

In Memoriam

CHARLES GUY LAYBOURN

March 23, 1851 - October 18, 1919



Minnesota State Bar Association  
State Convention  
St. Paul, Minnesota  
August 1920

Many lawyers in nineteenth century American had a common experience: they taught school before they were admitted to the bar. Some taught multiple grades in country schools, others in established academies. Among them was Charles Guy Laybourn, who began teaching when he was a teenager. He left teaching for carriage making but was injured, making that trade impossible.

He decided to become a lawyer. Admitted to the Iowa bar in 1881 at age 31, he practiced in Creston, Iowa, before moving to Minneapolis in 1885. There he opened his own shop and developed a successful specialty in commercial and insurance law, particularly life insurance. Sometime along the way, he developed a consuming ambition to become a judge.

In 1900 he entered the Republican Primary for Judge of the Fourth Judicial District. There were three candidates competing for one seat on the bench. Incumbent Charles Elliott was well-known, having served as Judge of Municipal Court from 1890 to 1894, when he was appointed to the District Court. He was elected that year to a six year term and was seeking reelection in 1900. John Steele had served as Probate Judge from 1893 to 1896 (and would be appointed to the district court in 1910). Against such opposition, Laybourn did not have a chance and came in a distant third.

Republican Primary Election  
District Court  
(September 18, 1900)

Charles B. Elliott (inc).....	11,148
John H. Steele.....	7,939
Charles G. Laybourn.....	4,715 <sup>1</sup>

This loss did not diminish his self confidence. This is evident from his biographical sketch published in *History of the Great Northwest and Its Men of Progress*, published by subscription in 1901. Subscribers to history books such as this either wrote or heavily edited their biographies and, as a consequence, they were flattering. Laybourn followed this custom:

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<sup>1</sup> *Minneapolis Journal*, September 20, 1900, at 6. In the November election Elliott defeated John W. Arctander, the Democratic candidate:

Charles B. Elliott (R & Inc).....	23,903
John W. Arctander (D).....	17,824

1901 Blue Book, at 539.

LAYBOURN, Charles Guy. – Few men in professional circles have had more experience touching various walks of life in a practical way than has Charles G. Laybourn, the well known attorney of Minneapolis, Minn., prominently supported at the primaries of 1900 for judge of the district court. He was a farm boy, born at his father's farm near Springfield, Clark county, Ohio, March 23, 1851. His father, Joseph Laybourn, was also born on a farm in the same neighborhood and spent his life within six miles of his birthplace, dying at the age of sixty-three on his homestead in 1883, having one of the best improved farms in central Ohio. The Laybourns were anciently New Yorkers. Great-grandfather Christopher Laybourn was one of the early mayors of New York city. He was noted for his scholarly attainments, particularly in mathematics. At one time he was the owner of a large portion of the land now covered by the city of Rochester, N. Y. He was one of the most prominent men of his time. Charles G. Laybourn's mother's maiden name was Ann Kirkley. Her parents were natives of England. They settled in central Ohio when Ann was a child, and died shortly after, leaving the little girl to be adopted by one of the most respected families of the country, where she was properly reared and educated.

Young Laybourn received his earliest school training in the "little red brick school house on the hill" near his father's farm – a school noted for having capable teachers, as well as for strict discipline. At fourteen, having completed the district school course, he was sent to a select school of high reputation. His advancement was such that at sixteen years of age he passed an examination before the county superintendent of schools and obtained a "first grade" certificate to teach. He then engaged in teaching in his native county. After some experience in this work he learned the trade of carriage making, and followed it until he met with an accident, which disabled him from pursuing his trade. He then took up teaching again. To fit himself for a higher grade of work he entered the Illinois State Normal University at Normal, Ill., in the spring of 1874, and four years later graduated with honor in both the normal and classical courses of that institution. He then accepted a position as teacher in Markham's Academy at Milwaukee, preparing young men for Eastern colleges.

After two years of this service he took up the study of law and entered the law department of the University of Michigan at Ann

Arbor, finishing his course in the spring of 1881, when he immediately began practice at Creston, Iowa. His thorough literary education and his studious habits enabled him to pass a phenomenally creditable examination for his admission to the bar. In proof of his thorough equipment for his chosen profession it may be mentioned that within a month of his leaving school he was engaged in the trial of cases at the bar and soon had a practice which was as lucrative and as extensive as that of most of the oldest lawyers at the bar. He however desired a larger field.



CHARLES G. LAYBOURN.

After four years' practice at Preston he set out in search of a suitable place, visiting Kansas City, Omaha, and Minneapolis. He finally chose the latter as the most promising and settled there in June, 1885. His success was almost immediate. Mr. Laybourn's

practice has been general in its scope, but the most extensive in commercial and insurance law. He is at present legal adviser and attorney for some of the oldest and most prominent firms in the city, and has a large practice. Fraternal benefit associations frequently call upon him to represent them in contested claims, because of his success in this department of law. The Modern Woodmen of America, probably the largest of these associations, has frequently retained him and has honored him still further by making him chairman of the law committee of the order. His experience as a skilled accountant, which among other accomplishments he has acquired, has no doubt been of great service in many cases where he has won suits.

He is a member of the leading societies and fraternities and of the Commercial Club, and takes such an active interest in public affairs that he has literally a "host" of friends who are warm advocates in urging him for a position on the bench, for which he is so well qualified by learning, ability, and wide experience outside of his profession.

In 1888 he was married to Blanche Gove, daughter of Captain Gove, of Creston, Iowa. They have four children, two boys and two girls. Their youngest, twelve years of age, are twins a boy and a girl. <sup>2</sup>

The "host" of friends who were warm advocates in "urging him for a position on the bench" succeeded in 1904, when he decided to run in the Republican Primary for four open seats on the Hennepin County District Court. In their primaries each major party selected four candidates to run in the general election—in other words, it was a "top four" primary. Laybourn faced heavy odds because there were five Republican incumbents seeking to retain their jobs. He came in 8th in a field of 14.

Republican Primary Election  
District Court  
(September 21, 1904)

H. D. Dickinson (inc).....	12,655
A. M. Harrison (inc).....	12,299
John Day Smith (inc).....	10,258

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<sup>2</sup> Hugh J. McGrath & William Stoddard, eds., *History of the Great Northwest and Its Men of Progress* 570-571 (1901)(the photograph on page 4 is from this book).

Andrew Holt (inc).....	10,218
Willard R. Cray (inc).....	9,588
F. H. Boardman.....	8,938
Frank Healy.....	8,931
Charles Laybourn.....	7,855
Fred B. Snyder.....	6,292
James D. Shearer.....	4,877
Charles S. Cairns.....	4,825
Lewis C. Gjertsen.....	4,104
M. P. Brewer.....	2,830
Albert C. Middlestadt.....	1,703 <sup>3</sup>

Two years later he was again a candidate for the district court. In the Republican Primary he was opposed by four other lawyers. This time he ran advertisements in city newspapers. From the *Minneapolis Journal* two days before the primary:<sup>4</sup>



<sup>3</sup> *Minneapolis Journal*, September 26, 1904, at 6. The general election on November 8, 1904, was a “top four” election. Republicans Andrew Holt and Horace Dickinson and Democrats Frank Brooks and John Day Smith were elected.

Alexander M. Harrison (R, inc).....	21,824
Andrew Holt (R).....	23,678
Horace D. Dickinson (R).....	22,944
John Day Smith (R).....	22,212
Frank C. Brooks (D, inc) .....	23,248
Charles M. Pond (D, inc).....	17,879
William H. Vanderburgh (D).....	10,106
Elijah Barton (D).....	9,260

*Minneapolis Journal*, November 15, 1904, at 5; 1905 Blue Book, at 512-14.

<sup>4</sup> *Minneapolis Journal*, September 16, 1906, at 8.

They did not help. He came in last in the field of five.

Republican Primary Election  
District Court  
(September 18, 1906)

Alexander M. Harrison.....	9,105
Frederick H. Boardman.....	7,229
Ell Torrance.....	7,052
F. C. Harvey.....	6,088
Charles G. Laybourn.....	3,926 <sup>5</sup>

Three defeats in three elections must have hurt, especially for a lawyer with his ambitions. The next year he placed his resume, sans election losses, in *Little Sketches of Big Folks*,<sup>6</sup> and in 1908 he dusted off and condensed the lengthy biography in *History of the Great Northwest and Its Men of Progress* for inclusion in Henry Hudson's *A Half Century of Minneapolis*.<sup>7</sup>

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<sup>5</sup> *Minneapolis Journal*, September 20, 1906, at 9 (9 precincts missing). In the general election on November 6, 1906, Democrat Frederick V. Brown defeated Republican Alexander M. Harrison:

Frederick V. Brown.....	23,642
Alexander M. Harrison.....	17,253

1907 Blue Book, at 492.

<sup>6</sup> *Little Sketches of Big Folks* 235 (1907). It was here that he stated that “life insurance” was his specialty.

<sup>7</sup> His biography now read:

LAYBOURN, Charles G., was born at Springfield, Clark county, Iowa, March 23, 1851, the son of Joseph Laybourn and Ann (Kirkley) Laybourn. His father was a native of Clark county, and was descended from an old New York family which counted among its members one of the early mayors of New York City. His mother was of English descent, her parents' family having settled in central Ohio when she was but a child. Mr. Laybourn's schooling was had in the district school near his father's farm, supplemented by a course at a private school in which he made such progress that, at the age of sixteen, he was able to obtain a first grade teacher's certificate. For some time he was engaged in teaching, but interrupted this work to learn the trade of carriage making which he followed until he met with a disabling accident. He then took up teaching again and desiring to secure a higher education entered the Illinois State Normal University at Normal, Illinois, in 1874, four years later graduating with honor in both the normal and classical courses. For two years following his graduation he was a teacher in Markham's Academy, Milwaukee, resigning to take up the study of law. He entered the law department of the University of Michigan, graduated in 1881, and immediately began practice at Creston, Iowa. He made rapid progress in building up a practice, but after four years, wishing a wider field, he came to Minneapolis where he has been engaged in practice since 1885. While Mr. Laybourn's practice is general it has been perhaps most extensive in commercial and insurance law. He has been frequently retained by fraternal insurance orders. Mr. Laybourn is a member of the leading organ-

In a special session of the 37th Legislature in 1912, partisan elections for the bench were abolished.<sup>8</sup> Henceforth ballots for judicial candidates would not list their party affiliation. Candidates would run without party endorsement (although far into the 1920s political parties continued to endorse candidates). This change must have rekindled Laybourn's interest in the bench because in 1914 he launched his candidacy, his fourth, for a seat on the Hennepin County District Court. He was 63 years old, had practiced in Minneapolis since 1885 and must have been acquainted with many of the nearly 500 lawyers then practicing in the city. But lawyers are shrewd appraisers of judicial temperament and ability. In a survey of the bar's preferences released two weeks before the election, Laybourn was tied for last in a field of six, as reported by the *Minneapolis Morning Tribune*:

### Sitting Judges Favored

Members of District, Municipal  
and Probate Courts Satisfy  
Hennepin Lawyers.

The lawyers in Hennepin county would re-elect the sitting [district] judges in the coming election if the matter was left to them. They would do the same thing in the case of the municipal judge and the judge of probate.

A canvass has just been completed among the members of the Minneapolis Bar association. Judges John H. Steele, Joseph W. Molyneaux and Daniel Fish are the favorites for the district bench, all of them getting more than 300 of the 468 votes cast. William B. Anderson comes fourth and Charles G. Laybourn and Frank Healy are tied for last place. The vote was distributed as follows: Steele, 325; Molyneaux, 318; Fish, 305; Anderson, 161; Healy, 73; Laybourn, 73. John H. Dahl, judge of probate, is given 382 votes to 53 votes for O. M. Peabody, his opponent. Judge W. W.

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izations, social and fraternal, and takes an active interest in public affairs as well as in politics. He has been several times mentioned as a candidate for the district bench and has received very complimentary support at the primary elections for this office. In 1883 he was married to Miss Blanche Gove of Creston, Iowa, and they have four children two boys and two girls.

Horace B. Hudson, "Courts and Lawyers of Minneapolis," Chapter 12 in *A Half Century of Minneapolis*, subtitled, *A concise account of the principal events in the period of discovery, exploration, and settlement, and during the half century of territorial and state government* 158 (1908) (MLHP, 2013-2015).

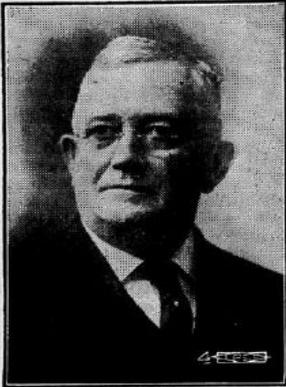
<sup>8</sup> 1912 Laws (special sess.), c. 2, §182, at 4-7 (effective June 19, 1912).

Bardwell of the municipal court is given 388 votes against his opponent, John R. Coan.

All of the lawyers in Hennepin county actively engaged in the practice of law were permitted to vote. There were 468 votes cast. Of this number, 18 were rejected for failure to comply with the rules governing the voting. The executive committee of the bar association made the poll public.<sup>9</sup>

Undeterred Laybroun placed advertisements in *Echo de l'Quest* and *The Irish Standard*:<sup>10</sup>

**ANNONCE PAYANTE**  
préparée par A. H. Demoules, Cont \$7.50



**CHAS. G. LAYBOURN**  
 Candidat comme Juge du District

Nous sommes heureux de présenter à la considération de nos lecteurs le nom de Charles G. Laybourn comme candidat au poste de juge de la Cour du District du Comté de Hennepin. M. Laybourn réside à Minneapolis depuis 30 ans et comme avocat a été engagé dans de nombreuses et importantes causes et a plaidé dans toutes les Cours de la ville et des Etats-Unis. C'est un avocat du type le plus élevé et sa pratique a été tellement variée qu'il est hautement qualifié à se prononcer sur toutes les questions qui lui seront soumises. Il a aussi été très actifs dans les organisations fraternelles et fut pendant de nombreuses années le président du "National Law Committee" des "Modern Woodman of America" dont il fut, ainsi que pour d'autres organisations, l'avocat.

Il est très bien connu et sa conduite a été si démocratique qu'il s'est attiré l'attention de toutes les classes. Il n'a jamais été l'avocat des intérêts spéciaux et est qualifié par son tempérament et son expérience d'exercer sans préjudice l'office de juge.

**PAID ADVERTISEMENT.**  
Prepared by Wm. J. Egan ordered  
 run by James Lambrecht, cost \$15.00



**CHARLES G. LAYBOURN**  
 Judge of District Court.

Thirty years of active and successful practice as attorney at law in the courts of this state, qualifies and entitles Charles G. Laybourn to a place on the bench, Mr. Laybourn is a candidate for Judge of District Court and his long record as a successful lawyer is his best recommendation for the Judgeship.

Among the many and complex cases which fall to the lot of a prominent lawyer there are many which involve almost every point at law and the attorney in the case gains an experience from the diverse evidence brought forth in the various cases, from the opinions of the many juries which hear counsel for both sides, and from the decisions of the Judges who try the cases, which fits him to become a dispenser of justice.

During the thirty years of Mr. Laybourn's practice he has won over eighty per cent of his cases, establishing a precedent among the members of the bar and demonstrating his own keen insight into the most complex and intricate cases. This knowledge will stand him in good stead on the bench of the District Court.

Mr. Laybourn was educated in the Normal School of the University of Illinois and the Law School of the University of Michigan having received his Bachelors and Law degrees after years of hard work paying his own expenses through both schools. Since he has been a practicing lawyer in Minneapolis he has always given his best efforts and his financial support to any movement for the improvement of the City and he would appreciate your support in the election of November third.

<sup>9</sup> *Minneapolis Morning Tribune*, October 21, 1914, at 8.

<sup>10</sup> *Echo de l'Quest*, October 23, 1914, at 1; *The Irish Standard*, October 24, 1914, at 2 (right).

He also ran the following ad with columns of endorsements from lawyers and businessmen in the *Minneapolis Journal* the day before the election:



**PAID ADVERTISEMENT** Prepared and inserted by Dan Davenport, 418 Phoenix Building, for Charles G. Laybourn, candidate for Judge of the District Court, for which he is to pay \$85.26.

# "Laybourn for Judge"

An Endorsement of  
**CHARLES G. LAYBOURN**  
 The People's Candidate for  
**JUDGE OF THE DISTRICT COURT**

TO THE VOTERS OF HENNEPIN COUNTY:—

CHARLES G. LAYBOURN is a candidate for one of the three places on the District Bench of this County, and we believe that he should be elected. Mr. Laybourn represents the highest type of American citizenship, and has for thirty years been in the active and successful practice of law in the Courts of this State. He is an able lawyer, and his experience has been such as to give him that judicial temperament which best fits a man for the position. He is absolutely free from any special interests, and, in our opinion, will make an ideal judge.

We earnestly ask your support and co-operation in securing his election on November 3rd.

HENRY DEUTSCH, Chairman,  
 Attorney at Law.  
 D. W. LONGFELLOW,  
 Longfellow Bros. & Co.  
 R. D. MATCHAN, M.D.,  
 Masonic Temple.  
 W. B. ROBERTS, M.D.,  
 Pillsbury Building.  
 WALTER D. BOUTELL,  
 Boutell Bros.  
 H. J. DAHN,  
 President North Side State Bank.  
 H. L. MURRAY,  
 Murray Coal Co.  
 J. E. MEYERS,  
 General Agent Aetna Life Ins. Co.  
 STEWART GAMBLE,  
 Gamble & Ludwig, Druggists.  
 O. E. NAEGELE,  
 formerly President Germania bank.  
 LEONARD PAULLE,  
 L. Paulle Co., Show Cases.  
 THEO. L. HAYS,  
 President Twin City Scenic Co.  
 JAMES DONAGHUE,  
 Tift-Donaghue Investment Co.  
 CHARLES WILKINS,  
 Chas. Wilkins & Co.  
 E. G. CHAPMAN,  
 Secretary Belt Line Brick Co.  
 LEON C. WARNER,  
 Warner Hardware Co.  
 G. E. DUTTON, M.D.,  
 Health Commissioner.  
 C. I. MUNZER,  
 Hummobile Agency.  
 REV. M. O'BRIEN,  
 8115 West Forty-fourth street.  
 T. N. KENYON,  
 Prop. Kondon Mfg. Co.  
 ELMER A. BROOKS,  
 Brooks-Evans Piano Co.  
 H. J. CLARK,  
 Clark's Box Factory.  
 E. J. FAIRFIELD,  
 Lindsay Brothers.  
 T. M. PARTRIDGE,  
 Partridge Lumber Co.  
 W. F. SHORT,  
 E. E. Atkinson Co.  
 GEO. W. LUGSDIN,  
 Lugsdin & Co., Furriers.  
 T. V. MOREAU,  
 Optician.  
 LEOPOLD METZGER,  
 Metzger & Co.

R. H. WINTER,  
 Secretary Winter Jewelry Co.  
 J. E. BOUTELL,  
 Boutell Bros.  
 S. H. CLAUSIN,  
 President S. H. Clausin Co.  
 JAMES F. ELLS,  
 National School of Salesmanship.  
 C. L. EGAN,  
 Business Agent Steam Fitters' Union.  
 H. R. SHEPARDSON,  
 Manager Loose-Wiles Biscuit Co.  
 A. J. ATKINS,  
 Manager Hoover Grain Co.  
 ED. E. SCHOBBER,  
 Secretary and Treasurer Phoenix Mill Co.  
 J. W. YOUNG,  
 Manager Athletic & Boat Club.  
 JOHN E. STAIR,  
 Stair, Christiansen & Timmerman.  
 DON E. McLENNAN,  
 Conroy & McLennan, Insurance.  
 O. P. HOLMAN,  
 President Holman-Gerdes Co.  
 T. H. WELD,  
 Weld & Sons, Jewelers.  
 JAMES A. TYLER,  
 Tyler & Co., Builders.  
 C. W. MENEILLEY,  
 Chas. W. Meneilley, Grocer.  
 JOSIAH HARTZELL, D. D. S.,  
 Masonic Temple.  
 B. G. BENSON,  
 N. W. Agent Cunard Steamship Co.  
 S. G. FULCRUT,  
 N. W. Agent Red Wing Adv. Co.  
 JAMES A. LEWIS,  
 Lewis Insurance Agency.  
 C. A. HOFFMAN,  
 Hoffman & Co., Opticians.  
 FRANK T. BOHEN,  
 Bohem Insurance Co.  
 CYRIL MITCHELL,  
 Mitchell Printing Co.  
 PAUL D. WEBSTER,  
 Webster Lumber Co.  
 JOHN W. BRYANT,  
 Eagle Foundry.  
 JAMES T. BOUSTEAD,  
 Prop. Boustead Electric & Mfg. Co.  
 W. E. STILL,  
 Sales Agent Zenith Furnace Co.  
 S. A. STOCKWELL,

JOHN G. McHUGH,  
 Secy. Chamber Commerce.  
 JOHN COGAN,  
 New York Life Insurance Co.  
 EDWARD H. COBB,  
 Hydraulic Press Brick Co.  
 F. E. BAKER,  
 President Minnesota Dry Milk Co.  
 J. A. L. WALMAN,  
 Optician.  
 B. W. PLACE,  
 Attorney, Plymouth Building.  
 DANIEL F. FOLEY,  
 Attorney, Corn Exchange.  
 W. F. OLSON,  
 Cashier Mercantile State Bank.  
 M. P. HOBART,  
 Real Estate & Loans.  
 M. S. SIMENSON,  
 Attorney.  
 ERLE L. LUCE,  
 Luce Line.  
 HARRY W. GREEN,  
 Jeweler.  
 T. JOHNSON,  
 Lindquist Piano Co.  
 FRED S. HEAD,  
 Mgr. Marsh-McLennan Co.  
 HENRY O. DOELTZ,  
 Contractor.  
 R. J. RANDOLPH,  
 105 South 10th Street.  
 A. D. LUNDY,  
 Contractor.  
 RICHARD MORGAN,  
 C. & N. W. Ry. Co.  
 A. D. GEE,  
 Secretary Randall, Gee & Mitchell Co.  
 DAVID A. CLARK,  
 Real Estate & Loans.  
 GEORGE E. BRENNER,  
 President Parquet Floor Layers' Union.  
 E. R. LINDHOLM,  
 General Inspection Co.  
 DAN DAVENPORT,  
 Attorney, Phoenix Building.  
 W. W. ROWELL,  
 3224 Second avenue S.  
 E. G. LESLIE,  
 Contractor.  
 C. A. CHRISTENSEN,  
 Stair, Christiansen & Timmerman.  
 C. A. CROWL,  
 Secretary McCaull-Webster Elevator

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<p>Uppician.  <b>LEOPOLD METZGER,</b>  S. Jacobs &amp; Co.  <b>E. C. PRAPT,</b>  Pratt's Express.  <b>C. E. OVENSHERE,</b>  Treasurer Minneapolis Knitting Works  <b>W. C. WHITNEY,</b>  Minneapolis Dry Goods Co.  <b>W. A. ELLIOTT,</b>  W. A. &amp; J. Elliott, Contractors.  <b>E. C. KISCHEL,</b>  President N. W. Glass Co.  <b>A. W. PARIS,</b>  Manager Paris Candy Factory.  <b>DAWSON BRADSHAW,</b>  Bradshaw Brothers.  <b>WM. E. REAU,</b>  Railway Supplies.  <b>HENRY E. FLETCHER,</b>  Manufacturer.  <b>W. T. FRAZER,</b>  Manager Cereal Grading Co.  <b>CHAS. COPELIN,</b>  Secretary St. Anthony Commercial  Club.  <b>JOHN S. TAYLOR,</b>  Secretary Retail Grocers' Association.  <b>H. C. TRAVIS,</b>  Manager Murphy-Travis Co.  <b>N. E. KLECKNER,</b>  Secretary Northern Machinery Co.  <b>B. W. SMITH,</b>  President Smith Sash &amp; Door Co.  <b>J. J. JONES,</b>  Financial Secretary Bricklayers'  Union.  <b>GEORGE E. CRIST,</b>  Standard Clothing Co.  <b>G. A. MOWRY,</b>  President Twin City Fire Ins. Co.  <b>JOHN B. LEE,</b>  President John B. Lee Co., Adjusters.  <b>JOHN KRAFT,</b>  Head Miller Washburn-Crosby "A"  Mill.  <b>M. J. PEPPARD,</b>  Railroad Contractor.  <b>GEORGE G. EITEL, M.D.,</b>  Eitel Hospital.</p>	<p>Sales Agent Zenith Furnace Co.  <b>S. A. STOCKWELL,</b>  Gen'l. Agt. Penn Mutual Life Ins. Co.  <b>E. M. McCREERY,</b>  Manager Goodrich Tire Co.  <b>JOHN P. SNYDER,</b>  Automobiles.  <b>A. Y. JAMISON,</b>  Real Estate &amp; Loans.  <b>LEWIS M. PARK,</b>  President Waukesha Spring Water Co.  <b>JOHN J. BERMAN,</b>  N. W. Agent Globe Register Co.  <b>A. M. GORDON,</b>  Manager Provident Loan Co.  <b>I. E. BURT,</b>  N. W. Acetylene Co.  <b>E. N. YOUNG,</b>  E. N. Young &amp; Co. Merchant Tailors,  <b>PHILLIP McGUINN,</b>  Rogers Hotel.  <b>G. F. OLSON,</b>  G. F. Olson Co., Printers.  <b>H. C. HEATH,</b>  Minneapolis Dry Goods Co.  <b>A. M. EASTMAN, M. D.,</b>  Pillsbury Building.  <b>J. B. WICKS,</b>  918 Nicollet Avenue, Furrier.  <b>EDWIN F. WANOUS, M. D.,</b>  Medical Block.  <b>GROSS &amp; MANTHEY CO.,</b>  Insurance.  <b>GEO. C. BAILEY,</b>  Mgr. Wm. C. Bailey Lumber Co.  <b>STEPHEN G. LESLIE,</b>  Plaster Contractor.  <b>A. H. PEPPARD,</b>  Contractor Steam Supplies.  <b>A. F. BRENNER,</b>  Vice President Grain Commission Co.  <b>CHAS. H. CIEKLER,</b>  Druggist.  <b>RALPH D. WEBB,</b>  Certified Public Accountant.  <b>G. F. BRIGGS,</b>  Secretary-Treasurer Banner Grain Co.  <b>FRANK W. MILLER,</b>  Treasurer Corporation Securities Co.</p>	<p><b>C. A. CROWL,</b>  Secretary McCaul-Webster Elevator  Co.  <b>H. N. MAUREE,</b>  Hotel Maryland.  <b>OTTO A. ZIMMERMAN,</b>  Broker Corn Exchange.  <b>H. E. YERKA,</b>  Yerxa Bros. Co.  <b>E. G. SHAFER,</b>  Shafer-Pierce Co.  <b>A. H. HANSON,</b>  Secretary Thos. Hanson Co., Grain.  <b>A. J. WAGNER,</b>  D. R. Wagner &amp; Co.  <b>WM. HUNTER,</b>  Anchor Grain Co.  <b>CHAS. D. WAGNER,</b>  D. R. Wagner &amp; Co., Grain.  <b>MATT H. WITTICH,</b>  Druggist.  <b>HARRY BENDELL,</b>  Rendell Coal Co.  <b>ED. F. COMSTOCK,</b>  Sherwin-Williams Paint Co.  <b>J. C. LEITCH,</b>  Supt. Loose-Wiles Biscuit Co.  <b>LOYAL T. BENTLIF,</b>  Secretary Elks, No. 44.  <b>LUDWIG ARCTANDER,</b>  Attorney at Law.  <b>R. A. NELSON,</b>  Sec. Treas. The Maccabees.  <b>A. GOLDMAN,</b>  Broker, Temple Court.  <b>HENRY T. SEELY,</b>  Treas. The Cootey Co.  <b>A. L. HAZER,</b>  West Hotel.  <b>FRANK MASON,</b>  Attorney, Phoenix Building.  <b>C. CAMEBON,</b>  Cameron Transfer Co.  <b>GEORGE E. YOUNG,</b>  Dean N. W. College of Law.  <b>JOHN A. LANE,</b>  Real Estate and Loans.  <b>JAMES J. LAMBRECHT,</b>  Pres. Corporation Securities Company.</p>
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**N. B.—Three Judges now on the bench who are up for re-election are all appointees of Gov. Eberhart. None were ever elected by the voters of Hennepin County. Question: SHALL THE PEOPLE RULE?**

This was a "top three" election in which the incumbents were re-elected. Laybourn came in fourth.<sup>11</sup>

General Election  
District Court  
(November 3, 1914)

John H. Steele (inc.).....	27,827
Joseph W. Molyneaux (inc.).....	21,588
Daniel Fish (inc.).....	19,694
Charles G. Laybourn.....	14,455
William B. Anderson.....	13,641
Frank Healy.....	13,296

<sup>11</sup> 1915 Blue Book, at 544-45.

He continued to practice in Minneapolis, often with others. In 1911-1912 he had formed a short-lived partnership with Marshall Spooner, former judge of the Fifteenth Judicial District.<sup>12</sup> About 1916 he formed Laybourn & Carey, the latter being Francis C. Carey.<sup>13</sup> Even in his late 60s he could not let go of his aspirations for the bench. In 1917 Representative Frank E. Nimocks introduced a bill enlarging the Fourth Judicial District Court by two seats. Laybourn was one of nine lawyers who expressed an interest in the office.<sup>14</sup> Later that year, driven by patriotic fervor, he volunteered to give free legal advice to draftees.<sup>15</sup> In 1918, apparently restless for new challenges, he became Associate Dean of the new Northwestern College of Law.<sup>16</sup>

Charles Guy Laybourn died on a train from Crookston to Minneapolis on October 18, 1919, at age 68.<sup>17</sup> He was memorialized at the annual convention of the Minnesota Bar Association in St. Paul in August 1920:

#### CHARLES GUY LAYBOURN.

Charles Guy Laybourn was born near Springfield Clark County, Ohio, on March 23rd, 1851. The Laybourn family had formerly emigrated from New York State. His early education was acquired in the District School near his father's farm until he was fourteen, when he was sent to a private school. At the age of sixteen he obtained a certificate and taught school in his native county for several terms. He gave up teaching and followed the trade of carriage making, until he met with an accident which prevented him from working longer at this occupation. He then entered the Illinois State Normal University at Normal, Illinois, in the spring of 1874, and graduated with honor in 1878. He was an instructor for two years in Markham's Academy in Milwaukee, Wisconsin, and in

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<sup>12</sup> *Bemidji Daily Pioneer*, November 3, 1911, at 5. The firm was known as Spooner, Laybourn & Lucas.

<sup>13</sup> On June 4, 1920, Carey was disbarred by order of the state Supreme Court for charging and accepting excessive fees from victims of the fires of 1918. *Bemidji Daily Pioneer*, June 4, 1920, at 1 ("Attorney Carey is Barred from Practice").

<sup>14</sup> *Minneapolis Morning Tribune*, January 24, 1917, at 12. ("Nimocks' Bill Starts Scrambling Among County Legal Lights. Nine Seek Seats in Hennepin District Court and More Are Willing").

<sup>15</sup> *Minneapolis Morning Tribune*, December 11, 1917, at 11 ("Volunteer Army of Legal Talent to Give Draftees Free Legal Advice").

<sup>16</sup> *Minneapolis Morning Tribune*, December 1, 1918, at 18 (Advertisement listing the faculty of the new night law school).

<sup>17</sup> Minneapolis newspapers did not print an obituary of Laybourn. Details of his pending funeral were published in the *Minneapolis Journal*, October 20, 1919, at 20 ("Charles G. Laybourn's Funeral Here Tuesday), and the *Minneapolis Morning Tribune*, October 21, 1919, at 13 ("C. G. Laybourn Funeral Will Be Held Today").

1880 began the study of law at the University of Michigan. He graduated in the spring of 1881, and immediately began the practice of law at Creston, Iowa. After five years practice at Creston, he moved to Minneapolis, Minnesota, where he was actively engaged in the practice of his profession from June, 1885, until his sudden death on October 18th, 1919. He was a member of several fraternal and benevolent societies.

It may be fairly said of Mr. Laybourn that he was a lawyer of unusual ability. His manner was impressive and forceful, and his devotion to the interests of his clients was constant. He was one of the leading advocates of the Hennepin County Bar.<sup>18</sup>

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## Afterword

The many difficulties in researching and writing biographical sketches of lawyers are apparent in this brief study of Charles G. Laybourn. The shell of a lawyer's private practice is impenetrable (lawyers, regrettably, do not donate their papers to the state Historical Society). Exceedingly few cases of any private practitioner are reported in the press, and it is a rare case that is appealed and becomes the subject of a ruling by the supreme court.

So it is with Laybourn. The files of the lawsuits and insurance claims in which he represented clients were destroyed years ago. His professional and private correspondence is gone. There are few references to his and his family's social life in the local press. All we have today are his self-portraits in books he subscribed to and the results of the four elections in which he ran for the district court. This sketch is unbalanced and incomplete but, alas, the best we can do.

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Posted MLHP: April 1, 2021.

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<sup>18</sup> Proceedings, Minnesota State Bar Association 125 (1920).