

MEMORIAL SERVICES

FOR DECEASED MEMBERS
RAMSEY COUNTY BAR *association*

HELD AT THE
COURTHOUSE, APRIL 16, 1938



SAINT PAUL LEGAL LEDGER

Memorial Services

On Saturday, April 16, 1938, Memorial services in honor of those members of the Ramsey County Bar who died during the past year were held in the Court House, before the district court sitting en banc, with the Honorable Hugo O. Hanft, senior judge, presiding. Present were many of the supreme court justices, and federal district judges. These memorials were first printed in the St. Paul Legal Ledger, beginning with the issue of April 25, 1938.

Judge Hugo Hanft: It is fitting that at stated times the bench and bar of this judicial district cease their labors to pay tribute to the memory of those of their former active associates whose voices in the halls of justice have been stilled forever. This is the day set apart by the judges of this district for such memorial services. All matters set for hearing today are continued one week.

Mr. Headley, as President of the Ramsey County Bar Association, will you kindly report to the Court the names of the members of the Bar who have died during the year, together with the names of the committees who have been notified to draft and present the memorials today? Mr. Headley:

MY IT PLEASE THE COURT:

The members of the Ramsey County Bar appreciate the opportunity afforded this morning by the Court of paying tribute to the lives of their brethren who have passed away in the year just gone. On similar occasions in the past it has always seemed that our losses have been unusually heavy. This year is no exception. While happily the number of attorneys who have died since we last met here is not as large as some times, yet the list contains the names of attorneys who won great distinction in the courts of Minnesota and the United States. It contains the names of gentlemen who made a deep impress upon the life and affairs of our community, our State, our Nation, and even of the world. It contains the names of those who were beloved and will not be forgotten by us. The list is as follows:

Mr. John M. Bradford
Honorable Frank B. Kellogg
Mr. Henry C. Peterson

Mr. D. Edward Dwyer
Mr. Dennis F. Lyons
Mr. Wilfred A. Quinlivan

The Bar Association of Ramsey County has appointed committees to prepare memorials to the lives of these gentlemen, and I will now, with the Court's permission, read the list of these committees:

For the memorial to Mr. Bradford: Thomas C. Daggett Chairman, Carl W. Cummins, George W. Markham, George W. Peterson and Kay Todd. Because of Mr. Daggett's illness the memorial will be presented by Mr. Todd.

For the memorial to Mr. Dwyer: Judge Frederick N. Dickson, Chairman, Stan D. Donnelly and Linus O'Malley; Mr. O'Malley will present the memorial.

For the memorial to Senator Kellogg: Charles, W. Bunn Chairman, Judge Frederick N. Dickson, Charles Donnelly, Alexander E. Horn, Frederick G. Ingersoll and George Markham.

For the memorial to Mr. Lyons: J. H. Mulally, Chairman, Frank F. Gehan and Bruce W. Sanborn.

For the memorial to Mr. Peterson: Lloyd Peabody, Chairman, Michael T. Hoxmeier and W. H. Williams.

And lastly, for the memorial of Mr. Quinlivan: D. Blair Rumble, Chairman, F. Manley Brist, R. H. de Lambert, Patrick J. Lyons and Ulric C. Scott.

Except in the two cases mentioned, the chairmen will present the memorials.

The memorials were then read in the following order:

For Mr. Bradford by Mr. Todd.

For Mr. Dwyer by Mr. O'Malley.

For Sen. Kellogg by Mr. Bunn.

For Mr. Lyons by Mr. Mulally.

For Mr. Peterson by Mr. Peabody.

For Mr. Quinlivan by Mr. Rumble.

Mr. Headley: I now move that the memorials which have been presented be filed with the Clerk of this court and made a part of this Court's records and copies of the seven memorials be sent by the Clerk to the families of the deceased.

The Court: The judges of this court concur in the sentiments expressed in the various memorials read by members of the Bar who have spoken fitting tributes to the character and worth of our former associates.

The Motion of the President of the Bar Association is granted and the Clerk is instructed to enter these memorials upon the minutes of this court and to forward copies thereto to the families of the respective deceased.

In further token of our respect to the memory of those of our brethren who have departed this mundane sphere, the court now stands adjourned without day.

**MEMORIAL TO JOHN McCARTNEY BRADFORD, PRESENTED BY
THE RAMSEY COUNTY BAR ASSOCIATION TO THE
DISTRICT COURT OF RAMSEY COUNTY, MINNESOTA, AT A
SPECIAL TERM OF THE COURT HELD ON SATURDAY,
APRIL 16, 1938.**

MAY IT PLEASE THE COURT:

On behalf of the Bar of Ramsey County, the following memorial of John McCartney Bradford is respectfully submitted:

John McCartney Bradford was born in Milton Township, Dodge County, Minnesota, on May 18, 1874, the son of John N. and Elizabeth McCartney Bradford. He died in St. Paul, Minnesota, on August 13, 1937.

He was educated in the public schools of Redwood Falls and Minneapolis, Minnesota, the University of Minnesota Liberal Arts and Law Schools, from which latter institution he graduated with degree of L.L.B. in June, 1897. He worked his way through both High School and University.

He immediately entered the practice of law in the City of Minneapolis, where he remained for three years until 1900, when he joined the established firm of Morphy & Ewing in St. Paul, which firm then became Morphy, Ewing & Bradford. This firm was later joined by Mr. Carl W. Cummins, and became known as the firm of Morphy, Bradford & Cummins. Mr. Morphy died in 1934, and the firm at the time of Mr. Bradford's death was known as Bradford, Cummins & Cummins.

Throughout his lifetime, Mr. Bradford was a Republican in his National politics, although never a strict party man.

He was a member of the Presbyterian Church throughout his life and a leader in the affairs of his Church. In college, he was a member of the Sigma Chi Fraternity. In his early manhood he joined the Masonic Fraternity, was active in its counsels and conspicuous among its membership. He rose to the rank of thirty-second degree Mason and was also an active member of Osman Temple of the Mystic Shrine.



He was active in civic affairs in the City of St. Paul throughout his life. Among other of his public activities, he was a member of the Board of Fire Commissioners of the city.

He was an active member throughout all of his professional life in the Ramsey County Bar Association, Minnesota State Bar Association and American Bar Association. He was president of the Ramsey County Bar Association, as well as having served for many years upon its principal standing committees. He was for many years treasurer of the Minnesota State Bar Association, and for many years served upon various of its standing committees.

On August 15, 1900, Mr. Bradford married in St. Paul Jane E. Pomeroy. To this marriage were born three children: John P. Bradford, now residing in New York City; Fred Bradford, attorney of this Bar, residing in St. Paul, Minnesota; and Jane P. Rank, residing in St. Paul, Minnesota. All of these children and Mrs. Bradford survive.

An ideal of the English and Canadian system is complete integration and cooperation of the Bench and Bar. It is taking root with us, and finds expression in our own state. It is well that it is so. Lawyers are officers of the Court. A Judge is a lawyer on the Bench, wearing the mantle of his office. He merits a worthy bar that faithfully cooperates in the administration of justice according to law. In the world and integration of the bar and its relation to the judiciary, Mr. Bradford was an outstanding lawyer. His presence at bar meetings was assured, and he was known to all. Bar organizations would be poorer without his work. He was a born sportsman, loved hunting and the out of doors, where he found "sermons in stones, books in the running brooks, and good in everything."

It is said that an educated person shall know everything about something, and something about everything. He lived up to this standard of attainment,

was a master in the law of Bankruptcy, and highly equipped in all fields of law.

In his dealings with clients, the public and the Courts, he was plain, outspoken, frank, did not equivocate, and never left his position misunderstood. Socially, he was friendly, democratic and kindly. Every one easily called him "John."

It is eminently fitting that the Memorials to our members who have passed on, be had at this Easter season. It is a solemn time, when hope and faith spring eternal in the human heart. That hope and faith he had. Senator Ingalls, in his celebrated poem, "Opportunity," observed that opportunity knocked, departed and said "I shall not come this way again." Malone, a lawyer, answered Ingalls on the same theme of Opportunity, saying:

"They do me wrong who say I came no more
When I do knock and do not find you in."

"At sunrise, every soul is born again."

Such was John Bradford's philosophy, that one may rise on stepping stones of his defeated self to better things. And it is the Easter lesson.

"There is no death, nor change, nor any ending,
Only a journey, and so many go,
That we who stay at length discern the blending
Of the two roads, two breaths, two lives, and so
Come to the high and quiet knowledge that the dead
Are but ourselves made beautiful instead."

Respectfully submitted,

THOMAS C. DAGGETT, Chairman,
CARL W. CUMMINS,
GEORGE W. MARKHAM,
GEORGE W. PETERSON,
KAY TODD.

**MEMORIAL TO DANIEL EDWARD DWYER, PRESENTED BY THE
RAMSEY COUNTY BAR ASSOCIATION TO THE DISTRICT
COURT OF RAMSEY COUNTY, MINNESOTA, AT A SPECIAL
TERM OF THE COURT HELD ON SATURDAY, APRIL 16, 1938.**

MAY IT PLEASE THE COURT:

On behalf of the Bar of Ramsey County, the follow memorial to Daniel Edward Dwyer is respectfully submitted:

Daniel Edward Dwyer, a member of this Bar for forty years, died on September 18, 1937, after a ten months illness.

Mr. Dwyer was born on March 28, 1867 at Fond du Lac, Wisconsin. Both his father and mother were born in Ireland and the former immigrated to this country in 1849 and the latter in 1850. In 1867 the family removed to Albert Lea, Minnesota where Mr. Dwyer spent his early boyhood. He had one brother, John J. Dwyer, who died three years ago and has one sister living in Seattle, Washington.

At the age of eleven years he attended a boarding school at Watertown, Wisconsin where he remained until matriculating at the University of Notre Dame, from which he graduated with a Bachelor of Literature degree in 1889. Upon his graduation, he was tendered a position as instructor English in his Alma Mater, but refused the offer and came to St. Paul where he read law in the office of John W. Willis for one year. He then entered the University of Michigan Law School at Ann Arbor and completed the two year course in one year, graduating therefrom in 1891. He then returned to St. Paul and became a clerk in the law offices of Williams, Goodnow & Stanton and was admitted to the Bar of this State in 1892. In 1893 he opened his own offices in the Gilfillan Block and later moved to the Globe Building where for many years he occupied a suite with the late Stan J. Donnelly and Harry Weiss. In 1915 he removed to the Guardian Building where for a number of years he had the same office associates. He practiced from the time of his admission to the Bar until he was stricken with his last illness.

He was married to Cora Gilbert on September 27, 1894 and to them were born two children, D. E. Dwyer, Jr. and a daughter, Mary D. Bohan, both of whom survive him.

Mr. Dwyer to his friends was known by his middle name of Edward and more familiarly as Ed. During his entire career at this Bar, he devoted himself assiduously to practice and never permitted outside interests to detract from his attachment to his chosen profession.

In all his dealings, he was punctilious, but withal kindly courteous. During his many years of practice, he continuously applied himself with unflagging industry and zeal. It were understatement to say of him that he was thorough in his work, for, when engaged in examining any question, on behalf of a client, he did so with infinite patience and was not satisfied until he was certain that he had exhausted the authorities on the subject. And this was true whether the matter under consideration involved large amounts or trivial sums.

It is not exaggeration to say of him that no better grounded lawyer ever practiced at this Bar. Likewise it can with perfect truth be stated that no man ever rendered more loyal service to a client or was more zealous in protecting his client's interest than he.

As a man, Mr. Dwyer was dignified, modest, unassuming and the soul of honor. He was a delightful companion and was possessed of a rare charm that endeared him to all those who knew him well. He was sincere and frank and was well blessed with a saving sense of humor.

His children will remember him not only as a kind and loving father, but as a delightful companion and a wise counsellor and guide.

"His life was gentle and the elements were so mixed in him that nature might stand up and say to all the world: 'this was a man'."

Respectfully submitted,

FREDERICK N. DICKSON, Chairman
STAN D. DONNELLY,
LINUS O'MALLEY.

**MEMORIAL TO FRANK B. KELLOGG, PRESENTED BY THE
RAMSEY COUNTY BAR ASSOCIATION TO THE DISTRICT
COURT OF RAMSEY COUNTY, MINNESOTA, AT A SPECIAL
TERM OF THE COURT HELD ON SATURDAY, APRIL 16, 1938.**

MAY IT PLEASE THE COURT:

On behalf of the Bar of Ramsey County, the following memorial to Frank B. Kellogg is respectfully submitted:

Your committee presents a memorial to Frank B. Kellogg who was both a member of this Bar and a renderer of important public service to the whole people of the United States.



Mr. Kellogg was born in Potsdam, New York, December 22, 1856, and died in this city December 21, 1937, on the eve of his eighty-first birthday. He came to Minnesota in October 1865, settling at Rochester, and in 1875 commenced the study of law in that city. He was married June 16, 1886 to Clara M. Cook, who survives him. In October, 1887 he removed to St. Paul and became a member of the firm of Davis, Kellogg and Severance. Senator Davis had long been an eminent member of our Bar. Mr. Kellogg and Mr. Severance came to St. Paul about the same time, and this firm and its successors have ever since enjoyed an unusually large law practice.

Mr. Kellogg stood not only high as a lawyer, but was remarkably successful. Some members of this committee enjoyed the privilege for years, both of associating with and of opposing him at the bar. He had an excellent legal mind and was honest and fair in all his ways, but more than this was necessary to account for his unusual success. Besides his mental capacity and character, he had confidence in himself; also great courage and industry. He

was faced in his practice with new questions and novel situations, but he did not call for help and did not hesitate to face and try to solve for himself the difficulties involved. Notably he was called upon to meet new and vastly important situations in the cases he brought for the United States to enforce the federal trust law against the Standard Oil Company, and to enforce the same law against the alliance between the Union Pacific and Southern Pacific Railway Companies. His courage and industry in meeting such questions as these account largely for his unusual success at the bar.

The variety and high importance of his public service were extraordinary and it is remarkable that he retained, during much of it, his law practice as a member of the St. Paul firm. He was president of the American Bar Association in 1912 and 1913; and among the numerous honors bestowed on him during his long career he received the notable distinction of made an honorary member of the Middle Temple in London in 1924. He was United States Senator for six years, commencing March 4, 1917. He was Ambassador to Great Britain, December 20, 1923 to March 4, 1925. He became Secretary of State March 4, 1925, and held that office four years. He was preeminent in originating and bringing to adoption, at Paris August 27, 1928, the treaty renouncing war and covenanting for peace, commonly called the Kellogg-Briand Pact. From 1930 to 1935 he served as a member of the World Court, which held its sessions at The Hague.

It is now eighty years since Minnesota was admitted to the Union; and the list of the members of the bar of this state who, during that period, have achieved nation-wide distinction as jurists, or advocates, or at the nation's councils, is long and impressive. In that list the name of Frank Billings Kellogg is one of shining eminence. As a lawyer, as a statesman, and as a diplomat, he was called on to render service of the highest importance. How well he acquitted himself in all of these fields, is a part of the nation's history, of which his brethren of the Ramsey County Bar must always be proud.

Respectfully submitted,
CHARLES W. BUNN, Chairman,
FREDERICK N. DICKSON,
CHARLES DONNELLY,
A. E. HORN,
FREDERICK G. INGERSOLL,
GEORGE W. MARKHAM.

**MEMORIAL TO DENNIS FRANCIS LYONS, PRESENTED BY THE
RAMSEY COUNTY BAR ASSOCIATION TO THE DISTRICT
COURT OF RAMSEY COUNTY, MINNESOTA, AT A SPECIAL
TERM OF THE COURT HELD ON SATURDAY, APRIL 16, 1938.**

MAY IT PLEASE THE COURT:

On behalf of the Bar of Ramsey County, the following memorial to Dennis Francis Lyons is respectfully submitted:

Dennis Francis Lyons was born at Danvers, Massachusetts, February 15, 1880, the son of John and Bridget Lyons. He received his elementary education in the public school of Danvers and entered Dartmouth College in 1898. While at Dartmouth he was a member of the debating team and account of his excellent scholastic standing was elected in Phi Beta Kappa. He was graduated with the degree of A. B. in 1902. Going West shortly thereafter, he became an instructor in English and Mathematics in the College of St. Thomas, St. Paul, Minnesota. While so engaged he studied law at the University of Minnesota where he received his LL.B. degree in 1906, and was admitted to the Bar in Minnesota the same year.

In 1907 and 1908, he served as Deputy Insurance Commissioner for the State of Minnesota. Thereafter he entered the general practice of law, being associated with the late Daniel W. Lawler. He continued this association until 1911, when he was appointed General Attorney for the Northern Pacific Railway Company in St. Paul. In 1917 he was promoted to Assistant General Counsel of that railroad. During Federal Control of Railroads, he was at first Assistant General Solicitor and later General Solicitor for the Railroad Administration in control of the Northern Pacific. At the termination of Federal Control, he became General Solicitor of the Northern Pacific which position he held until July 1, 1925, when he became General Counsel, succeeding Mr. Charles W. Bunn.

Except for the short period when he was associated with Mr. Lawler, he was engaged exclusively in railroad law practice. His law work with the Northern Pacific covered a wide field, including litigation arising out of freight and personal injury claims, and later many larger cases before the Interstate Commerce Commission and the courts.

Among the more important proceedings before the Interstate Commerce Commission in which he participated were those involving the proposed consolidation of the Northern Pacific and Great Northern, and the case growing out of the payments due the Northern Pacific from the United States during the so-called Guaranty Period. This ultimately resulted in a suit by the Northern Pacific in the United States Court of Claims to recover approximately \$1,500,000. This case was personally tried and argued by Mr. Lyons resulting in a decision in favor of the Northern Pacific. After Mr. Lyons death, certiorari was denied by the Supreme Court of the United States.



DENNIS P. LYONS

He took personal charge of the defense of the suit brought against the Northern Pacific by the United States to settle questions arising out of the adjustment of the railway's land grant and was actively engaged in the work of defending that suit at the time of the illness which resulted in his death [on June 12, 1937].

As a member of the Law Committee of the Association of American Railroads, he was one of the committee of six which prosecuted the successful suit to set aside the first Railroad Retirement Act. Mr. Lyons was admitted to practice before the Supreme Court of the United States and argued many cases before that court.

Always keenly interested in public affairs and in the welfare of his profession, he was active in the work of the Ramsey County Bar Association. In 1931 he acted as Chairman of the membership committee and during that year the extensive campaign for new members carried on by the committee resulted in a greatly increased membership. In 1934 he was elected President of the Ramsey County Bar Association. It was during his regime that the law library of the Association was put on a substantial basis by the passage of the act which provided for additional filing fees to be paid to the Clerk of the District Court for the maintenance of the library. For a number of years he was a member of the

Faculty and taught Constitutional Law at the St. Paul College of Law, where he was known and loved as one of its finest instructors.

Mr. Lyons was married July 14, 1908, to Anna Gall of St. Paul. His wife and two children, Kathleen and William Hart Lyons survive him. At the time of his death he was a trustee of St. Thomas College, the school where he taught as a young man.

Mr. Lyons was outstanding in his ability as a lawyer and was unusually successful in all matters which he undertook to handle. The courts and commissions before which he practiced held him in the greatest respect and appreciated his deep knowledge of the law.

He was a man of the highest character, gifted in intellect, wise in his judgments, tolerant of the views of others but unyielding in matters of principle. He had a magnetic personality, a deep sense of humor, keen wit, breadth of view and scholarship, which made him a delightful companion. His kindness and consideration for all with whom he came in contact will long be remembered.

"None knew thee but to love thee;
Nor named thee but to praise."

Respectfully submitted,

J. H. MULALLY, Chairman,
FRANK J. GEHAN,
BRUCE W. SANBORN.

[Dennis Francis Lyons died on June 12, 1937, in Tucson, Arizona. *St. Paul Dispatch*, June 12, 1937, at 1.

His photograph is from J. A. A. Burnquist, *4 Minnesota and Its People* 237 (1924)]

**MEMORIAL TO HENRY C. PETERSON, PRESENTED BY THE
RAMSEY COUNTY BAR ASSOCIATION TO THE DISTRICT
COURT OF RAMSEY COUNTY, MINNESOTA, AT A SPECIAL
TERM OF THE COURT HELD ON SATURDAY, APRIL 16, 1938.**

MAY IT PLEASE THE COURT:

On behalf of the Bar of Ramsey County, the following memorial to Henry C. Peterson is respectfully submitted:

To The Honorable, The Judges of the District Court, Ramsey County, Minnesota:

Your committee appointed to present a memorial to Henry C. Peterson, deceased, formerly a member of the Bar of Ramsey County, Minnesota, submits the following:

Henry C. Peterson was born at Marine on the St. Croix, in Washington County, Minnesota [on August 1, 1860], and spent the most of his life in this state.

He attended the public schools and was graduated from the St. Croix Academy at Afton, Minnesota.

After his school days his father, Peter T. Peterson, gave him a farm in the vicinity of Cottage Grove in Washington County, which he tilled for about three years.

He was married to Helen Ida Hummel, and soon after his marriage he settled with his family at St. Paul Park, where he operated an implement store. While at that place he served a term as Justice of the Peace.

He took up the study of law at the University of Minnesota, and was graduated in the year 1895 (sic, 1892). Shortly after his graduation he removed to St. Paul where he practiced law for several years.

In the year 1913, with others, he organized the Aarrock Security Company, a corporation formed for the purpose of dealing in securities and real estate. He continued the operation of this company as active manager up to some time in the year 1933, when the affairs of the company were wound up.

After that time he maintained a law office in St. Paul up to date shortly before his death. Mr. Peterson had been in failing health during the three years prior to his death, and on March 9th, 1938 he passed away.

He is survived by two sons, Joy P. Peterson, of St. Paul, Minnesota, Rodney M. Peterson, of La Crosse, Wisconsin, and two daughters, Mrs. David Hoffman and Mrs. Roy Kellerman, both of Los Angeles, California.

Your committee moves that this memorial be filed with the Court records.

Respectfully submitted,

**LLOYD PEABODY, Chairman,
MICHAEL T. HOXMEIER,
W. H. WILLIAMS.**

**MEMORIAL TO WILFRED A. QUINLIVAN, PRESENTED BY THE
RAMSEY COUNTY BAR ASSOCIATION TO THE DISTRICT
COURT OF RAMSEY COUNTY, MINNESOTA, AT A SPECIAL
TERM OF THE COURT HELD ON SATURDAY, APRIL 16, 1938.**

MAY IT PLEASE THE COURT:

On behalf of the Bar of Ramsey County, the following memorial to Wilfred A. Quinlivan is respectfully submitted:

Wilfred A. Quinlivan was born January 28, 1898, at St. Cloud, Minnesota. His father, John Quinlivan, was born at Ontario, Canada, and his mother, Sarah Barrett Quinlivan, was born at Postville, Iowa.

Bill, as he was known by all his friends, attended the public and parochial grade schools in St. Cloud, Minnesota. After graduation from St. Cloud Technical high school in 1917 he entered Carleton College at Northfield, Minnesota.

Shortly after entering Carleton College and the entry of the United States into the World War, he enlisted in the United States Navy. The early part of his enlistment was spent at the Great Lakes Training Station and on the U. S. S. Iowa. Subsequently, and to the end of his enlistment, he served in the Troop Transport Service on the U. S. S. Artemis.

Following his honorable discharge from the United States Navy on the 6th day of January, 1920, he entered the St. Paul College of Law. Upon his graduation from St. Paul College of Law and admission to the bar of this State in 1924 he became associated with William P. O'Brien in the practice of law in this city. For a period of thirteen years up to the time of his death on the 8th day of February, 1938, his association with Mr. O'Brien in the practice of law continued.

Although of a reserved nature, he had a pleasing personality. He was a good lawyer; as counselor he was fair, diligent, and frank; in negotiations to settle controversies out of court he was alert and effective; in the conduct of litigation he was a diligent, skillful and convincing advocate. By conscientiously preparing and faithfully presenting his clients' causes according to

the truth, he merited and attained high standing in the profession and before the courts. He never permitted his zeal to overcome his candor.

His untimely death is a distinct loss to the profession.

He is survived by his mother, Mrs. Sarah Quinlivan of St. Cloud, Minnesota; his wife, Sylvia C. Quinlivan, and three small children, William, Donald and Joan, and his two brothers, R. J. Quinlivan of St. Cloud, Minnesota, and J. M. Quinlivan of Minneapolis, Minnesota, both of whom are respected members of the bar of this State.

Respectfully submitted,

D. BLAIR RUMBLE, Chairman,
F. MANLEY BRIST,
R. H. DE LAMBERT,
PATRICK J. LYONS,
ULRIC C. SCOTT.

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[Photographs of John M. Bradford and Frank B. Kellogg are from *Men of Minnesota* (1915) and have been added by MLHP]

Posted MLHP: May 29, 2016.