

IN MEMORIAM

ROBERT J. McDONALD

(May 3, 1896 – July 5, 1947)

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Hennepin County Bar Association

District Court
Fourth Judicial District
Hennepin County
Minneapolis, Minnesota

February 28, 1948

Memorial Delivered to Members of the
Hennepin County Bar Association
on Saturday, February 28, 1948.

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TO THE MEMORY OF ROBT. J. McDONALD

In the time and space allotted to me it will be impossible to do more than to offer the briefest summary of the active, varied and successful career of Robt. J. McDonald.

He was born on May 3rd, 1896, at Chippewa Falls, Wisconsin, and died very suddenly and unexpectedly at approximately 1:30 a.m. on July 5th, 1947, at the age of fifty-one years. His parents were Norman S. McDonald and Delia McDonald, and he was one of a family of seven brothers and one sister. His primary education was obtained at Notre Dame Parochial School at Chippewa Falls.

In 1907 his parents moved to Minneapolis and Robert attended the Marcy Public School and later East High School from which he graduated in 1912. From 1917 to 1920 he attended the Minnesota College of Law and graduated and was admitted to the bar of the State of Minnesota in June of 1920.

He was engaged in the practice of law as a partner with L. E. Brophey, then Frederick Miner, and later John F. Dahl. In 1926 he became a member of the firm of Tautgas, Wilder and McDonald and remained in practice with this firm until it dissolved in the early part of 1931.

With the exception of about three years when he was an executive in the motion picture industry in California, he was

continuously engaged in the practice of law until his death. From July of 1942 until April of 1946 he engaged in a partnership with the author of this memorial.

His reputation as a trial lawyer in his chosen field grew until at the time of his death it was national in scope. Specializing in negligence work, he devoted his life to representing the unfortunate victims of industrial and other accidents and their widows and children. The outstanding characteristic of his professional career was an undivided loyalty and devotion to the cause of his clients, whom he always represented with great ability and zeal and fidelity.

Even those whose enmity he aroused by attacking their financial interests admired his keen and intelligent mind, his sense of honor and fair play, his outstanding ability and energy, and, above all, the full measure of devotion which he gave to his clients' cause.

He was a man who devoted himself to his professional work with great energy and an almost boundless vitality. His recipe for success was hard work and he followed this doctrine religiously himself. He worked during his entire course in law school and supported himself and contributed to the support of his family. During his professional career he never spared himself in properly preparing and trying the lawsuits in his office. He was blessed with good health and great vitality until the moment of his death which came very suddenly. He died of acute pancreatitis consisting of an infection and hemorrhage of the pancreas.

In the latter part of his professional career he confined his work exclusively to the handling of claims for personal injury and death against railroad and insurance companies. He was

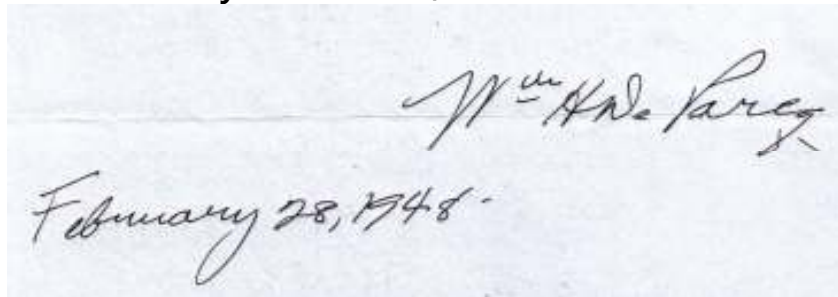
recognized by the members of the Bench and Bar as the ablest trial lawyer in his field, and the record of large verdicts and settlements which he established was truly a remarkable one and, perhaps, unparalleled in our entire national history.

The overwhelmingly majority of Mr. McDonald's clients were poor and unfortunate people, frequently ignorant and, at least, untrained by business or legal experience. It was his dominant philosophy of life that these unfortunate victims of our industrial age should be entitled to avail themselves of the same advantages of prompt, efficient, immediate and thorough investigation and preparation of their cases, both on the facts and on the law, the same resources and finances, and the employment of experts and court reporters and the taking of depositions that are available to lawyers representing railroad and insurance companies. He constantly attacked the financial interests of railroad and insurance companies by their own methods with reference to investigation, preparation and trial of lawsuits. To this strategy and policy, coupled with his great ability and tireless energy and the fact that his financial resources were available to protect and enforce the rights of every client, may be attributed a large measure of his success.

He was possessed of a charming personality and of a buoyant good nature. The courteous manner in which he treated both court and adverse counsel during trials has become a tradition in this court house. There has not been a judge who has served on the bench of this court, or any other court, who did not welcome him in the court room and enjoy any case that he tried and, so far as I know, he not only did not file an affidavit of prejudice at any time in his professional career, but never gave such procedure serious consideration.

His knowledge of negligence law was thorough and sound. He was frequently consulted by other lawyers in connection with causes handled by them on problems of law and trial procedure and a large part of his practice was referred to him by members of the Bench and Bar.

He left surviving him a daughter named Roberta, who was born on August 16th, 1938, as a result of his marriage to Louise McDonald, and also a daughter named Donna, who was born on September 19th, 1945, of the marriage to Shirley McDonald who survived him as his widow. Subsequent to his death his widow, Shirley, gave birth to a posthumous child named Robert Joseph born on the 14th day of October, 1947.



Wm. H. DeParcq
February 28, 1948

McDonald's aggressive pursuit of clients led in his disbarment by the Minnesota Supreme Court for unethical "systematic solicitation." *In Re Disbarment of Robert J. McDonald*, 204 Minn. 61 (December 9, 1938). It may be noted that his actions are tame when compared to the garish advertisements used by personal injury lawyers a half century later. He was reinstated two years later. *In Re Reinstatement of Robert J. McDonald as an Attorney at Law*, 208 Minn. 330 (October 8, 1940).

For the bar memorial for William H. DeParcq, see "Hennepin County Bar Memorials: 1989" 13 (MLHP, 2013). ■

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