

# *Memorial Proceedings*

*For*

## Charles W. Quandt

(1876 – 1954)

Sibley County District Court  
Gaylord, Minnesota

October 24, 1955

**STATE OF MINNESOTA**

**DISTRICT COURT**

**COUNTY OF SIBLEY**

**EIGHTH JUDICIAL DISTRICT**

***IN THE MATTER OF A MEMORIAL***

***TO THE LATE CHARLES W. QUANDT***

***PROCEEDINGS***

The above entitled action came duly on before the Honorable Arlo E. Haering, one of the Judges of the above named Court, without a jury, at the Court House in the City of Gaylord, County of Sibley, State of Minnesota on the 24th day of October, 1955.

***COMMITTEE***

**Mr. O. S. Vesta  
Attorney at Law  
Arlington, Minnesota**

**Mr. J. J. Moriarty  
Attorney at Law  
Jordan, Minnesota.**

**Mr. E. A. Rogstad  
Attorney at Law  
Gaylord, Minnesota**

**Mr. W. O. McNelly  
Attorney at Law  
Hutchinson, Minnesota**

**Mr. W. F. Odell  
Attorney at Law  
Chaska, Minnesota**

[Whereupon at 2:30 p.m. o'clock, Court convened and the following proceedings were had :]

**THE CLERK:** In the Matter of a Memorial to the late Charles W. Quandt.

**THE COURT:** Members of the Bar: The Court has convened this afternoon in honor and in memory of one of our deceased fellow lawyers who practiced in this District for many years; he being Charles Quandt of Winthrop and pursuant to proceedings had at the last General Term of Court here last April a committee was appointed to present a memorial at this meeting here today.

That committee consisted of members of our District Bar who were acquainted with Mr. Quandt over a period of many years and men who valued their acquaintance with him and who are glad that they had the opportunity of working with so fine a fellow lawyer as Mr. Quandt was.

That committee consisted of our Judge of Probate here in this County, Judge Rogstad; Mr. McNelly of Hutchinson; Mr. W. F. Odell of Chaska; Judge Moriarty of Shakopee and Mr. Vesta; Mr. Vesta being chairman of the committee.

While the memorial which they will present will be a part of the official record, the Court, will be glad to have any other fellow lawyer who desires to participate in the proceedings feel free to make any comments that he may wish to. So, at this time I would like to call on the chairman of the committee, Mr. Vesta.

**MR. VESTA:** If it please the Court, members of the Bar, relatives and friends of the late Charles W. Quandt: We are assembled here this afternoon to honor the memory of the late Charles W. Quandt who for more than a half a century was a member of the Bar of this County, and during all of that time contributed much to support the honor and dignity of our profession. We desire to express our deep sorrow on account of his death and testify to our respect and veneration for his memory.

Mr. Quandt was born in LaFayette Township in Nicollet County, Minnesota on the 14th day of December, 1876, and was educated in the public schools of Sibley and Nicollet Counties and taught in the rural schools for a number of years. He then attended the Northern Illinois College of Law at Dixon, Illinois until 1899, when he entered the law school at the University of Minnesota, where he graduated in the Spring of 1900 and was admitted to the Bar on June 8, 1900.

After his admission to the Bar he moved to Winthrop, Minnesota where he established a practice. That continued for a period of more than 53 years until his death on January 22, 1954.

In 1901 he took in a young lawyer by the name of Edward H. Huebner who worked with him in the office until Huebner's death in 1904. Charley then practiced alone until 1912 when he formed a partnership with the late Albert L. Young. This partnership was dissolved by the death of Mr. Young in 1926. He then carried on his practice alone until 1938 when he formed a partnership with his son-in-law Sheldon S. Larson. This partnership was dissolved by the death of Mr. Quandt in January, 1954.

He served as county attorney of Sibley County two full terms from 1904 until 1908 and in 1937 he was appointed to serve the unexpired term of the late H. H. Bonniwell. He took an active part in community and civic affairs. He served as a member of the local school board for 18 years, and was city attorney for the City of Winthrop for many years and was a life member of the local fire department. He was a charter member of the Eighth Judicial District Bar Association and at one time served as its President. He also served on the board of Governors representing this District.

His fraternal affiliations included membership in the Masonic Blue Lodge at Winthrop, the New Ulm Chapter of Royal Arch Masons, the Demolay Commandery at New Ulm, and the Zuhrah Shrine Temple in Minneapolis.

He was married on December 20th, 1904 to Miss Sarah Erickson. Four children were born to them: Eleanor, who pre-deceased her father; Bernice, who is married to Sheldon S. Larson of Winthrop; Corinne, Mrs. Bud Melges of Mankato and one son, Charles W. Quandt, Jr., of Waseca.

Mr. Quandt was a true sportsman deeply interested in fishing and hunting and golf. It was largely through his efforts and financial support that the Winthrop Golf Course was established. He was the only golfer to score a hole in one on this course. In July, 1930, he shot an ace on the 7th hole, a distance of 125 yards.

In his everyday life, his gentility and frankness coupled with his unaffected simplicity endeared him to all. The most humble citizen knew he would be received at all times as cordially as if he were the most distinguished citizen in the land.

He was a member and regular attendant of the First Lutheran Church of Winthrop. His religion was important to him. He was not only a thorough student of the Bible, but accepted the great moral teachings therein as a rule and guide to his faith. One phase of the Bible he was particularly interested in was the trial and crucifixion of Jesus from a legal standpoint. He read a great many books on this subject and prepared a Brief showing flagrant violations of the Jewish Law to secure a conviction.

He was a tender, devoted and affectionate husband, and his life was greatly

disturbed and saddened a couple of years before he died by the serious affliction of his devoted wife. She was confined in the New Ulm Hospital at the time of his death, and his chief concern during his long illness was the disturbing thought of leaving her when she was in need of his help and comfort.

We are gathered here to pay tribute to the life and character of one who was dear to all of us, and who on the forge of life wrought a personality and character worthy of our emulation. His labors are over, his life's work is done.

In the fruit of his labors he has left to the state, to his community and to our profession a rich and enduring legacy. We will long honor his name and cherish his memory.

This gentle and true friend and worthy opponent at the Bar has gone, but the sweet memory of his friendship lingers on.

*"Like the vase in which roses has once been distilled,  
You may break, you may shatter the vase if you will,  
But the scent of the roses will cling to it still."*

To his immediate family we offer our sincere sympathy, and we respectfully ask the Court to direct that this humble expression of our respect for the memory of our departed friend be entered upon the records of the Court with such other proceedings as may be had in connection herewith, and that a copy of all these proceedings be transmitted to his family.

**THE COURT:** Any members of the committee that wish to make any further statement?

**MR. ROGSTAD:** If it please the Court, fellow lawyers, the Charles W. Quandt family, relatives and friends: Charles W. Quandt was an outstanding lawyer in the Eighth Judicial District. He was a man of iron will and uncompromising conscience, but beneath a tough skin there was a heart of tenderness, kindness, a loyalty to friends and an unsurpassed degree of courage.

I have a right to say these things because Charlie was my close friend from the time I first met him in 1922 until he died. My close personal friendship began with him when I became Probate Judge. During thirty years of close working association with him, my respect and affection for him grew until I came to regard him as a real friend in every sense of the word.

Charlie was a remarkable man, friends, he could walk with kings and never lose the common touch. He was at home among people in all walks of life.

He enjoyed their virtues without indulging in their weaknesses. He was always a gentleman. He was honest and truthful, and always considerate of the feelings and views of others. Charlie was clean in all his practice among lawyers and was not unwilling to compromise, if by so doing wounds would be healed among friends and families. There was nothing about him or his personality that was sham or imitation.

He spent most of his life in Winthrop and was ever watchful of the progress of that city. He loved his family. His will is indicative of that love.

In the City of Winthrop he was very active in his lodge. He was the one who presided at the graveside services at the funeral of our beloved and distinguished Judge C. M. Tift. He was active in all Masonic bodies and when Zuhrah Temple built its hospital for crippled children, Charlie was one of the first to contribute to it by taking out a life membership. Through his efforts Trunk Highway No. 15 passes through Winthrop to St. Cloud. It was because of his influence that the milk plant was located at Winthrop. Because of him Winthrop has one of the most ideal golf courses in the State. By his death the State and the Nation lost a devoted public servant.

Charlie Quandt loved the outdoors. An excellent shot, he loved to hunt ducks and pheasants and spent as much time as possible in the field or marsh. He was a great fisherman and in later years loved deer hunting. This love of the outdoors gave him the appearance of robust health until very near the end of his life.

The highway of life is a wonderful road. In our youth we joyfully dance through the years, free of cares and responsibilities. Determinedly we march through the years of maturity, overcoming the obstacles that beset our paths. We walk along the ever-narrowing path of old age until with faltering steps we finally reach our resting place. Along this highway we meet many people. Some of them we take to our hearts and share their joys and sorrows. To part with them is painful and they are sorely missed. I miss Charles W. Quandt. I shall miss him always.

MR. ODELL: May it please the Court, members of the committee, members of the Bar and members of the family of Mr. Quandt: Over the years I have had something of an aversion to public speaking. Speaking with me has been merely something to use in the course of my work as a practicing lawyer. But there are rare occasions when I have got to forget that and I feel under an obligation at this time to pay my respects in such way as I can to our late departed brother Mr. Quandt.

Charlie and I happened to be in the University at the same time. We graduated in the same year. He from one school, and I from another. We didn't meet at the University. My first acquaintance with him came a month

or so after I came here to Sibley County in the Spring of 1907. I met him soon after I got here.

At that time I went to Arlington. There was a lawyer in each town along the St. Louis Line excepting Green Isle. Mr. McKenzie was at Gaylord. Mr. Quandt at Winthrop. Mr. Young at Gibbon. The county seat, of course, was down at Henderson.

Transportation being what it was those days, when we lawyers along the line went to Court as a rule we stayed until Court was over. And during the first few years it was a regular thing for Mr. Quandt and I and the other lawyers from along the line to associate regularly and freely at Henderson. From my association with him there and from business and other matters I became I would say, quite well acquainted with Charlie.

At the time I came here there were some good lawyers here. But there were two perhaps who were outstanding. W. F. Lehman of Henderson, who was one of the good trial lawyers in the Minnesota Valley. He was the trial lawyer of the county. Mr. Quandt was the business lawyer of the county. Now, we who were practicing here in those days so far as any matters excepting litigation, that came mainly by the grace of the bankers and the notaries public. The lawyers through the county with one exception, perhaps two exceptions, had no probate practice. They had no business practice and by that I mean conveyancing title matters and things of that kind.

Mr. Lehman, with Henderson being the county seat, was favorably situated and he got some probate matters and he had some title work. Mr. Quandt had practically all of the probate business in the county during the time I was here. There was a period of something over a year when I was Judge of Probate here. That is when the Court House was at Henderson and I was in a position to see what lawyers were doing that type of work and I know Mr. Quandt had more probate practice than all the lawyers in the county combined.

Now, I think that was due perhaps to one thing. It may be that all the lawyers in the community at that time had the confidence of their community and people in their community too, but Mr. Quandt had the confidence of the men in his community and the persons who were tributary to his community to an unusual degree.

Early in his legal life he, through the confidence that people had in him, became the depository, the safe keeper of wills and title documents of folks living in Winthrop and in all of that territory. The result of that was that he was consulted right along so that when the time came for the administration proceeding or a probate proceeding, it was the most natural thing

in the world for them to go to their regular consultant.

The rest of us got just such probate business as the bankers were willing that we should have. I know I didn't have any probate practice and I don't know of any other lawyer in the county who did, with the possible exception of A. L. Young. He did some probate work.

Well, now, for that matter, the confidence the people of his community had in Mr. Quandt bespeaks more than anything else can of the type of a man that he was. We would expect to find that a man of that type would be an honorable man and he was an honorable man. And we would expect a man of that type would be a good ethical lawyer and I know of no lawyer, no lawyer of my acquaintance who more highly regarded the ethics and paid more attention to the ethics of his situation than Mr. Quandt.

You sometimes hear the expression used, "I take pleasure." I don't take pleasure, of course, but without any misgivings at all, I am pleased to add my voice to the memorial of the Court to the memory of Mr. Quandt. I thank you.

**MR. MCNELLY:** May it please the Court, members of the Bar, relatives and friends of Mr. Quandt: It was my privilege to be acquainted with the late Charles Quandt for a considerable period of years. I knew him as a lawyer of what is known as the so-called, "old school." A man of honor and integrity, congenial, sympathetic and considerate. A man whose word was as good as his bond. A man who lived up to the teachings of the Bible. A man who had respect for and endeared to the principle and conceptions of the American Constitution.

To have known him was to be a friend of his. He loved all mankind and all nature and I think we who are members of the Bar today could do no better than follow in his footsteps.

**MR. MORIARTY:** May it please the Court, members of the family of Charles Quandt, friends, and members of the Bar: Your Honor, I experience a deep responsibility as I rise to express my sentiments on this most solemn occasion.

I realize and everyone here in this court room understands that what we say or what we do here today is said and done in the conscious presence of our honored dead.

It is most fitting amid proper in our country, which, after all is said and done is a country motivated and directed by Christian ideals and Christian principles, that we pay tribute to the dead. That we respect the dead. That we give the dead credit for their achievements, for the nobility of their lives,

for their sacrifice and for their devotion to God and to country while they are here on this planet.

I believe it is over a century ago since a rather celebrated author wrote these lines.

*"I saw from the beach when the morning sun was shining,  
A bark o'er the waters move gloriously on.  
I came to the beach when the sun was declining,  
The bark was still there, the waters were gone.  
Such is the fate of our lives early journey,  
So passeth the spring tide of joy we have known.  
Each wave that we danced on at morning is from us  
And leaves us at eve on the beach all alone."*

Now, these lines have been occurring and reoccurring and running through my mind for over a half a century and from the very beginning I was always of the conviction and I am of the conviction now that this author and writer followed his fancy for music, words and beautiful expressions and permitted them to override his better logic and that he totally failed to take into consideration or to reckon with the most essential thing in human dignity and in human man: the spiritual and immortal qualities and attributes of the human soul.

I was always able to go along with the poet as he visualized man as a bark making his course over the waters of life. I did not feel that he did justice because he did not identify the pilot of the bark, the immortal soul and the spirit of man. I did not agree with him as he draws the picture of the bark proceeding in the bright sunshine of the morning, baptized and baptized again and again by the silver spray of gentle ordinary waves of a sleeping and silent sea.

I did not agree with him because it did not spell out the reality of human life and now in my 71st year and having steered one of these barks so far through the waters of life, I think this poet should have drawn another picture.

It should have been in the picture of the bark and the tempest in the darkness of the storm, sometimes on one wave top and then on the crest of another. Sometimes down in the trough between the swells, sometimes submerged entirely and then coming again to the surface with its pilot looking for a break in the sky in order to get a reading from the heavens to determine his course and location.

Yes, I should have included in that picture the condition of this sailing vessel as it proceeds along over life's waters. Its sails ripped and torn by

**the currents of jealousy, envy, and its mast splintered and broken by the lightning of hate.**

**I will go along with the author again as he pictures the bark on the bleak shore. The shore which separates time from eternity. It is a shoreline that we will all one day arrive at and I will stand by in that last moment of man's life. I will hear the demand of eternity upon time to turn over the soul of man. I will see the shepherds of death rushing forward and demanding his passport. But I will remember the conclusions and the convictions of the theologians and the philosophers and the students of spirit all down through the ages when they declare that man's last moment is his greatest.**

**I will not agree with the author that at that moment man stands on the bleak shore alone. From the beginning ever since man, civilized or uncivilized, they have always been of the conviction that there was a supreme intelligence, a God. These wild, untutored savages that roamed over these fields and plains and valleys called him the Great Spirit and they recognized him as in some manner living behind the sublime work of super human power and they recognized that he was everywhere all the time.**

**God being everywhere all the time; then man is with God and man does not stand alone. But the thing of supreme importance at that last moment is not the political standing of the spirit in the world, nor is it financial greatness, nor is it high social reputation. The important thing is the endorsement and the identification on the passport which he hands across the line separating time from eternity.**

**Now, we have no right, Your Honor, to judge. Long ago it was written into sacred literature, that plain admonition was plainly written, "Judge not less thou are to be judged." We would know that there are certain universal standards accepted through the whole world which we have a right to use and today it is our privilege to use them to measure the value of a human life that has ended in this world.**

**When we apply these universal standards to measure the life of Charlie W. Quandt, we immediately refer to the record and we see that he lived up to all of these standards. That his life was a valuable life. That he was valuable not only to country, but to society and he was valuable to God.**

**Let's look at the pages of the book of his life, the passport that he handed over. What were the identifications and what were the endorsements? A boy born on a farm back in those days at a time when it was a hard job to be a boy on the farm, developing himself, broadening out his faculties until he achieved the right to participate in the administration of justice in these sacred institutions which we call the Courts of our country.**

Look at the record again. Here they are. Here are some of the exhibits. A strong, intelligent, Christian, honest thoroughborn American family stands here as witnesses to the identifications and endorsements of that passport. Was not Charlie Quandt a man that took an interest in the development of his community? Was he not a man that stood here in this court room and I can see him now proclaiming, fighting for the precepts and concepts of it that underlie the Constitution of the United States of America, and he was a Constitutional lawyer.

Was he a man that was afraid to mention the word of Christ? As a part of this memorial the Brief that he wrote on the trial of Christ should be here in this Court. Was he a man that was ashamed to go into his good Lutheran Christian Church and to take part in that blessed service held in that Church? Was he not a member of the Masonic Order, an Order which is formulated and organized for the purpose of promoting the precepts and concepts of a square deal perpetuating the ideals of friendship and good will.

Oh, but wasn't he a patient sufferer. I was with him at Rochester in the hospital. I was not very well myself. But I was not quite as bad as some of my constituents back home said I was. I was with Charlie Quandt all one Saturday afternoon, mostly through that night, all day Sunday. Charlie was going through an operation. Instruments were thrust in to catch hold of a foreign substance that had landed in a vital part of his body and it was impossible to withdraw it because of the prongs that were on it and they were using medications in order to disintegrate it, and the entire steel, the cold steel instruments remained there all through that period.

I watched him suffer like no man could suffer and yet not a word. He even cracked a few jokes.

Was not Charlie Quandt a friend? Charlie Quandt was a friend and when he told you that he was your friend, he was your friend. He was a stickler always to the last. Yes, this place is lonesome today without him.

He was like an oak on the hillside that would go down with a crash, always leaving a lonesome place against the sky. That is how I think of it, and I think of it that way because of his faith, because I loved him.

Now, what was the first thing that Charlie Quandt held after he crossed the line? There is no man that can say that in his record or in his life anywhere as the good Odell just said, that there was anything but upright dealing, honesty, decency, and efficiency and perfect ethics.

Do you not hear echoing and re-echoing all the way through that endless road leading to the Supreme Tribunal the word of the Psalmist, "Oh, Lord,

send forth thy angels to meet thy servant Charles who thou has this day bid to depart from this life. Deliver him not into the hands of the enemy, nor be forgetful of him forever. But command thy Holy Angels to take him up and let him into Paradise, his true country.” I thank you.

**THE COURT:** Thank you members of the committee. Any other members of our Bar, or anyone in the audience wish to add any further words to this memorial?

I know there are many of you who were very close and dear friends to Mr. Quandt and I am sure that each of you would like to and perhaps have in your own minds thought many things that you might like to express. Yet, the words which have come from the mouths of the members of this committee have certainly covered a great deal of field and covered expressions which you and I, I am sure, wholeheartedly agree with and entertain the same thoughts.

It was my good fortune to have commenced the practice of law here in our District long enough ago and when I was only a beginner to have such men as Mr. Quandt, John J. Fahey, P. W. Morrison active members of the Bar, but who are no longer with us. And to have had the privilege and opportunity of commencing my practice too, with such men as Mr. W. F. Odell and Judge Moriarty, for it was always a great privilege so considered by me to be surrounded by the influence those men brought to bear through their conduct and their mannerisms in Court and their willingness to fight for whatever was right.

I perhaps am indebted more to such memory to Mr. Odell whom I had gone to more or less as a father in my practice of law, whom I consulted even before locating in Carver County, my home county, and at Waconia, Minnesota. I have thought of the similarity between Mr. Quandt and Mr. Odell in their willingness to help a young man along.

I well remember Mr. Quandt in one of the first years that I attended our District Bar Association meetings and having him go out of his way to come over and shake my hand and make my acquaintance. I didn't realize that I was worthy of his recognition. But that gave me strength and confidence and through the years, although he and I did not have occasion to be on opposite sides in controversies, I gained much just by observing him.

It was shortly before he was taken to the hospital for the last time that I was given the opportunity of visiting him at his home and there, although I thought he wasn't capable of giving the time, yet, on his insistence I remained with him for nearly one hour.

**That was an hour that I have kept to myself, for there were many things in our conversation which were intended to be between Mr. Quandt and myself. But every bit of it was an inspiration and encouragement for me.**

**In the work which I have assumed as one of the Judges of our District I am sure no man could have lived and known Mr. Quandt and have brushed elbows with him but what he would have been a better man for having done so. And I believe that is the way that the scheme of things is to be.**

**We should each be capable of helping our fellow man so that he may get some good from what we may say or do and I think perhaps it had been that thought which has come to me more or less from Mr. Quandt that I have for many years practiced the idea in my prayers that it will be not that I do something for my own glorification, but that whatever I may say or do might be for the glorification of our Maker.**

**I am sure that was one of the philosophies of life that Mr. Quandt had and because of it he radiated so much good and was such a respectable member of our profession. I think law is perhaps one of the most difficult professions that we have. And I say that wholly mindful of the work that the medical profession is doing. But when it comes right down to the assumption of responsibility and being able and willing to have that assumption made a public record and where everything the lawyer will do is a public record and where it can be held out for criticism by he who wishes to criticize, I say the man that seeks and takes that as his profession is assuming one of the greatest labors that can be put onto mankind**

**Mr. Quandt assumed that responsibility as a lawyer and all that went with it and he has added much to the honor of our profession. It is therefore very pleasing to me as it must be to each of you fellow members of the Bar, that we were able this day to set aside the time that we have to pay our respects to so great a man and to do it with the thought that we are not only honoring the deceased, but that we are taking the time to think about the things that he did that we may be reminded to follow in the same footsteps. Thereby, I am sure, we will be doing what Mr. Quandt would want us to do and no greater satisfaction could come to him but to know that we are the better for having known him**

**Now, unless there are any further comments anyone desires to make, we will recess this session of Court. But before doing so, as to the motion that was made by the chairman of the committee, the words which were spoken here today as well as the written memorial, will be a permanent part of the records of this Court and shall be transcribed. A copy thereof shall be given to the family of Mr. Quandt and also a copy thereof be given to the Chief Justice of the Supreme Court and to the local newspapers.**

**This Court will now adjourn until November 4th at 10:00 a.m.**

**MR. MORIARTY: If it please the Court: Just one, suggestion. I think that the custom has been pretty well established in this District that these memorial proceedings be printed in kind of a readable printed form and that the lawyers also have copies.**

**THE COURT: I certainly will be glad to accede to that suggestion and request and I am glad you made it. May the record further show that copies of these proceedings are to be printed at the expense of the county and that each lawyer of the District be furnished a copy thereof.**

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**John B. Gordon  
Court Reporter  
Eighth Judicial District  
Glencoe, Minnesota**

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Posted MLHP: December 26, 2010.