

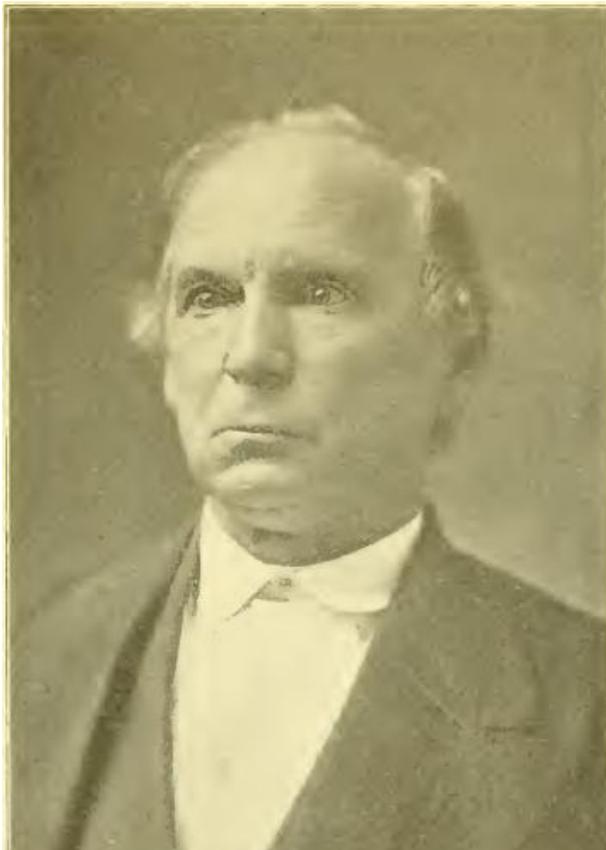
History of Perry County, In Pennsylvania, From The Earliest Settlement To The Present Time. By Silas Wright. Lancaster, Pa. Wylie & Griest, Printers, Book-binders and Stereotypers. 1873.

Gantt, Hon. Daniel, a native of Perry County was for many years a citizen of Bloomfield and a practitioner at that bar. While in Perry County, **Mr. Gantt** was identified with the most advanced educational movements of the times, ever ready to put his shoulder to the wheel and give his push. **Mr. Gantt** left Perry County previous to the year 1860, and has been a resident of several States since, and finally, we learn from an Omaha paper of Nov. 22, 1872, has been elected to the bench of the Supreme Court of the State of Nebraska.

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History of Perry County, Pennsylvania, Including Descriptions of Indian and Pioneer Life from the Time of Earliest Settlement Sketches of Its Noted Men and Women and Many Professional Men, By H. H. Hain, Harrisburg, Pa., 1922 - Hain-Moore Company, Publishers, Harrisburg, Pa.

### **Daniel Gantt, Chief Justice of Nebraska.**



**Chief Justice of Nebraska. One of three noted sons who became Chief Justices. Mr. Gantt was born in Perry County, taught the first free school in the State, practiced law at New Bloomfield and was a pioneer Temperance worker in Perry County.**

With our own illustrious Chief Justice **Gibson** and Colorado's noted and first Chief Justice **Thatcher**, Chief Justice **Daniel Gantt**, of the great State of Nebraska, completes that trio of Perry Countians who have risen to places on the supreme bench. **Daniel Gantt** was the son of **Joseph** and **Mary (Lobaugh) Gantt**, and was born near the old Stone Presbyterian Church, on Middle Ridge, three miles west of Newport, on June 28, 1814. The name **Gantt** was originally spelled **Gaunt**, the ancestry in America being traced to **Peter Gaunt**, a native of Lincolnshire, England, who settled at Sandwich, Massachusetts, about 1630. **Daniel Gantt** was of the sixth generation in America, the line of descent having been as follows: first generation, **Peter**; second, **Hanninah**, who removed to Shrewsbury, New Jersey, and was wed to **Dorothy Butler**; third, **Hanninah, Jr.**; fourth, **Joseph**; fifth, **Joseph, Jr.** (who came from New Jersey and settled on Middle Ridge); sixth, **Daniel**.

Chief Justice **Gantt** was educated in the schools of the period, not yet the time of free public schools, having attended the log cabin school located on his father's farm. He arrived at school age in the very year in which the county was organized. He studied surveying in 1832-

33 at New Bloomfield. He studied law at New Bloomfield, in the office of **Joseph Casey**, who had been admitted to the bar in 1839, and at the August court of 1843 he was admitted to the Perry County Bar. During his practice at New Bloomfield **Mitchell Stever** read law with him and was admitted to the bar in 1844. He located at Omaha, Nebraska, in 1857, and at once gained distinction in his chosen profession. In 1862 President Lincoln appointed him U. S. district attorney, and he held that office until his election to the Nebraska Legislature, two years later. He removed to Nebraska City in 1868, and in 1872 was elected judge of the First Judicial District, for the term beginning January 16, 1873. Under the provisions of the Constitution then in force he sat also as an associate justice of the Supreme Court. On the expiration of his term, in 1875, he was elected to the supreme bench, and three years later became chief justice. He died May 29, 1878.

He was twice married, first, in 1843, to **Agnes T. Fulton** (sometimes stated **Nancy T.**), kin to **Robert Fulton**, the famous inventor of the steamboat, by whom he had three sons and four daughters. In 1858 he was married to **Harriet Cooper**. Chief Justice **Gantt** was an uncle of **Daniel Gantt**, of Newport, and by marriage, of **H. R. Patterson**, retired passenger conductor of Harrisburg, formerly of Perry County, who visited him while he was on the supreme bench. While a young man, reading law, to meet expenses he taught a subscription school in Buffalo Township, and recorded in his diary, in the possession of his heirs, near Lincoln, Nebraska, are the facts showing that when the free school act was passed, the first school in Pennsylvania to be opened in accordance with that act was the one he taught, described as "at Col. Thompson's," which opened September 10, 1834. This location was in that part of Buffalo Township which has since become Watts. According to further entry in the diary Buffalo Township was the first district in the state to adopt the free school law.

Citizens of the community interested in its passage were in Harrisburg, and upon learning of its passage, rode home during the night bearing the news. The following morning **Mr. Gantt** declared his school a free school.

While an attorney at New Bloomfield Justice **Gantt** took great interest in the community and civic life. His name is found as chairman of the premium committee of the first agricultural fair at that place, in 1852. Several years later he was its secretary. He was one of the men who purchased the grounds and laid out the present New Bloomfield Cemetery in 1854. When a public meeting was held in 1856 declaring for "Free Kansas and no Popery" he was on the committee on resolutions. He was an important factor in the lyceum there in 1842-43, and for years thereafter. In 1844 he was the secretary. One of his educational addresses was so highly thought of that a committee publicly requested its reproduction in the county press, which was complied with as long as he remained in the county his name was prominently connected with both the agricultural fair and the lyceums, as well as with all educational projects. When a society called the Sons of Temperance organized a branch in New Bloomfield in 1840, **Mr. Gantt** became its president. He was much interested in politics and in 1850 was a senatorial conferee to the Republican conference. The success of Justice **Gantt** is all the more marked when it is remembered that when a lad of ten he cut his left knee so badly that he was confined to the house for six months and emerged with a crippled limb which he carried through life. **Justice Gantt** died at Nebraska City, May 29, 1878.

Immediately upon the opening of the July term of the Supreme Court of Nebraska, in 1878, after the death of Chief Justice **Gantt**, official notice was taken of his death, and something of the man may be learned from the opinion of the learned members of the court. Justice Marquett, opening the ceremonies, spoke of him as "The man who for near a quarter of a century has been with us as lawyer and judge, and who had not failed to attain the highest judicial honors of our state, commanding the greatest confidence of the community, and the affections of a large circle of friends, by a blameless and honorable life."

Upon presenting the resolutions of the State Bar Association, from among Justice Marquett's further remarks, are the following extracts:

"On the twenty-ninth day of May, 1878, Chief Justice **Daniel Gantt** died. He had lived in our midst for over twenty years, and during all that time, by a blameless life, he made many friends— but few enemies. A few days before his death I heard him say, in answer to the inquiry of another whether he did not think a recent decision of his would not in certain quarters elicit opposition: 'I care not for that, for I think I founded my decision upon correct principles.' To my mind this was the highest exhibition of manhood. This alone places him on a higher plane, which few men ever reach, in an atmosphere purer than men usually breathe. The 'old man' would rather be right than popular.

"But **Daniel Gantt's** eulogy is not to be pronounced by me. His best eulogy is found in the records of this court, and in his decisions, many of which are master productions. His was not the mind to find justice in an isolated case where justice appeared, but which was in reality a whitened sepulcher, and when once established as a precedent would lead to a long course of injustice. His mind dived deep and sought for golden lodes of truth far reaching, opening up long pathways in which the future jurist might walk and find justice. He was my friend for twenty years without shade of differing."

George H. Roberts, Attorney General of Nebraska, as a part of his remarks, included this tribute to Justice **Gantt**, in reference to treatment of the younger members of the bar:

"Others have known the late chief justice longer, and more intimately than I, but no one appreciated more fully his kindness, his innate nobility of soul, his gentleness, his charity, his worth. To the younger members of the bar he was at once an elder brother, counselor, and friend. Here a word of caution, or reproof, so gently given that it left no sting behind; and again words of encouragement and cheer — so dear and highly prized by those struggling in the rear ranks for place and recognition at the front. The pure bright gold of his heart and mind will abide forever, written with a pen of steel upon the foundations of the jurisprudence of a great young commonwealth."

Of his professional characteristics, Attorney E. Wakely said: "He was a conspicuously upright citizen, and a just, conscientious man. In his profession, without claim to brilliancy of genius, or eloquence of advocacy, and over modest in the estimate of his own powers, he had learning, industry, patience, solidity of judgment, and never questioned integrity. These are aids which litigants learn to value and rely on, when sometimes, more captivating qualities have charmed the court, but lost the cause. On the bench he had never failing courtesy, equanimity, fairness, and love of justice, without ever an alloy or partiality, resentment or asperity. The opinions he has left here testify to his clearness of judgment, his research, his apprehension of legal principles, and his aptitude in applying them to the "facts of the cause."

Chief Justice Maxwell, the successor of Chief Justice **Gantt**, in the course of his remarks said:

"In October, 1872, **Judge Gantt** and myself were elected Judges of this court. As the Judges at that time were also judges of the District Courts, nearly the entire business before the Supreme Court consisted of cases decided by local judges, a considerable number being up for review from **Judge Gantt's** district. He at no time manifested the slightest anxiety about the conclusions to be reached by the court in a case appealed from his decision. During the time that he acted as one of the Judges of the District Court his labors were constant and unremitting, and frequently burdensome. Throughout his career as Judge he seemed to be actuated by one motive, namely, to ascertain what the law was upon any question presented, and having arrived at a conclusion in that regard, he fearlessly declared it. His success as a lawyer and Judge was largely due — as it must be in all cases of real success in the legal profession — to a thorough mastery of legal principles, untiring industry, and unswerving integrity."

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