

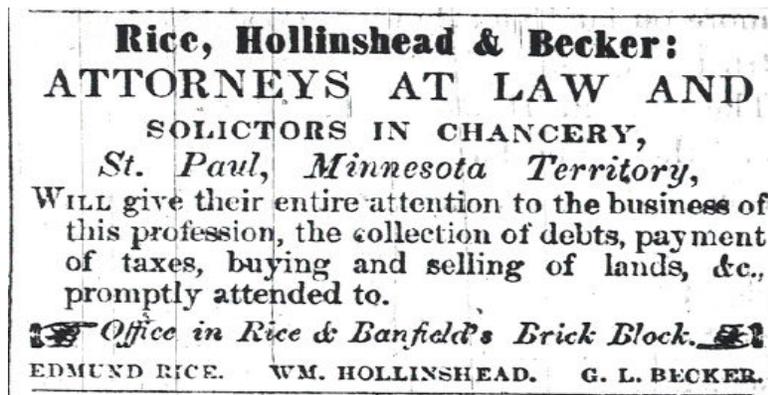
William M. Hollinshead

(July 1820 – December 25, 1860)

William M. Hollinshead was born in 1820 in Philadelphia. He was admitted to the Pennsylvania bar in 1842 and served one term in the state legislature. He married, was widowed and, perhaps as a consequence and with the encouragement of David Cooper, a justice on the Territorial Supreme Court, moved to Minnesota in 1850. After a brief stop in Stillwater, he removed to St. Paul and joined Edmund Rice and George Becker in the practice of law.

Rice, Hollinshead & Becker was the most prominent and politically-connected law firm during most of Minnesota's territorial period. Until the completion of the state capitol in July 1853, the Governor's office was kept in the firm's offices.¹

The firm's business card appeared on the front pages of territorial newspapers for several years. This from the *St. Anthony Express*, November 8, 1851:



And this from the *Minnesota Pioneer* on May 12, 1852:

¹ J. Fletcher Williams, *A History of the City of Saint Paul to 1875* 340 (St. Paul: Minnesota Historical Society, 1983) (published first in 1876 under the title, *A History of the City of Saint Paul, and the County of Ramsey, Minnesota*).

RICE, HOLLINSHEAD & BECKER.

Attorneys at Law and Solicitors in Chancery.
Will give their entire attention to the business of their profession. The collection of debts, payment of taxes, buying and selling of lands &c., promptly attended to.

Office in Rice & Banfill's Brick Block.

EDMUND RICE,
Wm. HOLLINSHEAD,
G. L. BECKER.

March 4, 1851.---13tf.

Rice left in 1855 to become a railroad executive. The two survivors placed this business card in *The Daily Minnesotian*.²

HOLLINSHEAD & BECKER.

ATTORNEYS AND COUNSELLORS AT LAW AND SOLICITORS IN CHANCERY. Office the same as the one heretofore occupied by Rice, Hollinshead and Becker.

W.M. HOLLINSHEAD,
St. Paul, May 31, 1855.

GEO. L. BECKER.
je2dtf

Becker departed in 1857, and Hollinshead continued on by himself. A very successful courtroom lawyer, he was besides an accomplished appellate lawyer. This was the era of the hand-written brief. In memorial proceedings after his death, Associate Justice Moses Sherburne recalled his briefs with admiration:

For four long years his papers came before me — they came before me almost always in his own hand-writing — volumes upon volumes of papers came in almost every day in his own beautiful hand-writing, without a single scratch or mark upon them, and every thing in wonderful perfection. I have remarked this an hundred times before. It is extraordinary. But that is not all. He came into court with his arguments — there never was a surplus argument or statement — it was an argumentative statement, not a word too

² *The Daily Minnesotian* June 28, 1856, at 1.

much, to drive out the subject matter — covering it simply — no more than covering it.³

In 1854 he ran for the Territorial House of Representatives as a Whig, but lost.⁴

He was, “for several years regarded as the leader of the Ramsey County Bar.”⁵ His devotion to the law was evident to the bench as well as the bar. At the July 1851 Term, he was appointed Reporter of the decisions of the Territorial Supreme Court. In 1853, those cases and those decided at the July Term 1852 reported by Isaac Atwater, were published as an Appendix to the Session Laws of 1853 under the titles “Hollinshead's Reports” and “Atwater's Reports.”⁶ In 1858, Aaron Goodrich, Moses Sherburne and Hollinshead were authorized to draft a report revising the laws of the new state.⁷

Thomas Newson painted the following sketch of him in *Pen Pictures*, a collection of brief biographies of early residents of St. Paul, posthumously published in 1886:

WM. HOLLINSHEAD — AS A LAWYER.

Mr. Hollinshead was born in Philadelphia about 1835; studied and practiced law in that city; was a member of the Legislature of that State; came to St. Paul in 1849, connected himself with Messrs Rice and Becker in the law firm of Rice, Hollinshead & Becker, which in its business was one of the largest law firms in the West, continued in this firm up to the time of its

³ Sherburne (1808-1868) served on the Territorial Supreme Court from 1853-1857.

⁴ J. Fletcher Williams, note 1, at 354.

⁵ Charles E. Flandrau, “The Bar and Bench of Ramsey County” 28 (MLHP, 2009) (published first, 1881).

⁶ Harvey Officer, “History of the Supreme Court of the Territory of Minnesota” in *1 Reports of Cases argued and Determined in the Supreme Court of the Territory of Minnesota* vii (1858)(MLHP, 2017).

⁷ Journal of the Minnesota House of Representatives, 1st Sess., March 24, 1858, at 594-5.

dissolution, and died at the age of thirty-nine years. Mr. Hollinshead's second wife was Miss Rice, sister of Henry M. and Edmund Rice, and is still living.

He was a clear-cut lawyer, and among the best that practiced at the bar. He made law his specialty, and what he knew he knew well. His cases were prepared with great care, and his papers were scrupulously neat and clean. He was also an excellent speaker, and it is said of him by a gentleman who lost his case when Hollinshead was his opponent— "D___n that fellow! he just came up before the jury, threw back his head, opened his mouth, and in ten minutes he had the twelve men by the ears. I knew I should lose my case when I saw him enter the court room, and I did."

He used clean English terms and conveyed his meaning in a very direct way. He was also a good writer. I remember an Article written by him in defense of the old \$5,000,000 railroad bond bill, which was published in the Times, and it was a masterly, piece of argument and sarcasm. It is generally conceded by all the old lawyers who knew Mr. Hollinshead, that he was an able man at the bar in his day, and had he lived he would have been the ablest lawyer of to-day, simply because he gave up all his time and his talents to the profession, and in it he excelled. I believe he never held any office, except as above.

HIS GENERAL APPEARANCE.

He was a large, bulky man, with a florid complexion, and possessed great energy, and resembled somewhat John Mathies. He came down the street like a cyclone, and when he appeared before a jury he overawed weak men by his impressive personality. He spoke right at his case, not round it, or over it, but pierced it with his arguments and throttled it with his vehemence. He was more like a lion shaking his

shaggy locks at his enemy, than an ordinary man, and when Michael E. Ames appeared as the counsel on the opposing side, the contrast was striking, as Ames was a perfect Chesterfield in manners, slender in person, and as gentle as a lamb. Hollinshead was a social man; liked good company, and after he had won his case, nobody enjoyed a pleasant "sit-down" better than he. He died in the full vigor of manhood.⁸

⁸ Thomas McLean Newson, *Pen Pictures of St. Paul, Minnesota, and Biographical Sketches of Old Settlers: From the Earliest Settlement of the City, Up to and Including the Year, 1857* 156-7 (1886). Hollinshead's article on the railroad bonds in the *Times* has not been located. "John Matheis," whom Hollinshead was said to resemble, may be John Mathes, a St. Paul tailor, described by Newson, note 8, at 357.

Newson was not the only writer to repeat anecdotes about Hollinshead. The following appeared in the last volume of Frank R. Holmes's history of the state, published almost fifty years after his death:

Among the characteristic personalities of the [Minnesota] House [of Representatives in 1870] was Abraham McCormack Fridley, a native of Corning, New York, of German descent. Formerly a Whig, he afterwards became a Democrat, and he was appointed in 1851 by President Fillmore, agent for the Winnebago Indians and stationed at Long Prairie. He studied law and was admitted to practice. In 1853, he removed to St. Paul and became sheriff of Ramsey County. The next year he changed his residence to St. Anthony Falls, and became a member of the Territorial Legislature. Subsequently he removed to Manomin, [now Fridley] and represented his district in the Eleventh, Twelfth and Thirteenth Legislatures. While a United States official he became financially involved with the Government. He was a delegate to the Democratic Conventions of 1860 at Charleston and Baltimore, and during his visit in the East there was found to be a balance of \$20,000 due him from the Government. Fridley had employed William Hollinshead, a noted attorney of St. Paul, to prosecute his Government claim, the attorney to receive a contingent fee of half the amount recovered. On his way to his Manomin home Fridley with his \$20,000 forgot to stop at St. Paul and settle with Hollinshead. The interested attorney, hearing of the arrival of his client in Minnesota, proceeded to equip himself with a revolver and visit the delinquent. On his arrival at Manomin the lawyer presented his case, and to enforce his claim produced the aforesaid pistol, declaring that the verdict was either \$10,000 in cash or the delinquent's life. It is perhaps needless to say that life won. Fridley graciously capitulated.

Frank R. Holmes, et al., *4 Minnesota in Three Centuries: 1655-1908* 36-7 (1908).

He died on December 25, 1860, aged forty. The *Daily Minnesotian* carried the story:

DEATH OF WM. HOLLINSHEAD. — In the midst of the holiday festivities, the people of St. Paul are called upon to follow to the grave one of her most distinguished citizens and brightest ornaments of society: Wm. Hollinshead died at his residence on Tuesday evening, about ten o'clock. The immediate cause of his death was apoplexy, the symptoms of his approaching dissolution having manifested themselves to an alarming extent on the Sunday evening previous.

Mr. Hollinshead was born in the county of Philadelphia, Penn., in the year 1820, and was consequently at the time of his death in the forty-first year of his age. He received his principal education at Newark, New Jersey, and entered upon the practice of the law in the city of Philadelphia in 1842. His success in the profession was marked at the start, he having earned at the very outset of his career a reputation that lasted through life. In 1844 he was elected a member of the Pennsylvania House of Representatives from the county of Philadelphia, in which capacity he served his constituents with distinguished ability. In 1846 he was a candidate [for the U. S. House of Representatives] in the third district of Pennsylvania, and came within a few votes of being elected over his competitor, Charles Brown [a Democrat].

Mr. Hollinshead left a lucrative practice in 1850 and came to Minnesota. His advent was at a time when few of his profession had preceded him to this Territory of 5,000 inhabitants. He first settled at Stillwater, at the instigation, we believe of his early home friend, Judge Cooper, then a member of the Supreme Bench of the Territory. He soon after, however, formed a business connection in St. Paul

with Edmund Rice and Geo. L. Becker, and it may be said, without disparagement to the surviving partners, that he was the principal, in law and in business, of the well known and successful firm of Rice, Hollinshead & Becker, until the dissolution in 1857.

Mr. H. leaves behind the reputation of lawyer in the truest and fullest meaning of the term. His great ability as an advocate—in fact we may say his transcendent ability among his fellows at this bar—is proverbial with the profession and among his fellow-citizens outside. His power of labor, his successful determination to accomplish legitimately whatever he undertook, we have never known equaled. The fact that he never was known in his practice to descent to a technical trick to accomplish success, added greatly to his moral force before a jury. A pettifogger, whether at the bar or at the bench, he despised; the unfortunate wight who crossed his path in this contemptuous capacity, never failed to receive the castigation his temerity deserved.

He was, however, a man of quick impulse; and consequently we do not claim that he was always right. But he was honest, and always *believed* himself right.

As a citizen, Mr. Hollinshead was a man of enterprise always lending the aid of his talents and money to every public improvement which he thought would advance the interest of his adopted State. As a friend and companion, he was warm-hearted and genial to a fault. As a husband and father, none was ever more lavish in his kindness and affection.

Mr. Hollinshead, after his removal to Minnesota, married, as his second wife, the only sister of Hon. H. M. Rice, whom he leaves a widow with two orphan

children. His funeral takes place today at one o'clock from his late residence in the Fourth Ward. ...⁹

This is the account in the *Pioneer and Democrat* of the Bar Association's memorial proceedings held on December 26:

RAMSEY COUNTY BAR ASSOCIATION.— A special meeting of the Association was held yesterday at the Supreme Court Room.

Gov. Gorman presided, and announced the death of William Hollinshead, a member of the Association.

John B. Brisbin moved that a committee of seven be appointed to draft suitable resolution for the occasion, which was carried.

The President appointed as that committee, Messrs. John B. Brisbin, David Cooper, George L. Becker, Henry J. Horn, H. F. Masterson, M. E. Ames and Henry L. Moss.

The committee retired, and subsequently reported the following preamble and resolutions:

Whereas, It has pleased an all-wise God, for purposes inscrutable, to remove from our midst by

⁹ *Daily Minnesotian* (St. Paul), December 27, 1860, at 1. It concluded:

Below we append the proceedings of the Bar Association and the Supreme court had yesterday in connection with this sad bereavement.

At eleven o'clock the death of Mr. Hollinshead was announced to the Supreme Court by Henry J. Horn, Esq. whereupon Gov. Gorman, President of the Ramsey County Bar Association, suggested that the Court take a recess, in order to allow the Association to pay the proper testimonials of respect to the memory of the deceased.

The Court accordingly took a recess for thirty minutes.

The President, having taken the chair, and called the Association to order...

The *Minnesotian's* account of the bar proceedings is nearly identical to the *Pioneer and Democrat's*.

death, William Hollinshead, Esq., one of the oldest, most esteemed and distinguished member of the Bar of Ramsey County, therefore,

RESOLVED, that the decease of Mr. Hollinshead is a bereavement at once to society, and to the legal profession, and an event full of painful admonitions to us who survive, to be “also ready.”

RESOLVED, That in the death commemorated we have lost a genial companion, a faithful friend, and a distinguished lawyer, and that our cause of sorrow is common with the entire community, by which he was endeared, by the acts and associations of a life, as we believe, “without fear and without reproach.”

RESOLVED, That we tender to the family of the deceased, our sympathy in the event which has deprived it of a husband, a father and a friend, and humbly commend each individual to that Being who attempers his chastisements with mercy.

RESOLVED, That the members of the Bar will attend the funeral of the deceased in a body, and will wear crape for the space of thirty days.

RESOLVED, That the secretary be requested to forward a copy of these resolutions to the family of the deceased, and incorporate them upon the records of the association.

J. B. Brisbin D. Cooper
G. L. Becker H. J. Horn
F. Masterson M. E. Ames
 H. L. Moss

The question being upon the passage of the resolutions:

Geo. L. Becker said: Having been for many years associated in business with him whose death we are

met to commemorate, and having been for a still longer period a warm and familiar friend, IL may perhaps indulge in a few remarks upon his character as a friend and a lawyer. Mr. Hollinshead removed from the State of Pennsylvania in 1850, and located in Stillwater. He afterwards removed to this city and formed a partnership under the name of Rice, Hollinshead & Becker, which continued until the year 1857; and during its existence no man perhaps had a better opportunity of knowing what his character was, and what his habits were, and how to estimate his for his virtues and his worth than I have had. He came here, as I have said, in 1850, and therefore may be ranked as one of the oldest members of the bar, and up to the day of his death had an extensive practice. He was diligent, and was distinguished for his courtesy, his honor, and integrity. I believe you will all bear me witness, gentlemen, that through the long years of his practice here, he has been always noted for his professional honor, and for his regard for the feelings of others with whom he came in contact. He was very diligent, and I believe could present a career with more clearness and fullness than almost any other member of the bar. He was warm-hearted. He had his faults, he was a man of impulses, and no man who had the friends that he had could but have some enemies. But I am not here to number his faults. We are about to deposit his remains in the cold grave. I am satisfied that there is no man at the bar whose loss would be felt more, who merit the reputation of an eminent lawyer more than Mr. Hollinshead, and in common with all, I mourn not only the loss of him at the bar, but of an intimate friend, whose memory I shall ever revere and ever honor.

Henry J. Horn said: I became early acquainted with Mr. Hollinshead in his native State, Pennsylvania, some fifteen years ago, then quite a young man. Mr. Hollinshead commenced a brilliant career, and

during these few years, where progress is necessarily slow and advancement difficult, he earned a name and fame which he has sustained in this State. In about the year 1850 he resolved to venture out to the Territory of Minnesota, and it was my good fortune to part with him then full of anticipations of the future in this rising State. It is not my duty to dilate upon his professional career here, since it is so well known that it call no eulogium from me. It is sufficient to say that he was the father of the Minnesota bar. I think from the examination of the proceedings of our courts that it will be found that he was the first, or among the first, who addressed the Supreme court of Minnesota in a litigated case. The "Hollinshead Reports," which are the first upon the record, show hardly a case of importance in which he did not figure as counsel. With respect to his qualities as a friend, I can speak more knowingly, for it was my good fortune to be an intimate friend of his. Warm and impulsive to a fault, he would go further for a friend than perhaps his interests, or the interests of others should have allowed. This was his characteristic.

[U. S. District Court] Judge [Rensselaer R.] Nelson spoke of the melancholy event that had cast a gloom over all, and particularly over the members of our profession. It was my good fortune, Mr. President, to know the deceased from his early advent among us. My respect for his great intellectual powers, and for the wonderful force of his logic, was only equaled by my admiration for the high social qualities of the man. His genial nature endeared him to all who came in contact with him. And when such a man is suddenly stricken down among us, his loss is felt by all classes of the community. I did not rise, Mr. President, to make any remarks upon the virtues and high qualities of the deceased, but merely to add my feeble tribute, in unison with the sentiments

which have been expressed by those who have preceded me.

Judge [David] Cooper said: As a member of this Association, I rise to speak briefly in reference to the resolutions before us. I have, perhaps, known the deceased for a longer period than any other member of this bar, my acquaintance with him having commenced as early as 1844, when he was a member of the Pennsylvania Legislature; and as a member of that body, though but young, none stood higher; esteemed by all who knew him, not only in consequence of the marked ability which he evinced as a member of that body, but for those high social qualities which have endeared him to his friends here. Mr. Hollinshead, though young in years at the time of his decease, had attained a distinction at this bar and through the State, for his worth and integrity. As a man, he was kind, generous and public spirited. As a friend, warm and impulsive to a fault. As a father and husband, none of us can appreciate him. His family alone, and those to whom he was endeared by his affectionate heart, alone know how to appreciate him in that relation. There is much that might be said with reference to his career as a lawyer, his conduct as a man and a friend, and in all those relations calculated to attract the attention of men and endear him to every one.

Wm. Sprigg Hall spoke of the shock he received this morning upon leaving his home, with the pleasing recollection of the festive gaities of the preceding day, when he heard of the sudden death of Mr. Hollinshead. He continued at some length to speak of the marked qualities of the deceased.

John B. Brisbin said he should do injustice to the sentiments of his heart, and to the impulses of his nature, were he to omit to express his feelings upon this sad occasion. I have known Mr. Hollinshead

ever since my advent to this State. Perhaps it would not be too much to say that he has continued to be, up to the present time, *facile princeps* of the Bar.

I should fail in stating my appreciations, were I not to say that he had not superior and in many respects, no equal at the bar of Ramsey County. It has been my experience to know that there was not a member of the profession who had the force and influence of Mr. H. before a jury. He had an eloquence and grasp of facts,—a power of analyzation such as is possessed by no other member of this bar, and added to that, (which always carries its weight with a jury,) he had the presence which came from his honesty and his geniality, which attached him to his associates of the bar and juries. He was, perhaps, no less distinguished in this more elevated and serene tribunal. It is unnecessary for me to add with respect to his general and social qualities as a man, qualities which have endeared him to us all, and which have found expression on this occasion. These sentiments too deep for utterance — to deep for tears. No member of this bar was more fully and entirely respected, and, as has been already suggested, after the festivities of yesterday, the solemn contrast of to-day has added mournfulness. It is sad to think that he who but yesterday, as it were, full of lusty life, should now be cold---this juxtaposition of festivity impresses upon us the language of the poet who wrote at one this own history and epitaph”

“There is no music in the life
That rings with idiot laughter solely,
There is not a string attuned to mirth,
But has some chord of melancholy.”

Michael E. Ames followed with some interesting recollections of the deceased, and a warm tribute of his appreciation of his abilities and character.

Judge [Moses] Sherburne spoke of the vacant seat once occupied by Mr. Hollinshead. He said it is an occasion for those remaining to consider the subject of death. I was acquainted with Mr. Hollinshead from 1850. He was the pioneer of the bar of this country—and was the pioneer of legal learning—and was a pioneer in all the genial qualities, qualities which honor the hearts of human beings. I learned that more than ten years ago. I came here in 1853, and perhaps have known as much almost, as any friend of his legal character, his social character, and all that pertained to the man. He had qualities which no other man possessed. And when I say that I do not mean to make the simple statement that he was the greatest man on earth, but I have never in my lifetime known a man who accomplished so much, so well, and was so able in his profession. For four long years his papers came before me — they came before me almost always in his own handwriting — volumes upon volumes of papers came in almost every day in his own beautiful hand-writing, without a single scratch or mark upon them, and every thing in wonderful perfection. I have remarked this an hundred times before. It is extraordinary. But that is not all. He came into court with his arguments — there never was a surplus argument or statement — it was an argumentative statement, not a word too much, to drive out the subject matter — covering it simply — no more than covering it. But there is another thing. In all the time I have known the man, I never knew from him a trick in Court. Reliable at all times, his word was as good as his bond. I have practiced with him at the Bar, and always found him the same — faithful, honest, and upright, and possessed of all those courtesies which belong to the gentleman. Never was a favor asked of that man that was not granted, if possible, at all times. He has gone, and has left us suddenly, unexpectedly, and

there is a vacant place at this Bar, and it will be a long day before that place will be filled.

W. H. Peckham followed in a few feeling remarks.

The resolutions were unanimously adopted, and Gov. Gorman was requested to present them to the Supreme Court, and to the District Court of Ramsey County.

It was voted that the members of the Bar would meet at the office of Judge Cooper at 12½ o'clock, to proceed to attend the funeral of the deceased at 1 o'clock.

After voting to hold a meeting on Saturday evening for the election of officers, at the office of Smith & Gilman, the Association adjourned.¹⁰

The *Daily Minnesotian* described the conclusion of the memorial proceedings in the Supreme Court:

Each of the members of the Court, commencing with Judge Atwater, made remarks appropriate to the solemn occasion; Judge Flandrau concluding with announcing the order of the Court, which was that the request of the Association be granted, and that as a mark of respect to the memory of the deceased, the Court adjourn till Friday Morning. The Court then adjourned.¹¹

¹⁰ *The Pioneer and Democrat* (St. Paul), December 27, 1860, at 1.

¹¹ *Daily Minnesotian*, note 6. Almost thirty years later Flandrau recalled Hollinshead in a magazine article on the county bench and bar:

William Hollinshead of Philadelphia arrived in St. Paul in 1850. He was an able man and good lawyer, and for several years was regarded as at the head of the Ramsey county bar. On March 4, 1851, he entered into partnership with Edmund Rice and George L. Becker, forming the firm of Rice, Hollinshead & Becker, which was as long as it lasted the most prominent law firm in Minnesota. Mr. Hollinshead married a sister of Henry M. and Edmund Rice. He left several children, one of whom, Edmund R. Hollinshead, became a lawyer and practiced in

Related Articles

“Edmund Rice Hollinshead (1855-1883)” (MLHP, 2018).

Cases in which Rice, Hollinshead & Becker represented a party on appeal to the Territorial Supreme Court can be found in Harvey Officer, editor, *Reports of Cases argued and Determined in the Supreme Court of the Territory of Minnesota* (1858)(MLHP, 2017).

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Posted MLHP: July 15, 2018.

St. Paul until his death. Mr. Hollinshead was a very impressive speaker and carried great weights with courts and juries.

Charles E. Flandrau, *The Bench and Bar of Ramsey County: Part II* 30 (MLHP, 2008-2009) (published first in 8 *Magazine of Western History* 61-62 (1888)).

Hollinshead’s granddaughter, Cornelia, was the wife of George W. Morgan (1884-1957), an attorney with Briggs & Morgan, a St. Paul firm. For his bar memorial see “Ramsey County Bar Memorials – 1958” 22-26 (MLHP, 2016).