not seem to be any sign of my doing any thing. At present the mosquitoes are so thick in the woods that we can not take a crew of men in yet. I will as soon as things get thinned out a bit. We are all well off here. Dan was over

(and the rest of the letter is indecipherable)



Lawrence University,

Appleton, Wis., Sept. 28, 1861.

Dear Father,

Having ^{spent} nearly all
of my money in getting settled down I
write home to know, when those
bills of mine can be here.
I have bought me a whole suit
of black clothes. I would not
have bought me a whole suit, but
seeing the boys here all with
new clothes, and being used
to dressing as good as any of
them, I thought I would buy
me a whole suit. It cost me
\$24.50, I had \$34.00 when I came
that leaves \$9.50. If that load of
bills brings me twenty dollars
I can get along very nicely.

Please try and send me those

bolts as soon as possible for I am in great need of them. I have made arrangements with John Lescumb, about those certificates, and told him I would try and pay him when the load of bolts come. You know I owe him \$300 on last term's schooling. I suppose by course you will pay it. Please write back Saturday if you don't say more than a dozen words, and tell me what arrangements you made with Blanchard, how much you give him a cord for fetching the belts, and when they will be here. My studies this term, are Geometry, Latin

and Disquisitions Sophi- more rules of Rhetoric, they are all very difficult. I assure you, and I will have to pay strict attention to them in order to keep up, but keep up I will try I have to study in the and day.

Please write by return mail.
Yours Affectionate Son
James H. King



U. S. Christian Commission

sends this as the Soldier's messenger to his Home. Let it hasten to those who wait for tidings.

"Behold! now is the accepted time; behold, now is the day of salvation."

CENTRAL OFFICE:

11 Bank Street, Philadelphia.

BRANCH OFFICE:

No. 600 H Street, Washington.

Ward K. Cuzler Hospital
Germantown Philadelphia
Dec 18, 1864

Dear Father,

As I am feeling pretty well and strong today I will improve the opportunity by writing to you. I wrote you a letter a long time ago, while I was at Winchester I think which I have not received an answer to yet. I hope to soon. Of course you know all about my sickness, and my being here and how I got here.

We have just late news today from Sherman and Thomas, which makes all the

Grandmother's "His letter"

April 3rd, 1865

~~Grandmother~~

Between Richmond and
Richmond some where

Dear Father,

I am not
tired yet although we have
been through one of the
harshest fights of this war.
Petersburg is ours. I hear
tonight that Richmond is
also, if it is not it will
be in a few days.

Oh! Father, it would
make your blood run
cold to see the sights that
I have seen within the
last week. War is awful.
Poor Alf is wounded.
I hope it is only slight
so he can get home.

The Rebellion is about
played out I think. We

have taken ten thousand
his own within the last
two days &

I picked up today in
the battle field a small
book. When I saw it, I
thought, "There is a nice
present for father. I will
send it to him."
I and it brought by
a fellow to City Point Va.
Mail. I hope you will
get it for I have been
to considerable trouble
to save it.

Write to me often father
tell all the folks to do
the same. Love to all

Your affectionate son
James G. Meegan

AN EARLY EFFICIENCY REPORT

(Signed) Lt. Col. Kaufmann

Lower Seneca Town
August 15, 1813

Sir:

I forward a list of the officers of the 27th Regt. of Inftry, arranged agreeably to rank. Annexed thereto you will find all the observations I deem necessary to make.

Respectfully
I am, Sir
Yo. Obt. Servt.

Lewis Case
Brig. Gen.

* * * * *
27th Infantry Regiment

Alex Denniston	Lt. Col. Comdg.	A good natured man.
Clarkson Croline	1st Major	A good man, but no officer.
Jesse D. Wadsworth	2nd Major	An excellent officer.
Christian Martel	Captain	
Aaron T. Crane	"	All good officers
Benj. Wood	"	
Shotwell	"	A man of whom all united in speaking ill. A knave despised by all.
Allen Reynolds	"	A man of capacity, but imprudent, and of most violent passions.
Danl. Warren Porter	"	Strange but little known in the Regt.
Jas. Kerr	1st Lt.	Morally good, nothing promising.
Wm. Perrin	"	Low vulgar men with the exception of Perrin. <u>Irish</u> and from the meanest walks of life — possessing nothing of the character of officers and gentlemen.
Jas. Ryan	"	
Danl. Scott	"	
Robt. McElwrath	"	

Robt. Ross	"	Willing enough —has much to learn—with small capacity.
Hall	1st Lt.	Not joined.
Nicholas Carner	2nd Lt.	A good officer but drinks hard and disgraces himself and the service.
Stewart Elder	"	An ignorant unoffending <u>Irish man</u> .
McConkay	"	Raised from the ranks, ignorant, vulgar, and incompetent.
Percy	"	Came from the ranks, but all
Jacob J. Brown	"	behave well and promise to make
Thos. G. Spicer	"	excellent officers.
Royal Greer	"	<u>All Irish</u> . Promoted from the
Mears	"	ranks, low vulgar men, without
Clifford	"	any one qualification to recom-
Crawford	"	mend them, more fit to carry
McKean	"	the hod than the epaulette.
John G. Scheltz	"	Promoted from the ranks, behave
Francis T. Wheeler	"	well and will make good officers.
Darrow	"	Just joined the regt. Of fine appearance.
Behan	Ensign	The very dregs of the earth, unfit for anything under heaven. God only knows how the poor thing got an appointment. (Probably Irish)
John Brown	"	Promoted from the banks—men of
Bryan	"	no manner and no promise.
Charles West	"	From the ranks. A good young man who does well.