

# Backwoods BARRISTER



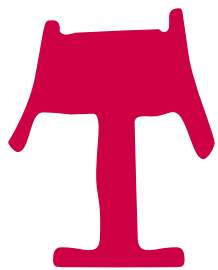
The John D. Voelker Collection, housed at Northern Michigan University Archives in Marquette, contains Voelker's original *Anatomy of a Murder* manuscript and his trout net and flies.

Photo Tom Buchkoe

by RICHARD D. SHAUL



He was known as the “Bard of Frenchman’s Pond” and he loved trout fishing, “spinning a yarn,” cribbage and good bourbon. To the people of Ishpeming and Marquette County, he was one of them—a treasured native son—and one of their prized natural resources.



he last of six boys, John Donaldson Voelker was born on June 29, 1903. His father, a saloon owner, encouraged him as a young boy to fish the streams that meandered the woods and fields near their home in Ishpeming. His mother, a public school music teacher, read to him many exciting stories and instilled in him a great appreciation for words and writing.

When the time came, Voelker's mother expected him to attend college, while his father thought that his son could earn a respectable living in the family business. However, according to the *Marquette Mining Journal*, Voelker had no interest in becoming "a prosperous saloon-keeper." In 1922 he entered Northern Michigan Normal School (present-day Northern Michigan University) before transferring to the University of Michigan Law School in 1924. Because of poor grades, he received a letter in 1927 stating that "the faculty requests that you withdraw." Then, it asked him to "consider applying for admission to some other school." In the manner of a seasoned lawyer, Voelker cited the regulation that would permit him to be reexamined. In the time allowed, he raised his grades enough to graduate in 1928. He passed the Michigan bar exam that same year.

At the traditional Crease Dance during his senior year, the twenty-four-year-old Voelker met Grace Elizabeth Taylor, a nineteen-year-old beauty from Oak Park, Illinois. Almost immediately Voelker knew that "the jig was up for me when I saw this lovely lady." Voelker remembered that he followed her around the rest of the night "like a Doberman Pinscher." By the time he graduated in June they were engaged to be married.

Graduation brought happiness and despair. Voelker was happy to head north to the Upper Peninsula, but it meant being away from Grace. He held a job as assistant prosecutor for Marquette County for nearly two years before packing his belongings and traveling to Chicago. On August 2, 1930, they were married. Years later, in typical wry Voelker humor, he commented: "So, due to my vast talents and her father being a banker, I got a job with the law firm for the bank in Chicago." The three years he spent there were torturous. He hated the big city and the big law firm. Voelker said, years later, that he "never did get around to counting all the lawyers in that office, but I met at least forty of them." Perhaps the event that made his decision to return to the Upper Peninsula easier was seeing a frightened dog get knocked down three times while trying to cross a busy Chicago street.

The harsh economic reality of moving back to Ishpeming during the Depression was not long in coming. The few jobs Voelker held hardly kept the young couple

financially solvent. Voelker took his eyes off the trout stream long enough to see that the county prosecutor's job, up for grabs in the 1934 election, would give them the financial security they left behind in Chicago.

In politics, John D. Voelker was an ardent Democrat, but he was no politician. He disdained backslapping and glad-handing for votes, although he managed to pass out a few campaign matchbooks and tack up some election posters. When the votes were counted, he became the first Democrat to win the office of prosecutor "since Noah's ark or the flood." Recalling his first term, Voelker remembered: "There were three grand larcenies, two auto thefts, three burglaries, a brace of bastard cases, one indecent exposure, one assault with intent to murder, two wife desertions, and one dog-tired prosecutor." He was reelected six more times before being defeated in the 1950 election by thirty-six votes. In 1954 Voelker ran for Congress, but

lost in the primary. The freedom extended to him by the voters gave him several years of uninterrupted fly-fishing, cribbage at Polly's Rainbow Bar and time to write his stories.

Voelker began writing at age twelve with a story entitled "Lost All Night in a Swamp with a Bear." "With a title like that there was not much story left to tell," he later remarked. During the early 1930s, he began writing magazine articles and books about his experiences as a prosecutor. "I didn't think the taxpayers would fancy me doing my scribbling on their time," he confessed, "so I wrote under another name." He later acknowledged that, "the stratagem was really unnecessary because . . . I could have accommodated my readers handily in a broom closet." Voelker took the first name of an older brother who died of influenza while serving with the U.S. Navy during World War I and his mother's maiden name. The first of his eleven books written under the name of Robert Traver was *Troubleshooter*; it was published in 1943.

Between 1950 and 1957, Voelker seldom ventured away from his beloved Upper Peninsula. He was making a slim living from his law practice, and Grace and their three daughters were there to provide domestic balance to his life. Most days he left his office around noon wearing his baggy uniform and headed out toward Frenchman's Pond in the "fishcar."

Not even a man as skilled as Voelker could find a way to quench his passion for trout fishing during the long winter months. While many fishermen spent the winter tying their favorite flies, Voelker was deprived of this pleasure due to his large hands. "Far from being able to tie a fly," Voelker lamented to Associated Press writer Jeff Mayers, "I am barely able to unzip one." So during the winter he worked on his stories. He chose to write on yellow legal pads in order to edit as he wrote. As he grew older and his vision became impaired, Voelker used pens with green ink to provide maximum contrast. In 1951 *Danny and the*



*Boys* was published. *Small Town D.A.* came three years later. Voelker's first three books were autobiographical in nature, dealing with his law practice and familiar characters that lived around Ishpeming. None of the books sold very well and Voelker admitted "the readers stayed away in droves."

Having been a successful prosecutor and a defense lawyer, Voelker wanted to write a book that accurately described "a criminal trial the way it really was." In an introduction to a twenty-fifth-anniversary edition of *Anatomy of a Murder*, Voelker later recalled that he was disgusted by the usual depiction of trials that were "comically phony and overdone." The case he chose to use as a backdrop for the novel was a 1952 homicide in which he successfully defended a man charged with killing a bar owner who allegedly raped the man's wife. With an ample supply of legal pads, Voelker finished *Anatomy of a Murder* in three months. After two rejection notices he received a letter in late December 1956 that his book would be published. Three days later, Governor G. Mennen Williams appointed him to a Michigan Supreme Court position vacated by the retirement of Justice Emerson R. Boyles.

Voelker did not fly from Ishpeming to Lansing. He hated flying. Years before, while onboard a small plane with his fishing buddies going to a remote pond in Ontario, Canada, he was sitting next to a door that was carelessly held shut by a piece of baling wire. When the pilot sharply banked the plane Voelker was tipped hard against the door. The door held, but the event terrified him. When the pilot returned a few days later he refused to fly out. Instead, he hiked out to a railroad track and waved down a train heading toward the Upper Peninsula.

Justice Voelker barely got settled into his new office before he had to begin campaigning for the April election to retain his seat on the court. Campaigning had not become any easier for him. One morning before daybreak, he stood outside a Detroit factory handing out his cards to workers. One man tried to toss the card to the ground but the wind kept it aloft. Voelker promised the man that if he won the election he would tie little weights to his cards next time for easier disposal, then he left. A *Chicago Tribune* article reported Voelker as saying he abhorred this type of campaigning as "an invasion of privacy, the final denigration of democracy."

Despite his pessimism, Voelker won the election by a sizable margin. He repeated his victory for an eight-year term



Superior View

**An attorney by trade, Ishpeming's John Voelker was a fly fisherman at heart. Here the one-time Michigan Supreme Court justice is relaxing near one of his favorite fishing holes.**

in 1958, against a field of incumbents and well-connected downstate candidates who often referred to him sarcastically as "that backwoods lawyer from the U.P."

With the 1958 election behind him, Voelker eagerly took his place among the other black robes. He wrote over one hundred majority and dissenting opinions, reflecting clear, common-sense points of

law. He quickly attained the respect of his fellow justices.

While Voelker was making his imprint on the judicial bench, *Anatomy of a Murder* soared to the top of *The New York Times* bestseller list and remained there for sixty-six weeks. In April 1958 the famed director Otto Preminger purchased the film rights and brought a cast to the Upper Peninsula where the 1959 movie was made under Voelker's watchful eye. In late 1959, with no time to write his stories and enjoying financial security for the first time in his life, Voelker resigned from the Michigan Supreme Court. He told Governor Williams: "Other people can write my opinions, but none can write my books. I have learned that I can't do both so regretfully I must quit the court."

After returning home, Voelker settled into a routine that would last for the rest of his life. Every morning after breakfast he sauntered off to the post office to get his mail, stopped at Polly's or the Wonder Bar for cribbage, drove out to Frenchman's Pond to catch the trout rising, had Old-Fashioneds at 4:00 P.M., returned home to Grace and the family and then, perhaps, more cribbage in the evening. As unvarying as he was about his daily activities, he was even more consistent about the clothes he wore. He usually dressed in striped shirts covered





by a tan bush-jacket, khaki trousers—the right leg always bunched at the top of his ankle-high leather boots with the left tucked inside—and a soft narrow-brimmed hat resting on the crown of his head. His round face was deeply etched with wrinkles symmetrically placed between his large nose and bushy sideburns, and his heavy-lidded eyes gave him a strong resemblance to John Wayne, a comparison that pleased him.

With his fishcar kept adequately provisioned with bait, nets, creels, poles, waders and ice, Voelker and his cronies spent seven or eight months of the year pursuing the wily brook trout or hiking the woods looking for mushrooms. “For twenty years we fished five or six days a week,” recalled Ted Bogdan, one of Voelker’s closest friends. Bogdan often accompanied Voelker to pick wildflowers and grasses. He was amazed that his friend, at 6 feet, 2 inches tall and weighing over two hundred pounds, “walked like a cat in the woods . . . he hardly broke a branch.” Voelker tied the blossoms into little bunches using pipe cleaners and handed them out to his friends in town on his way home.

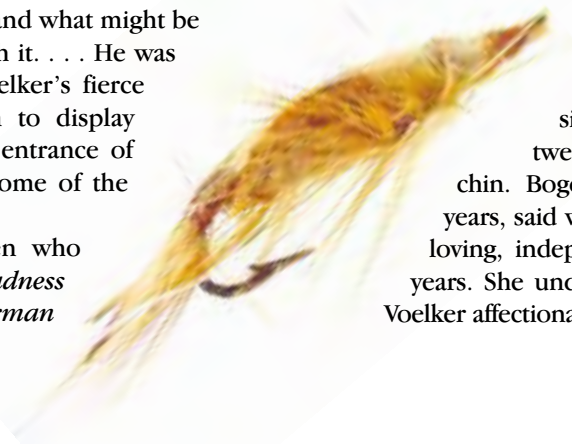
Voelker’s skill at cribbage was legendary. Bogdan, who was often an opponent, fondly recalled: “He was one of the greatest card players . . . he had a mind that would retain everything that was played . . . and what might be left and what you could do with it. . . . He was almost always the winner.” Voelker’s fierce competitive style entitled him to display prominently a sign above the entrance of his cabin proclaiming: “The Home of the Cribbage Champ.”

There were many fishermen who read Voelker’s books—*Trout Madness* (1960), *Anatomy of a Fisherman*

**John Voelker was often described as cantankerous and intolerant, but his wife, Grace was just the opposite. This delicate balance preserved their marriage for more than sixty years.**

in 1957 would lead to masses of people coming north and ruining the Upper Peninsula, and he became the spokesman for his fantasized Bomb the Bridge Committee. In 1958 he complained in a letter that there were no FM radio towers in the Upper Peninsula and he was unable to receive a signal from downstate. “I feel that the closer bonds allegedly symbolized by the multi-million-dollar Mackinac Bridge,” he chided, “should be shown by the dissemination of something more than the hordes of lower Michigan tourists. A little culture and education would also seem in order.” A few months later he wanted to get an exact date for the installation of a signal booster, noting: “I’m supposed to be present to help blow up the Mackinac Bridge on Saturday . . . but I will gladly skip that if you plan to be here then.”

If Voelker sometimes seemed cantankerous and intolerant, Grace was the pillar of patience. There were occasions, however, when she would have to tweak him gently by the short-hairs of his chin. Bogdan, who knew them well for many years, said with a smile: “He married a very strong, loving, independent woman. They fought well for years. She understood him and he understood her.” Voelker affectionately referred to Grace as “my mother-in-



law's daughter" and she knew how to express her dissatisfaction. Periodically she would complain about how he dressed and would tell him that he looked "like a bum." Another time when irritated by his absence, Grace asked him why he fished all the time. He replied that he needed it for relaxation. Without the slightest hesitation she reportedly fired back: "Well, you must be so relaxed by this time you're in a state of coma." Notwithstanding these jabs, their deep abiding love and respect for each other endured for over sixty years of marriage.

Although Voelker never practiced law again after leaving the Supreme Court in 1959, he wrote four other novels involving the legal system and politics: *Hornstein's Boy* (1962), *Laughing Whitefish* (1965), *Jealous Mistress* (1967) and his last book, *People Versus Kirk* (1981). While these books were generally well received, they were not as successful as *Anatomy of a Murder*. In a 1991 interview with *Detroit News* reporter Thomas BeVier, Voelker recalled that a publisher once asked him to search for material he had written, material that he did not want to provide to the man. Voelker wrote back in exaggerated fashion using a wide felt-tip marker: "Eye problems prevent me from looking, and I lack the heart to ask my poor, overworked wife, who takes care of me day and night." The Curmudgeon was set loose again.

When his health began to fail, Voelker was admonished not to smoke his favorite black Italian cigars, to put the bourbon bottle back on the shelf and to keep the fishcar in the garage. But he did not deny himself of these pleasures for very long. During an interview in his eighties, Voelker commented on his mortality: "Death doesn't scare me. But living with ill health is something that scares hell out of me. . . . When I can't cast a fly to one of my little beauties, then and only then will I consider moving on."

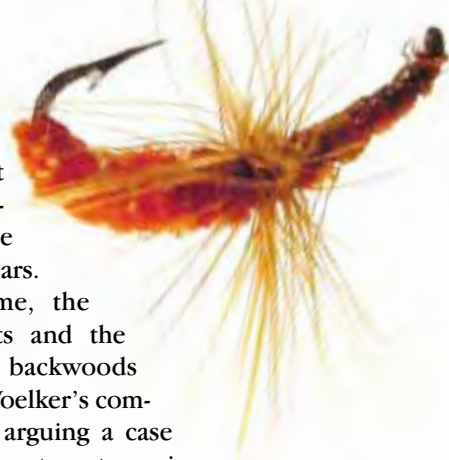
Before long Voelker's trips to Frenchman's Pond became less frequent and the elusive trout enjoyed much greater safety. On the morning of March 18, 1991, the fishcar gently nudged the snow bank alongside the road. The driver, slumped over the steering wheel, had suffered a massive heart attack. At age eighty-seven, John D. Voelker

was pronounced dead at the hospital in Ishpeming. His beloved Grace survived him by eight years.

At the funeral home, the downstate dapper suits and the flannel plaids of the backwoods mingled one last time. Voelker's comfort at the bar—either arguing a case before the Supreme Court or trumping a hand of cribbage at Polly's—earned him admiration from nearly all who knew him. His death was mourned across

ethnic and socioeconomic groups, but by none more than the people of Ishpeming and Marquette County. He embraced their lifestyle and values and never compromised the trust they had in him. While he had many opportunities to exploit his political office, his position on the court, his fame as an author and his adulation as an expert fisherman, he refused to do so. Instead, he lived an ordinary life in the Upper Peninsula and by doing so validated the worth of the lives of his friends and neighbors, and they loved him for it. Bogdan explained why Voelker was liked by so many: "He was a great believer in equality among people. . . . Any kind of prejudice made him angry. He didn't

like to see people taken advantage of. . . . His pet saying was, 'You are a success in life if you've had as much fun along the way as possible, and hurt as few people as possible.'" It was a goal John Voelker achieved with perfection. mh



Northern Michigan University Archives



**John Voelker's *Anatomy of a Murder* was based on his successful defense of Lieutenant Coleman A. Peterson, who was acquitted by "reason of insanity" in the murder of a local tavern owner. Peterson is shown here with his wife and Voelker after the 1952 trial.**

**RICHARD D. SHAUL**, who lives in Pickford, is a director of Psychological Services with the Michigan Department of Corrections. This is his fourth article to appear in [Michigan History](#). He would like to thank Elizabeth (Voelker) Tsaloff, Dr. Victor Tsaloff, Adam Tsaloff and Ted Bogdan for their insightful comments about John Voelker; and Dr. Marcus Robyns, Dr. Stephen H. Peters and librarians at the Archives Section of the Olson Library at Northern Michigan University; Cris Roll, librarian at Lake Superior State University; and Cheryl A. Shaul for locating materials.