

MEMORIAL

TO

MARTIN MICHAEL MONAGHAN

(January 4, 1876 – February 3, 1950)

**READ AT THE MEMORIAL SERVICES OF THE
HENNEPIN COUNTY BAR ASSOCIATION
MARCH 25, 1950**

Martin Michael Monaghan

(1876 • 1950)

Martin Michael Monaghan was born in Detroit, Michigan, on January 4, 1876. His mother, Susan C Monaghan, was born in Detroit, Michigan, and his father, John Monaghan, was born in Ireland.

Mart Monaghan, as he was generally called, received his early education in elementary schools in Alpena, Michigan, and Assumption College, Sandwich, Ontario. He was a member of the Roman Catholic Church. He attended St. Mary's College, St. Marys, Kansas, and was graduated from there in June, 1894. He received his legal education at Georgetown University, Washington D.C., which was founded in 1789. He was graduated from Georgetown University and received his degree in law in June, 1898.

He was admitted to the Bar of the State of Michigan in September, 1898. He practiced law in Alpena, Michigan, until 1902, when he came to Minnesota where, on July 25, 1902, he was admitted and licensed to practice in Minnesota and, from that time, he engaged principally in the practice of his chosen profession in Minneapolis, Minnesota. He was admitted to practice in both State and Federal Courts and the Supreme Court of the United States. He was a member of the Hennepin County, Minnesota and American Bar Associations.

On May 9, 1900, he was married to Agnes Gavagan, at Alpena, Michigan, who died in Minneapolis, Minnesota, on April 4, 1941.

Mart was possessed of inherent eloquence and brilliance of speech and mind. He received a medal for oratory from St. Mary's College, of which he was justly proud and which one of his most treasured possessions. These talents he used in good stead throughout his many years as a practicing lawyer. He was a man of conscientious, strong and firm convictions. He presented issues to the Court always with a sincere and zealous interest in the welfare of his clients. To Mart, a lawsuit was not an invitation to play a parlor game,— it was an opportunity to work for what he believed to be the merits and justice of his client's case. As one of his close friends said, "He was indeed a fighting Irishman." He undertook litigation to

establish what he believed to be righteous principles, often when no definite precedents had been established by the Court, and without consideration of monetary reward. He was interested in causes which involved an interpretation of the Constitution, and was often retained by clients whose fundamental rights were involved, which gave him the reputation of being the champion of the rights of minorities and brought him into litigation in many borderline cases.

He was a hard worker. He did not depend upon his many years' experience in the practice of law but, before entering the trial of each case, he reviewed the authorities and thoroughly prepared his case for trial. He spent many a weekend in the library, —as one of his friends expressed it— “digging far the law.”

He had ability as a brief writer. His briefs often sparkled with witticisms and, at times, with sarcasm. He used his well-rounded education to sprinkle throughout his briefs apt passages and quotations from Scripture and history, and references to current events.

He traveled considerably and often used his summer vacations to broaden his experience by visiting various parts of the country. In June, 1949, he attended the 50th anniversary of his graduation from Georgetown University in Washington D.C. Later, in the summer of that year, he visited his daughter in Guantanamo Bay, Cuba, returning to New York on a U.S. Navy boat, then to Alpena, Michigan, where he visited his old home and his sister, and then back to Minneapolis, using the latest means of transportation,— the airplane. Thus, he kept himself active, alert, and his thoughts keyed to the spirit of the times. He arrived in Minneapolis the early part of September, 1949, in time to prepare for the fall term of Court. He wrote a brief on a matter which was scheduled for hearing upon the opening of Court and continued actively in the practice of law until late in the fall of 1949, when he became ill.

He passed away in Minneapolis, Minnesota, on February 3, 1950, and was buried in St. Mary's Cemetery, Minneapolis, Minnesota. He left surviving him his daughter, Patricia Kilpatrick, and two grandchildren, of Guantanamo Bay, Cuba, and his sister, Susan Monaghan, of Alpena, Michigan.

In his passing, this community has lost a good citizen; his family a devoted father and brother; and the Bar an attorney who marked out for himself an outstanding career in his chosen profession

PREPARED BY:

WALTER J. WELCH.

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Related Article

For an account of the “Ouster case,” a suit brought by Martin M. Monaghan under the Corrupt Practices Act to remove Governor Floyd B. Olson from office, see Douglas A. Hedin, “Frank W. Murphy, A Lawyer in his Times” 74-92, 218-320 (MLHP, 2018). The Minnesota Supreme Court’s ruling in the case, *Hermes v. Olson*, 197 Minn. 21 (1936), is posted in the Appendix to this article.

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