

IN MEMORIAM

FRED B. DODGE

(February 4, 1853 - October 8, 1935)



(ca. 1915)

HENNEPIN COUNTY BAR ASSOCIATION
DISTRICT COURT
HENNEPIN COUNTY
FOURTH JUDICIAL DISTRICT
Saturday, February 8, 1936

In Memoriam
Fred B. Dodge.

To:

The Honorable District Court
And Members of the Bar of Hennepin County:

Fred B. Dodge died at his home, at Minnetonka Beach, Minnesota, on the 8th day of October, 1935, in the eighty-third year of his age. For more than fifty years he had been a member of the Hennepin County Bar and actively engaged in the practice of law in Minneapolis, and he had been engaged in the practice of his profession in Minnesota for more than fifty-five years. He was a man of honor, an honest man, a good citizen, a lawyer ethical in his practice, well-read and learned in the law, a skillful and resourceful practitioner of broad experience and sound judgment, a man of wide reading and culture, a scholar and a Christian gentleman. It is fitting that a minute be made in the records of this Court to perpetuate some slight remembrance of this man, his character and attainments, that all may not be forgotten and lost. A lawyer's high character, reputation and fame in his profession, built up by a lifetime of energy, industry and patient toil, no matter how general and wide-spread, is at most but fleeting and transitory. Death overtakes him sooner or later. Then reputation and fame like a puff of vapor, like a fast-flying cloud, soon pass, fade away and are forgotten. Alas! When we contemplate man's bodily frailties, the objects

of his earthly ambitions and strivings and the shortness of human life, we are led to exclaim with the men of old: "What shadows we are! What shadows do we pursue!"

Mr. Dodge was born on February 4th, 1853, — not far from the middle of the 19th Century. It was his good fortune to have lived in one of the most interesting periods in the world's history. It was in the last decade of the long period of bitter discussion and contention regarding the extension of slavery in these United States. It was the period of the abolition of slavery by Lincoln, and of the final settlement of that greatest of all constitutional questions, viz., whether the Government of these United States, under the Federal Constitution, is a mere Confederation of independent States, bound together by compact only, or a perpetual, indissoluble, "indestructible Union composed of indestructible states," a settlement not made by final decree of Court, but by the arbitrament of war. It was the period of our great Civil War. As a lad, Mr. Dodge might have heard the reverberation of the guns at Gettysburg and at the Battle of the Wilderness, and, as a man, yet in his vigor, he followed with deep interest the press-dispatches of the Battle of the Marne and of the great World War. It was the period of greatest activity in the opening up and settlement of the great West and the vast Trans-Mississippi region, and in the building of railroads, and of the astounding migration of peoples from all parts of the World to these United States, increasing our population from a little more than 23,000,000 in the year 1850, to more than 120,000,000 in 1935. It was a period in all civilized countries, and especially in the United States, of unparalleled activity in mechanical invention, resulting in a great Industrial Revolution. It was the period of the world's greatest advancement in production, distribution, transportation and

inter-communication, national and international, and of manufacture of instruments and mechanical appliances in aid thereof, so that man was able to obtain a greater control over the forces of nature, and to apply them more effectively to his own use and needs than in any previous period in the history of the World.

Mr. Dodge's birth-place was the Town of Leicester, Livingston County, New York. This town lies in the beautiful valley of the Genesee River, in the western part of the State, and is part of the region known at the close of the American Revolutionary War, and after, as the "Genesee country." The favorable climate for agriculture and fertile soil of this region drew at that period settlers in large numbers, principally from the New England States, after settlement was made possible by the subjugation, by the Army of General Sullivan, under the direction of General Washington, of that fiercest branch of the Iroquois race, the Seneca Indians, who inhabited all of that region.

Among the early settlers in the Town of Leicester was Mr. Dodge's grandfather, Thomas Dodge, a descendant of old Puritan stock, who cleared the almost unbroken forests and established a farm and a home for his family, where was born Mr. Dodge's father, James L. Dodge, in the first quarter of the last century. On this farm, James L. Dodge lived and died, and all his children, six sons including Fred B. Dodge, and three daughters, were born. The old farm is still the property of the Dodge family, and is owned and occupied by descendants of Mr. Dodge's grandfather. Mr. Dodge's mother was Mary Budreau, who was of French descent, and who died in the year 1865, when he was a lad.

Mr. Dodge's early education was obtained in the country schools of Leicester, and in a neighboring academy, where he prepared for college. He entered the University of Rochester, in the Class of 1874, but did not complete his college course. After two years in college, he entered upon the study of the law in the office of one of the leading lawyers of Livingston County. There he remained, reading much in English literature and in the Ancient Classics, as well as law, for several years, until finally he was admitted to the Bar of New York State, about the year 1877 or 1878. Soon after his admission to the Bar, he visited the West, in search of a city to his liking, where he might engage in the practice of his profession. He came to the City of Hastings, in this State, where he found a former college classmate and member of his Greek letter college fraternity, Delta Psi, Daniel Chamberlain, engaged in the practice of law. Mr. Dodge decided to settle in Hastings, and he and Mr. Chamberlain formed a copartnership for the practice of law that continued for several years.

Later Mr. Dodge was attracted by the growing importance of Minneapolis as a place of business, and, in the year 1881 or 1882, moved from Hastings to this City, where he entered upon the practice of law with Messrs. Giddings & Lane, who were carrying on a successful practice here in commercial law, and in insolvency cases under the old State Insolvency Statute, there having been at that time no Federal Bankruptcy Act or Court. Mr. Dodge afterwards became a law partner of Mr. Lane, — Mr. Giddings having withdrawn from the firm. For several years Mr. Dodge practiced law in copartnership with Mr. Lane, and they had an extensive commercial, insolvency and bankruptcy practice, extending over several States of the middle Northwest. Later the firm

was dissolved, and Mr. Dodge continued the practice of law alone, or in connection with one or more lawyers as junior partners, until the time of his death.

In the year 1885, Mr. Dodge married Etta E. Purinton, of Freeport, Illinois. She was an able, energetic woman, of versatile capacity, practical and economical, an excellent counterpart and of great help and assistance to him. Their married life was a happy one, and continued more than forty years or until 1926, when she died, leaving one son, George P. Dodge, who survives his father.

Mr. Dodge was a quiet man of retiring manners and rather reticent, While he had an extensive general acquaintance among business men and many friends, one must have known him somewhat intimately to know and appreciate the true character and solid worth of the man. Men of his nature do not shine as beacons from the housetop. His father and family were all Baptists in their religion, Republican in their politics, and were identified with the Republican party from its organization. He, with characteristic independence of thought, was an earnest Episcopalian in his religion, and a dyed-in-the-wool Democrat in his politics. By nature and early training he was, in his political philosophy, an Hamiltonian. Later, through his political and historical reading and studies and more mature reflection, he came to be a Jeffersonian, in politics. He was a great admirer of Thomas Jefferson and believed in his political philosophy, and especially as applied to the people of the American Republic. He always entertained a kindly feeling toward the people of the Southern States, even before the breach between them and the North, growing out of the Civil War, had been entirely healed; and this led him ultimately to become a

property owner in the State of Virginia, where he became possessed of a fine fruit orchard, wherein he could cultivate and exercise, in the home State of Washington, Jefferson, Madison and other great Virginians whom he venerated, his taste for fruits and flowers. In Virginia he cultivated and raised fruit, principally apples, in large quantities, and among them the famous Virginia "Albemarle Pippin", which he used to relate was the favorite apple of Queen Victoria, and imported by her from Old Virginia.

At Minnetonka Beach, where Mr. Dodge had early established his Minnesota home, he delighted in the cultivation of flowers, for which he had a great passion. He was for years the chief amateur gardener of the Beach, and studied good effects in the arrangement of the common varieties of shrubs and flowers, and was fond of experimenting with new and unusual varieties. He grew successfully many plants and flowers not commonly supposed to be adapted to this climate. It was a pleasant experience to call on Farmer Dodge, at the Beach, as he was called by his friends, and to be guided by him, with pardonable pride, through his garden, he pointing out the different varieties of flowers, calling them all by their correct botanical names, and reciting their history and telling where they were originally propagated. His flowers, together with his books, were the constant joy of his life.

Mr. Dodge was well-read in his profession of the law, and was an experienced and skillful practitioner. He studied and came to the Bar of New York State at a time when the change from the well-established and certain old Common Law and Chancery practice of that State to the Code practice was not fully completed and settled, and the Code itself was being

constantly amended and changed, and when there was more or less conflict in the decisions of New York's many Courts relating to practice and other questions, and when it used to be said that a New York decision could be found on almost any side of any legal question. All of this change and uncertainty tended to create more or less confusion in the mind of the law student, and did not encourage acquisition of a clear, accurate and scientific knowledge of the law. But when Mr. Dodge came to the West, and began the practice of law in a new State whose jurisprudence was developing under guidance of the able Minnesota Bar of those days, led by our State Supreme Court containing such men of ability as Chief Justice Gilfillan and Justices Mitchell, Berry, Cornell and others, he soon got his bearings and grew into a clear-headed and strong practitioner and lawyer. His practice was in all our State Courts and in the Federal Courts, including the Supreme Court of the United States.

But, like the late Senator Cushman K. Davis, of this State, it was not in the books of the law, but in the books of history and general literature, English and French, and in the Ancient Classics, that Mr. Dodge found greatest interest and delight. He was an excellent French scholar, and retained a workable amount of the Greek and Latin he had learned in his school and college days. Like his father before him, he was a wide and omnivorous reader. His reading, aside from books, magazines, periodicals and current publications of the day, was largely in modern literature and history, English and French, as well as in the history and literature of the past. He was a persistent reader of novels and short stories in English and French. He was fond of biography and read much poetry. He delighted in the curious, in books and in literature. He read so much that the sight of one of his eyes was destroyed

in his later years. Like Senator Cushman K. Davis, who was in the habit of arising at three or four o'clock in the morning, brewing himself a pot of coffee and then applying himself to his books until a late breakfast hour (although he was wont to say it was a habit he would not recommend others to follow), so Mr. Dodge used to arise at an early hour in the morning, fortify himself with a glass of milk and then apply himself to work in his garden or to his books, until breakfast time and the duties of his law office called him away. Mr. Dodge was an enthusiastic book collector. He liked to buy books and own them himself. It was a joy to him to own and keep on his library shelves the works of celebrated and well-known authors, ancient and modern. So while a young man, he began to collect choice books and continued to add to his collection from year to year until, at the time of his death, his private library had grown to be more than 1600 volumes. The volumes in his library were not brought together at random, but were all thoughtfully and carefully selected with respect to the authors, the subjects and the different departments of his library he was endeavoring to build up and perfect. His library is especially rich in Napoleonic literature and works relating to the French Revolution, and in writings and biographies, in French and English, of the men of that period, including a number of contemporary publications especially suited for the study of the lives of Robespierre and the Girondists. It has many works concerning Louis XIV. and the Old Regime, and the Regency of Louis XV. Among its many interesting old books is a copy of the Rouge Livre, published secretly in 1789, and containing a list of the personal annuities and pensions granted by Louis XVI., and of his personal expenditures. The library is very complete in works on American history and biography, and on English history and biography, and also in works on Greek and Roman

history and on Greek archaeology. Poetry and the drama, fiction and romance, are all well represented in scores of carefully selected volumes. The number of volumes of miscellaneous works is large and the authors and subjects are carefully chosen. Some of the books are first editions, and many of them are rare and of great interest and have attractive bindings. Mr. Dodge, however, did not buy books for the display of bindings; he bought them for the solid worth of their contents. He was a tireless student,— always studying or reading some work, old or new, that he had recently bought and placed in his library. If he had a dollar in his pocket, he would spend it for some book that he wished to read, and take the chance of being able later to replace the money to meet some more pressing want. He cared little for money, save as it enabled him to gratify his ideals or pursue his hobbies, He was much of an idealist. History, and literature in a broad sense, were the subjects he liked best. He took only a casual interest in the sciences, and their discoveries and developments. Mathematics did not interest him. While he enjoyed music and works of art, he exhibited no marked enthusiasm for them. The law, jurisprudence was to him not so much a noble science as a practical means of livelihood.

He was, through his Puritan ancestry on his father's side of the family, his early teaching, and his own convictions a religious man. For more than fifty years he was a member of Gethsemane Church, in Minneapolis. His interest in that Church and in the Episcopal Chapel, at Minnetonka Beach, continued as long as he lived.

He was a most hospitable man, — hospitable almost to a fault. No friend or acquaintance ever lacked a welcome at his

home, and most pleasant and tender memories are cherished by many who enjoyed his hospitality and close friendship. He enjoyed good things to eat and drink for both himself and his friends. He was in all respects essentially a bon vivant. He was a man who could say with Charles Lamb: "Give me the luxuries of life and I will dispense with the necessities."

Such is a brief sketch of the life, character and attainments of our fellow member of the Bar, neighbor and friend, Fred B. Dodge, a sound lawyer, a modest scholar and a cultivated gentlemen.

"Knowledge is proud that he has learned so much;
"Wisdom is humble that he knows no more."



Prepared and delivered by Ralph Whelan at a Special Term of the District Court on Saturday, February 8, 1936.

The photograph on the first page is from *Men of Minnesota* 155 (1915).

Related Memorial

"Clarence A. Webber (1866-1922)." (MLHP, 2015).

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