

A HISTORY OF THE CIRCUIT COURT IN VAN BUREN COUNTY

The 36th Judicial Circuit, as it is presently constituted, includes the County of Van Buren, and is served by two judges who are elected to six-year terms that start at noon on January 1, in even-numbered years. It is a far cry from what existed on June 6, 1837 at the first session of a circuit court for this county.

The Hon. Epaphroditus Ransom (later Governor Ransom) presided over that session. Ransom was one of four Supreme Court Justices for Michigan, and they each had a circuit to serve, Van Buren being in the 4th Circuit. Ransom last served in 1847. In 1848 the number of Circuits (and Justices) was expanded to five, with the Hon. Sanford M. Green handling Van Buren's work. He was followed by the Hon. Charles W. Whipple and the Hon. Abner Pratt. These associate justices of the Michigan Supreme Court became circuit judges when they presided in the trial courts in their respective circuits. The Michigan Constitution of 1850 provided that they continue this service from 1851, for six years, at which time the legislature was to create circuit courts for the counties, to be served by judges elected to serve that circuit.

The first judge elected to serve the fifth circuit, of which Van Buren was a part, was Benjamin F. Graves, who later became a Michigan Supreme Court Justice. He was elected in 1857 and 1863 to serve the circuit, but left for the Supreme Court in 1867 necessitating a special election, where George Woodruff was elected. In the meantime Van Buren became part of the ninth circuit, which included Kalamazoo and Allegan Counties, presided over by the Hon. Flavius J. Littlejohn.

In 1869 Charles R. Brown was elected to serve the circuit (judicial elections at that time, by Constitutional dictate, took place in odd-numbered years, the first Monday of April), and he served until 1874, when he resigned. Governor John J. Bagley appointed Darius E. Comstock to fill the vacancy. Comstock died February 3, 1875, being the first Van Buren County man to serve the circuit. Josiah L. Hawes was appointed to fill that vacancy, and he was elected to the office in April of 1875. By this time, the circuit had again changed, with Allegan joining Ottawa County, leaving the Ninth Circuit Kalamazoo and Van Buren Counties.

In April 1881, Alfred J. Mills was elected to serve the Ninth Circuit, the second Van Buren County man to serve. In 1887 George M. Buck of Kalamazoo was elected, and again in 1893. The Circuit was split by the legislature again, placing Cass County with Van Buren, an arraignment that would last for 69 years. It created a vacancy however, as Buck lived outside the Circuit. Governor Hazen S. Pingree appointed Harsen D. Smith of Cassopolis to the position until the election of John R. Carr in 1899 filled the seat. Carr won in a close election (6,100 to 5,488) over Benjamin F. Heckert, former Van Buren County Prosecuting Attorney and Probate Judge. He served only one term, as L. Burget Des Voignes defeated him in an even closer contest in 1905 (5,447 to 5,131). Des Voignes, from Cassopolis, went on to win re-election in 1911 and 1917.

In 1923 the voters elected Glenn E. Warner, who became the longest serving circuit judge in the history of the circuit and county, serving until 1948. Carl D. Mosier was elected in 1947 and served from 1948 to 1960.

The last judge to serve the Cass-Van Buren 36th Judicial Circuit was David Anderson, Jr., serving from 1961 until 1975, because in 1969 Cass County became the 43rd Circuit Court, and Van Buren County had its own Circuit. He was also the last judge to be elected in a spring, odd-year election. The 1963 Michigan Constitution, Article 2, Section 5, abolished the biennial spring elections that had been following the even-year general elections because of poor voter turnout, and an estimated million dollar savings to the taxpayers. The 1963 Michigan Constitution also abolished the office of justice of the peace and circuit court commissioner, and lead to the legislative creation of the district court.

Anderson resigned in 1975 and was replaced by Governor Milliken's appointment of Meyer Warshawsky, who served as the only circuit Judge for Van Buren until 1989, when William C. Buhl joined him as a second circuit judge, by election in 1988. Warshawky ended his service in 1996 when Paul E. Hamre was elected to join Buhl as one of the two circuit judges for Van Buren County.