

Samuel S. Beman

[March 11, 1822 • May 9, 1882]

A two-volume *History of Winona County, Minnesota*, published in 1913, has a chapter on the history of the bench and bar by Judge Arthur H. Snow. He also profiled several early lawyers, including Samuel S. Beman:

Samuel S. Beman. There also came to Winona county in 1855, another lawyer whose name should not be passed without mention. This was the fiery, impulsive, eloquent, generous, chivalric Samuel S. Beman, who settled first in Saratoga, but afterwards in St. Charles, where he died in May, 1882. Born in Georgia in 1822, and a half brother of the equally fiery William L. Yancey, Beman was in temperament a thorough southerner. He could flay an opponent with the biting sarcasm and invective of his burning eloquence, but he was the soul of honor, generous and magnanimous to a fault. Weighed down by physical infirmities from his birth, his body was too frail a tenement for the bright intellect within, and poor health did not permit of the regular practice of his profession. Although Beman came to Winona in territorial days, he was not strictly speaking a territorial lawyer for he was not admitted to the bar of this county until the fall of 1869. ¹

Curiously missing here is any reference to Beman's service in the Minnesota Senate. He served three terms: 1857-1858, 1872-1874 and 1881-1882.² He died on May 9, 1882, at age sixty, in the midst of his

¹ Arthur H. Snow, "The Bench and Bar of Winona County" 20 (MLHP, 2010-2013). Snow's profile of Beman is in chapter 20 of Franklyn Curtiss-Wedge, 1 *The History of Winona County* 268-69 (1913). According to the rolls of the district court listed by Snow, Beman was admitted on September 23, 1869.

² "Samuel S. Beman" in "Legislators Past & Present," Minnesota Legislative Reference Library website.

last term. The following obituary appeared in the *Winona Daily Republican* that day:

DEATH OF SENATOR BEMAN.

Hon. S. S. Beman, State Senator from Winona county, died at his home in St. Chares on the 9th inst. This event was not unlooked for, inasmuch as Mr. Beman had been in failing health for upwards of a year, and since the opening of the past winter he had steadily grown worse — a trip which he took to Florida two or three months ago proving of little or no avail.

Mr. Beman was born at Mt. Zion, Hancock county, Georgia, March 11, 1822. He was the son of Rev. N. S. S. Beman, D. D., late of Troy, N. Y., and half brother of the late William L. Yancy, of Alabama. Mr. Beman was educated at Troy, N. Y., and read law with David L. Seymour. He removed to Alabama in 1843 and formed a law partnership with W. L. Yancy. Ran for Congress in 1846 in Dickson H. Lewis' district (on Whig ticket) and was beaten by only thirty votes in a Democratic district of 6,000 majority. In 1850 he returned to New York on account of ill health and was elected to the Legislature in 1852 from Washington county.

In 1855 he removed to Winona county, Minn., made a claim of a quarter section of land. In 1857 he married Caroline W. Whiton, niece of the late Chief Justice Whiton, of Wisconsin; was elected to the first State Legislature of Minnesota in 1857, with Daniel S. Norton. In 1866 he was appointed register of deeds for Winona county for two years; elected to the Senate in 1871; re-elected in 1872 and again in 1878.

Mr. Beman possessed abilities of a high order, and he will long be remembered as a man of mark in the early history of Winona county and of the State.

A meeting of the Bar was held at the Court House this afternoon to take suitable action on the death of Mr. Beman.³

On the afternoon of Beman's death, the Winona County Bar Association met and passed resolutions in his honor. They were quoted in an article in the *Daily Republican* the next day:

THE LATE MR. BEMAN.

MEETING OF THE WINONA COUNTY BAR.

A meeting of the members of the Winona County Bar was held at the Court House Tuesday afternoon. C. H. Berry, Esq., read a telegram announcing the death of Senator Berman, and moved that Judge Story act as chairman. A. H. Snow, Esq., was selected as secretary.

Mr. Berry said that he designed to make no extended remarks at present, but arose only to express what he believed was the universal feeling on the decease of one who, though not especially active as a member of this bar, was yet an esteemed member, and identified with the history of this county and State, socially, politically and officially.

He came here in 1855, made his claim on unentered lands, and had cultivated that claim as a home to the present time. He had brought up a promising family, and with his

³ *Winona Daily Republican*, May 9, 1882, at 3.

example of industry, economy and perseverance under difficulties incident to a new country, and of discouraging bodily ills, had left an honorable name. He thought it due to the bar to give fitting expression of respect.

On motion of A. N. Bentley, Esq., a committee consisting of Messrs. C. H. Berry, A. H. Snow and Wm. Gale were appointed to draft suitable, resolutions of respect. The committee reported the following resolutions:

Resolved, That we have learned with unfeigned sorrow of the death of our esteemed brother, Hon. Samuel S. Beman.

Resolved, That in his death the people of Minnesota have lost an honored citizen prominent in public affairs, whose integrity of character, eloquence and conceded mental abilities have impressed his name and memory on the public annals of the State.

Resolved, That by the many kindly graces of his private life ho has acquired the warm personal esteem of his many associates, acquaintances and friends and that we regard his decease as a personal bereavement as well as a civic misfortune.

Resolved, That we extend to his family our most sincere sympathy and condolence in this hour of their great affliction.

Resolved, That the Bar of this city attend the funeral ceremonies of said deceased in a body.

Resolved, That these resolutions be presented by the President of the Bar Association of Winona county to the District court, to be spread upon its minutes, and that an

engraved copy thereof be made and presented to the family of the deceased.

The funeral of Mr. Beman took place at St. Charles at 3 o'clock this afternoon.⁴

About a week later the *Winona Daily Republican* republished an editorial about Beman that had appeared in the *St. Charles Union* :

THE LATE SEN. SAMUEL S. BEMAN.

St. Charles Union.

The sudden death of Mr. Beman, on the 9th inst., was probably a surprise to most of our citizens, who, although aware that he was ill, supposed there was no immediate danger of a fatal termination of his disease. Towards the close he was a great sufferer, but he bore up with wonderful endurance, and was at times even cheerful and facetious under the accumulated disorders which afflicted him. He even believed that his constitution was so good that he would be able to successfully combat disease and perhaps yet live for a number of years in comfortable health. But that was not to be. He passed away after remaining several hours in a state of unconsciousness. Heart difficulties, for many years affecting him, followed by a train of secondary diseases, asthma and dropsy of the tissue among them, proved at last too strong for him to overcome.

Mr. Beman was born at Mount Zion, Hancock county, Georgia, March 11, 1822. He was the son of the Rev. N. S.

⁴ *Winona Daily Republican*, May 10, 1882, at 3.

8. Berman, D. D., a distinguished clergyman, and who for forty years was the pastor of the First Presbyterian Church of Troy, N. Y., to which place he removed the year his son Samuel was born.

Mr. Beman read law with David L. Seymour, of Troy, and in 1843 removed to Alabama and formed a law partnership with his half-brother, William D. Yancy. In 1846, as a Whig, he run for Congress in a district ordinarily having 6,000 Democratic majority, and was only beaten by thirty votes. Returning to New York in 1850, he was elected to the Legislature in 1852 from Washington county.

In 1855, seized with the westward fever, he came to Minnesota, secured land in Winona county, and commenced life here as a tiller of the soil. In 1857 he married Caroline W. Whiton, daughter of the late Ebenezer Whiton, of Elyria Ohio. The same year he was elected to the first State Legislature of Minnesota. At the time of his death he was Senator from this district, having previously served several terms in the same body.

Up to the age of seven Mr. Beman was strong, healthy, and uncommonly large for his years. At this tender period of his life, he was thrown from a horse and seriously injured in the back. About the same time he had an attack of typhoid fever. The result was, a prolonged battle for life, permanent curvature of the spine, and a body diminutive in size. He suffered untold tortures during this period from the imperfect — not to say barbarous methods in use for the treatment of spinal disease. In alluding to the subject himself, in after years, he could scarcely retain his composure.

When the death of Mr. Beman became known, the bar of Winona met and passed resolutions of respect for the memory of the deceased and of condolence with the family. Similar resolutions were passed by the Council of St. Charles.

The funeral took place from the residence on the afternoon of the 10th, and was largely attended by our citizens. Judge Start and R. H. Gove, C. C. Wilson, and F. B. Kellogg, Esqs., of Rochester, also attended, as a mark of respect on the part of the members of the bar of Olmsted county. The funeral services were simple and unostentatious, as became the character of the man: Music by the choir, a few affecting and appropriate remarks by E. Hill, Esq., on behalf of the bar, and a brief discourse by Rev. Mr. Tuttle of the Congregational church. The remains were deposited in Hillside Cemetery.

Mr. Beman leaves a wife and three children — a son and two daughters — to mourn the departure of a kind husband and father from the scenes of earth.

It may be expected that we should say something concerning the character and public career of the deceased. We cannot at this time do justice to the theme, and do not purpose to enter into it at any length. As a public man he was never understood by the multitude. Cast in an antique mold, he was uncompromising where principle was involved. There was no swerving from what he regarded as the right path. Of an "obstinate and losing honesty," he would have become a pauper if necessary to repel assaults upon his reputation for integrity character and fair dealing among men. He desired the applause of his fellow-citizens,

but he scorned to obtain it at the sacrifice of a single conviction. He was not of those who obtain power and place by discreet silence when measures affecting the public welfare were being considered. With all the energy of an impassioned nature he made known his thoughts, and left the decision with those to whom it belonged, regardless of personal consequences.

As a public speaker, Mr. Beman was, in youth and middle life, vehement and rapid as a torrent. He had an almost exhaustless command of language and he used it with conciseness and according to the usage of the best speakers and writers. This facility of expression he owed to the early training of his father, a master of the English language. He wished to speak to the highest and best thought not to "split the ears of the groundlings," and he has been known to abruptly terminate a speech in the Legislature when he believed the crowd were coming in to hear him out of mere curiosity. With advancing years his voice partially failed him, and he spoke but seldom in public, and then with an effort beyond his strength.

Socially Mr. Beman was a most charming companion; — witty, humorous, swift in repartee, and heartily enjoying the keenest thrust from an opponent if the shaft was unvenomed. But that brain, so active and tireless in life, has been laid at rest at last, and sleeps peacefully and tranquilly in the lap of Mother Earth, the common mother of us all.

We cannot, perhaps, better conclude this notice than by quoting the following feeling tribute from the pen of Mr. Whipple, of the *Winona Herald*, who knew Mr. Beman

intimately, and whose estimate of his character and abilities is more likely to be impartial than our own:

“Mr. Beman was somewhat erratic in his nature, but a man of marked ability, with a retentive memory, and a gift of language in debate or upon the rostrum whose eloquence, invective and sarcasm often dismayed his opponents. He was a man of deep feelings, with strong attachments for his friends, and equally as strong in his prejudices, but always magnanimous. Patriotism, honor and integrity were his eminent characteristics. A friend to simplicity and economy in the administration of all forms of government. His principles were democratic in the broadest signification of the word, and innate, founded in a feeling, still more than a conviction, that the masses were generally right in their sentiments, though sometimes wrong in their action; that there was less injury to the country from the honest mistaken of the people than from the interested schemes of corrupt and intriguing politicians. The deceased will long be remembered by the pioneers of Winona county as a friend to the people, who never failed to perform a generous act for the poor or distressed which fell within the scope of his capabilities. He leaves a family who sincerely mourn his death and will fondly cherish his memory.”⁵

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⁵ *Winona Daily Republican*, May 18, 1882, front page.