

MEMORIAL EXERCISES

FOR DECEASED MEMBERS

of the

RAMSEY COUNTY BAR

ASSOCIATION



Held at the

COURTHOUSE

Saturday, March 28, 1959

RAMSEY COUNTY BAR ASSOCIATION

ANNUAL MEMORIAL EXERCISES

Court House, Saturday, March 28, 1959, 10:00 A. M.

On Saturday, March 28, 1959, Memorial Exercises in honor of those members of the Ramsey County Bar who died during the past year were held in the Court House.

**STATE OF MINNESOTA, COUNTY OF RAMSEY.
District Court, Second Judicial District.**

Present: Judges Dennis F. Donovan and Edward J. Devitt of the United States District Court; Judges Martin A. Nelson and William P. Murphy of the Minnesota Supreme Court; Judges Canton McNally, Clayton Parks, Albin S. Pearson, Arthur A. Stewart, Ronald E. Hachey and Marshall F. Hurley of the Ramsey County District Court; Judge Andrew A. Glenn of the Ramsey County Probate Court; Judges Edward D. Mulally, Archie Gingold and J. Jerome Plunkett of the St. Paul Municipal Court; Judge Jerome E. Franke of the Roseville Municipal Court; and Judge William J. Fleming of the White Bear Lake Municipal Court.

Also present: Officers and members of the Ramsey County Bar Association, and families and friends of deceased members of the Bar.

Judge McNally: In conformance with a custom of long standing, we are met here today to pay thoughtful tribute to the members of the Bench and Bar who passed away during the preceding year. As has been customary in the past, these proceedings are under the jurisdiction of the Ramsey County Bar Association, and at this time the Court recognizes Mr.

Clinton W. Redlund, the President of the Ramsey County Bar Association.

Mr. Redlund: Thank you, Your Honor. The arrangements for the presentation of memorials for the members of our Bench and Bar who have died during the past year have been made by Mr. Mortimer B. Miley, the chairman of the Committee on Memorials, and I ask the Court at this time to recognize Mr. Miley.

Judge McNally: The Court recognizes Mr. Miley of the Ramsey County Bar.

Mr. Miley May it please Your Honor, it is indeed fitting and proper that we gather here on this beautiful Easter Saturday morning to pay thoughtful tribute to the members of the Bench and Bar of Ramsey County who have passed away since our last memorial service. Memorials have been prepared and will be presented for the following:

HONORABLE ROYDEN S. DANE
JOHN C. ZEHNDER
RAYMOND W. ALLARD
RUSSELL M. CARLSON
WILLIAM F. DESMOND
CLIFFORD W. GARDNER
A. JEROME HOFFMANN
BERT A. McKASY
WILLIAM P. O'BRIEN
ROLAND J. OLIVER
GEORGE C. ROGERS
NORBERT L. WILLWERSCHIED
THOMAS J. NEWMAN
JOHN BOWMAN

A committee consisting of Mr. Vern L. Berryman, Mr. Fred W. Fisher and Mr. Ralph Stacker has prepared a memorial to Honorable Royden S. Dane, which will be presented at this time by Mr. Fisher.

Mr. Fisher read the memorial for Judge Dane.

Judge Royden S. Dane was born at Biwabik, Minnesota, on December 24, 1893. His parents were Frank Dane and Frances Dane, who came from Portage, Wisconsin, to Biwabik when the iron mines were newly opened. Judge Dane's father became superintendent of the Biwabik mines.

Judge Dane attended grade and high schools in Biwabik Minnesota. He worked in the mines firing locomotives and steam engines. Frequently in the winter he would find work in the northern lumber camps, driving four-horse teams pulling sleighs with their heavy loads of logs. He attended the University School of Agriculture for a time, and then took up law at the University of Minnesota. His legal education was interrupted by the outbreak of World War I, whereupon he entered military service, spending 18 months in the army, including six months' service overseas. He served as a sergeant in the infantry, and toward the close of the conflict he was selected for officer training. The war, however, ended before he received his commission.

After his return to St. Paul, for a time he sold candy, fruit, and railroad guides on the trains running between St. Paul and Watertown, South Dakota. He also worked for a short time with an auto factory in Sandusky, Ohio. Subsequently he worked for the St. Paul Rubber Company and for the Winston Brothers Contracting firm in Minneapolis as clerk, timekeeper, and, ultimately as superintendent of road construction in northern Minnesota and the Dakotas. During this period he resumed his legal education at the St. Paul College of Law, from which institution he graduated in 1926 with an excellent

scholastic record, Judge Dane was admitted to the Bar of the State of Minnesota on June 21, 1926, and engaged in the private practice of law in St. Paul for a period of 17 years. He proved to be an efficient trial lawyer, careful in the preparation of his cases and faithful to his clients' interests. During the period of his legal education at the St. Paul College of Law, he worked in the law office of Clayton Parks, now a Judge of the District Court, and Vern L. Berryman, and following his admission to the Bar he was associated in practice with Mr. Berryman. During this period he also lectured in Commercial Law at Hamline University.

Judge Dane was appointed to the Municipal Court of the City of St. Paul by Governor Thye in December 1934, after receiving the largest number of votes ever given up to that time in a Bar Association plebiscite. He was elected to the District Court in 1946 and served in such capacity until his death on February 7, 1959. He married Fern M. Nelson of St. Paul, Minnesota, on February 18, 1956.

Judge Dane was a Republican in politics and was an active worker for his party prior to his elevation to the Bench. At one time he served as chairman of the Republican County and Congressional Convention.

He was a member of Osman Temple of the Shrine, Midway Lodge No. 185 A.F. & A.M., and the Scottish Rite Bodies of St. Paul. He was a director of the Young Men's Christian Association of St. Paul and a member of the American Legion, the Veterans of Foreign Wars, the Disabled American Veterans, the Original Boosters, Snelling Avenue Commercial Club, Junior Pioneers, the Humane Society, the Fly Tiers and Fishermen's Club, and the Ramsey County and Minnesota State Bar Associations. Judge Dane played golf at Keller Golf Course for many years and worked on the first St. Paul Open Golf Tournaments. He had a great interest in horses, owning at various times several registered American saddle-bred

horses. He made several trips outside the state to look over and inspect horses, particularly in Missouri and Kentucky, and brought back several horses in trailers. Among his riding companions were Judge Clayton Parks, Mr. Lambert Gill, Dr. William Bernstein, Mr. Thomas Ellerbe, and Federal Judge Warren Burger. He loved fishing, especially stream fishing for trout. He fished extensively for muskies in Wisconsin. Accompanied by his wife, he traveled extensively in the summer from state to state fishing in various lakes and streams. He tied hundreds of various types of flies, frequently spending several hours a week in this avocation.

Judge Dane was known and respected not only by his colleagues of the Bench and Bar, but by his many friends and associates for his work in various Veterans organizations and for his sincere patriotism. He enjoyed lecturing to boys groups on patriotism and the American way of life. As a man, he was considered a true friend and a gentleman by his acquaintances from all walks of life; as a judge, he was respected and revered by his colleagues on the Bench and by those of us who practiced before him. Socrates said over two thousand years ago:

"Four things belong to a judge: to hear courteously, to answer wisely, to consider soberly, and to decide impartially."

Judge Royden S. Dane was ever guided by the great philosopher's admonition. Although firm and quick in his rulings on the bench, he was always courteous and considerate of the rights and of the feelings of the litigants and attorneys who appeared before him. His decisions and rulings were always soberly considered and carefully prepared, well reflecting his true wisdom. He was open-minded and absolutely impartial in the trial of cases. In Socrates' view of the judiciary, Royden Dane was a judge in the truest sense.

Judge Dane is survived by his wife, Fern M. Dane, and two sisters, Mrs. Helen Fish of Grand Rapids, Minnesota, and Mrs. Marjorie Sims of Long Beach, California. May their deep sense of personal loss be tempered by their knowledge of the affection and respect held for him by his colleagues of the Bench and Bar.

Respectfully submitted:
VERN L BERRYMAN
FRED W. FISHER
RALPH M. STACKER
Committee



Mr. Miley: A separate memorial to Judge Dane will be presented in behalf of the District Judges in and for Ramsey County by the Honorable Clayton Parks.

Judge Parks read the memorial for Judge Dane.

When, on the 7th day of February, 1959, Royden S. Dane departed this life in obedience to the call of a higher court, he left a great void amongst us which can never be filled, for his was an unusual personality.

At times in his speech he would exhibit a rustic exterior to those he attempted to influence. On the other hand he was, in fact, a gentle soul, refined in habit and thought, with the power of deep and calm reflection. On one occasion, illustrative of his rustic expressions, he was heard to say with respect to divorce cases, "What really upsets me about these divorce cases is the fact that the husband and wife slug it out between themselves, while the children bleed."

Judge Dane had great will power. Whatever he believed in, he held steadfastly to this belief. He believed a man should ride tall in the saddle. He meant by this that a man should hold up his head in independence and that he should deserve a reasonable amount of, dignity in later years through his frugality and his generosity and that there would be a failure in his character if he failed to accumulate a reasonable amount of this world's goods by honest effort and prudent investment in order that at no time in the future as he grew older would he become a burden upon anyone else.

He believed that three things were given man to do: to dare, to labor and to grow. He felt that we were put on earth for that purpose.

I believe Judge Dane to have been a deeply religious man. He did, however, have great respect for all religious beliefs.

Judge Dane had the quality of a Michael, "restrained silence"; the quality of a Boerner, "simple modesty"; the quality of a Hanft, who believed the people had high regard for their judges; the quality of a Brill, who believed a man's private life should be such as to cast no ill reflection upon the judges of the bench on which he served or of the state.

He did not believe that a courtroom was a place of entertainment, and as chairman of the State Judges Committee on Courtroom Decorum, he opposed taking pictures or recording anything that took place in the courtroom.

Judge Dane was, in fact, in practice what he expected of all judges; that in every particular his conduct should be above reproach; that he should be conscientious, studious, thorough, courteous, patient, punctual, just, impartial, fearless of public clamor, regardless of public praise, and indifferent to private, political or partisan influences; that he should administer, justice according to law, and deal with his appointments

as a public trust; that he should not allow other affairs or his private interests to interfere with the prompt and proper performance of his judicial duties, nor should he administer the office for the purpose of advancing his personal ambitions or increasing his personal popularity.

Daniel (as I usually addressed him in private), despite his adherence to the above judicial ethics, was a sterling opponent in any political arena. He liked people, and he believed he should know personally many men in all walks of life. He went out of his way to greet people on the street and in places of business. I believe he thought it was necessary—that he owed it to them as their servant. He knew people by their first names. He remembered details of each person he met. His was a remarkable memory for names, faces and things about them.

He always paid due respect to those who lay in state, even if they lay in humble surroundings. He sincerely felt that he was doing friendly service to the bereaved family by so doing.

It was his wont to attend many public meetings of a political nature and otherwise where he had no concern except to listen to the arguments and the contentions of candidates for office.

He never refused to deliver an address when invited to do so, although I do not believe he really enjoyed doing so because of his innate modesty.

Judge Dane was more than liked by people who really knew him. He was loved by many, although I doubt if he would like that word said of him in this connection. He wanted to be highly thought of, and he had his wish to his dying day. More people looked upon him in death than any public man I have ever known. They came by the hundreds and stood silently in line to pay their last respects.

Reference has been made, in the principal memorial presented by the Bar, to his love of horses. I rode with him for many years. He was more than an expert horseman. He not only was a fine rider, but he probably knew as much, if not more, about the "American saddle-bred" horse than any man in this state or in the northwest. He was a judge of many shows. He knew the pedigree of every important "American saddle-bred" in the country and could tell you offhand what the breeding was of any prominent saddle-bred. He often said to me, "If people thought more of good breeding, we would have a better class of society" He always owned either a three or five-gaited horse. He was very particular. He would no more think of putting a Western Saddle on his "American saddle-bred mare" than he would to raise his voice in anger; yet he had a peculiar trait born of his love of a fine horse and his own modesty. He would buy the most expensive English Saddle he could find; his bridle, whip, halter, boots, gloves were of the finest quality obtainable, but no one could get him to dress up when he rode. At a distance he looked like a knight on a shining steed, but the coat he wore and the hat he wore looked as if they had been borrowed from skid-row. We would josh him about this quirk in his makeup, but he paid no attention to us. His pride was in his horse and not in himself, although he was an excellent horseman.

Although he paid to have his horse groomed, he usually did the hard work himself, which is hard work indeed. His mounts were always the best fed and the best groomed.

He loved all animals. I have known him to go with Dr. Berg, the veterinarian at the Fair Grounds for so many years, in the dead of winter to help the old "doc" care for some suffering animal.

He loved his mounts, but he was not sentimental about them. In fact he did not believe that a horse was very smart, but simply a creature of training and discipline. He said to me on

one occasion, "If you can teach a horse good manners, why cannot parents teach their children good manners? They could if they had the patience to do so."

He often said to me, "The outside of a horse is good for the inside of a man."

As judges we collaborated on many occasions on questions of law and procedure, but never did he attempt to influence a brother judge in rendering his decision, nor do I think he was much influenced by any brother judge as to his decision in a given case. He said jokingly to me on one occasion, "I believe I can be reversed on my own account."

At one time he did an unheard of thing. He called up the Chief Justice and asked him point-blank what he meant by what he said in a decision.

He was not one to gloat over the misfortune of a brother judge when he was reversed by the Supreme Court, but he was rather likely to call upon him if he were sustained and congratulate him. This exemplifies the very nature of the man. He was friendly always and rarely spoke harshly of anyone, nor was he ever sarcastic or opinionated. When he spoke, which was rare, he meant what he said, and what he said was horse-sense.

He did not practice law by ear. He knew where to find the law, and when he found the case, he understood the principles enunciated by it. He steadfastly followed the law laid down by the Supreme Court, even if he doubted its reasoning in the case.

He disliked the rule of "Caveat Emptor". He thought the rule should be abolished. He was a firm believer in "Stare Decisis". He thought it better that one man suffer by following the rule than to have upset the wisdom of the ages.

His devotion to duty prompted him to return to his judicial labors prematurely and thus contributed to his untimely death. We shall miss him as a friend and as an able companion upon, the bench.

Respectfully submitted,
CLAYTON PARKS,
Judge of the District Court.



Mr. Miley: A memorial to Mr. John C. Zehnder has been prepared by a committee consisting of the Honorable Henry Post Curren, Mr. Worth K. Rice and Mr. Elmer A. Benedum, and will be presented by Mr. Curren.

Mr. Curren read the memorial for Mr. Zehnder.

John Christian Zehnder was born June 3, 1870, on a farm which his father, Frederick J. Zehnder, homesteaded in Inver Grove Township, Dakota County, Minnesota. He died on April 17, 1958, at the age of 87 years, 10½ months.

His father and mother were both born in Germany. They migrated to the United States, he coming in 1852 and she in 1867. Frederick J. Zehnder first settled in Philadelphia in 1852, and came to Minnesota in 1855 and began farming in Dakota County. John C. Zehnder was one of eight children, of whom only one brother, Christian J. Zehnder, now survives.

John Zehnder's early education was acquired in a little country school near his boyhood home. It was not limited to the 3-B's for his parents who were of the Pennsylvania Dutch saw to it that the Zehnder children attended Sunday School regularly at "Salem Church"; a small white church which still stands as an historical landmark on Salem Church Road, Dakota County, and which attests to the faith of the Pennsylvania Dutch Evangelical group which denomination built the church, their first church in Minnesota.

Mr. Zehnder had no opportunity to go to High School. In 1888 he planned to take a business course at the Evangelical Church College (now North Central College) at Naperville, Illinois. His studies included high school subjects and he soon became aware that his education must include much more than a mere business course, though his business training must have contributed greatly to his later successes, professionally and economically.

His decision was to work toward a degree at North Central College. He paid his own tuition and other expenses by selling a book called "Nichol's Business Guide" written by one of the professors at the College. The cost of each copy to the student-salesman was 30 cents; the price to customers was \$1.00. By selling, this book during the summer months, Mr. Zehnder worked his way through college, being awarded the Bachelor of Science Degree in 1896. Then, while continuing to sell the "Business Guide" as his source of income, he entered the Law School at the University of Minnesota and was graduated in June, 1900.

Mr. Zehnder commenced to practice law in January, 1901, in an office in the Globe Building. For some years thereafter he was associated with the Hon. J. W. Willis, formerly a judge of the District Court. In 1908 Mr. Zehnder moved to the Pioneer Building where he shared office with the late William W. Allen and Leonard A. Straight, of this Bar. For a time Jessie Calmensen also was in that office. After the decease of Mr. Allen and Mr. Straight, Mr. Zehnder continued in the same office sharing it with Messrs. Gray and Gray until the time of his death. He was active in the practice for 56 years.

Mr. Zehnder's practice was general, though it ran mostly to probate work, real estate and mortgages. Having himself experienced financial problems during his early life, his sympathies and efforts were for those in economic or financial distress. When a client's difficulties in that regard were relieved, his own satisfaction was equal to that of the client, often-times his only compensation.

In one case, a Judge Moran of Hastings advised a widow, who had been left with a heavily mortgaged farm, to consult Mr. Zehnder. A foreclosure had been threatened and the client was greatly distressed. Mr. Zehnder promptly arranged to refinance the mortgage and, in a few years, the farm was cleared of debt. This is typical of many such instances. Mr.

Zehnder never relinquished his desire to help in case of need, nor his willingness to gamble on one struggling to overcome economic obstacles.

Mr. Zehnder's interests were not confined alone to his law office practice. He was also interested in mechanics, in the manufacturing and distributing process. He liked nothing better than to stop at a factory to view the operations. Perhaps it was this interest which led him to form a business association with one John S. Danner, an inventor, who, at the time, was struggling to keep a small iron and wire specialty business out of bankruptcy. Mr. Zehnder loaned enough money to avert liquidation and soon the Twin City Iron & Wire Company, 35 West Water Street, St. Paul, proved its worth financially and has become a thriving business, and enabled the man who loaned the money to climb out of debt himself. This venture and others contributed to enable Mr. Zehnder to establish a student scholarship fund at his Alma Mater, North Central College, as he indicated, to help others get through college without selling books as he himself had done. These successes also made it possible for him to contribute substantially (though anonymously) to other institutions, educational, religious and charitable.

Mr. Zehnder was without racial or religious prejudice. Piney Woods Negro School at Piney Woods, Miss., the National Jewish Hospital, Denver, Colorado, and the Little Sisters of the Poor were among the institutions he believed in and helped.

His interest in social betterment went beyond the mere economic side. To such, he dedicated much of his time and attention. For many years almost up to the time of his death, he was counsel for the Minnesota Conference of the Evangelical United Brethren Church.

When the Congregation "First Evangelical United Brethren Church of St. Paul", formerly located on Pine Street, found it

necessary to sell their property, there was lack of agreement as to the site for the new church. Soon Mr. Zehnder had spotted a site on high ground at Earl and Euclid Streets which he suggested as a good location. The new church which now has more than 500 members was built there, all parties agreeing. He was trustee of Evangelical Church Publishing Co., Harrisburg, Pa. and the Church Orphanage at Flat Rock, Ohio.

Mr. Zehnder was one of the founders of the West Side General Hospital (now the Riverview Memorial Hospital) and for many years was on the Board of Trustees, and was also attorney for the corporation which operated it. Soon after the Hospital was transferred to new ownership and name, the original founding corporation was dissolved just four days before Mr. Zehnder's death. His share of the work to bring a hospital to the West Side was done.

Leisure activities were precious few on Mr. Zehnder's schedule. He had and maintained a summer cottage on Lake Koronis, mainly for the use of his family. However, he enjoyed an occasional fishing trip with the "boys". Even on these occasions, it was said that he could not sleep after the crack of dawn, and was by that time up getting breakfast ready for the others. It is said that his fishing associates, in a good natured way, ribbed him about carrying his aversion to strong drink too far, and merely waving the coffee can over the coffee pot, and, as a consequence, they preferred to brew their own coffee.

Mr. Zehnder's family life was indeed happy and harmonious. He was outspoken in acknowledging his good fortune in that regard. Two years after he commenced the practice of law, and on December 31, 1903, he was married to Clara Lucy Smith of Menomonie, Wisconsin. They were college classmates who graduated together in 1896. To them were born four daughters; Dorothea (now Mrs. A. R. Seder, Washington,

D. C.), Ellen (now Mrs. R. M. Burger, Comfrey, Minnesota), Mae (now Mrs. Paul Schoch, Newport, Minnesota), and Miss Juanita Zehnder, St. Paul, Minnesota. In addition to those named Mr. Zehnder is survived also by three grandchildren, namely, John C. Schoch, Paul G. Schoch, Jr., and Lynn Ellen Schoch.

John C. Zehnder would be the last to claim that his career as a lawyer was worthy of note. He was not spectacular, nor did he seek notoriety or publicity. His steady devotion to his client's interests was his highest purpose, and he had a profound sympathy for his clients, if they were in poverty, sickness or distress.

Yet, measured by the number of his clients and economic rewards bestowed upon him and the usual material rewards of the lawyer, Mr. Zehnder's career was more than notable. He was a loyal member of the Ramsey County Bar Association and the Minnesota State Bar Association for many years and loyally supported both.

For his willingness to do the necessary things even when unpopular, for his ready help to those in unfortunate circumstances, and for his honest and faithful adherence to the highest standards of his profession, we are proud to pay tribute to the memory of a man who not only lived a long life but lived it well.

Respectfully submitted,
WORTH K. RICE
HENRY POST CTIRRER
ELSMER A. BENEDUM



Mr. Miley: A committee consisting of Mr. Stephen Schmitt, Mr. Vern L. Berryman and Mr. Worth K. Rice has prepared a memorial to Mr. Raymond W. Allard, which will be presented at this time by Mr. Schmitt.

Mr. Schmitt read the memorial for Mr. Allard.

Raymond W Allard, son of Ernest L. Allard and Hattie M. Allard, was born in the Hamline District of St. Paul, Minnesota, on August 12, 1894. His father was born in the Province of Quebec, Canada, and came to St. Paul when he was about twenty years of age. His mother was the youngest child of Albert Gillette and Ellen Austin Gillette, both of whom came from Vermont.

Mr. Allard attended Hancock grade school and Central High School at St. Paul, Minnesota. While in High School he played on the football team. In the fall of 1913 he matriculated at the University of Minnesota in the School of Mines. He was active in extra-curricular activities of the University as well as being an excellent student. He was president of the junior class and held other offices. He belonged to Sigma Rho Fraternity, Mr. Allard took the five year course, receiving the degree of Bachelor of Mining and Metallurgical Engineering. He was a member of Tau Beta Pi, an honorary engineering society.

In January of his senior year he enlisted in the Engineering Corps of the United States Army. Completing his work in the Army in May, he left for Fort Lee, Virginia, for Officer's Training camp. At that time trouble with his eyes prevented him from receiving his commission and he was transferred to Camp Humphrey, Virginia, where, as one of the few graduate engineers, he assisted in planning the Sanitation layout. From Camp Humphrey he was sent to Camp Forest, Georgia, where he did personnel work. He was transferred to the Coast Artillery at Fort Monroe, Virginia, where he completed his officer's training and received the commission of a second

lieutenant in the Coast Artillery. He received his honorable discharge in December, 1918, arriving home in time for Christmas.

Upon his return his first position was as a chemist and metallurgist for the St. Paul Malleable Iron Company. In August, 1921, Mr. Allard moved to Portland, Oregon, with the intention of going into business, but instead he obtained a position in the Polytechnic High School in Portland, returning to St. Paul in June of 1923.

For seven years he taught in the School of Mines at the University of Minnesota,—first as an instructor in Graphic Statics and later as assistant professor, and head of the department of Ore Dressing. In the summers he worked as a testing engineer on the Northrup Memorial Auditorium and the Mendota Bridge.

During the years 1926-1930 Mr. Allard attended the Minneapolis College of Law Night School and graduated with the highest honors. After being admitted to the Bar, he was associated with Timothy J. Doyle in the practice of law. After the death of Mr. Doyle he continued the practice of law in the same office until his death on October 25, 1958.

In June, 1920 Mr. Allard married Nona Elizabeth Doyle of St. Paul. To them were born three children: Katherine F. Allard, secretary to an advertising concern in Minneapolis; Nona Mary Allard (now Sister Mary. Raimonda, O. P.), doing graduate work at Catholic University in Washington, D. C.; and Raymond W. Allard, Jr., doing graduate work at the California Institute of Technology at Pasadena. Mr. Allard is also survived by his brother, George G. Allard.

Mr. Allard loved the outdoors. His residence at Birchwood, White Bear Lake, gave him opportunity to enjoy his favorite hobbies,—swimming and skating. He was very proficient in both. During his teaching years at the University his outdoor

interests brought him close to his students. On the field trips in the Spring he and his students developed a close relationship and these friendships continued through the years.

Mr. Allard was a loyal friend. No effort or task was too great to prevent him rendering assistance or help to anyone. When any of his friends were ill or downcast, his cheery words were a tonic to them. Mr. Allard had a philosophic turn of mind. Many times he talked on the mysteries of life, the problems of existence and the metaphysical questions, to which all of us try to find answers to our satisfaction.

He was honest and sincere, true to himself and his fellows. All of us were proud to have been his friends. He was one who followed the advice of Polonius to Laertes, which was

"This above all,—to thine own self be true;
And it must follow, as the night the day,
Thou canst not then be false to any man."

As a lawyer, he was a credit to the profession,—careful in preparation of his cases, dignified before the Bench and courteous to his brother attorneys. He typified the lawyer as he should be. He had a large group of clients, whose interests he carefully protected.

Raymond W. Allard will be remembered as a loyal friend, a patriotic citizen, a true gentleman, and an attorney of whom our profession may be proud. We shall miss him.

Respectfully submitted,
VERN L. BERRYMAN
STEPHEN SCHMITT
WORTH K. RICE
Committee.



Mr. Miley: A memorial to Mr. Russell M. Carlson has been prepared by a committee consisting of Mr. Everett L. Peterson, Mr. Harold E. Ruttenberg and Mr. Rudolph E. Low, and will be presented at this time by Mr. Peterson.

Mr. Peterson read the memorial for Mr. Carlson.

Russell M. Carlson was born in St. Paul, Minnesota, on May 31, 1903, the oldest son of Martin and Matie Carlson. His parents were of Swedish and Irish ancestry.

He graduated from Johnson High School and after attending the University of Minnesota, he graduated from the St. Paul College of Law. He was admitted to the Bar in 1929, and was a member of the Minnesota and Ramsey County Bar Associations and of Phi Beta Gamma, Legal Fraternity.

Russ was married to Margaret Servatius in 1926, who survives him as do two children, Robert Carlson and Virginia Anderson. He is also survived by two grandchildren, two sisters and one brother.

Soon after his admission to the Bar he became associated with Samuel Anderson, a well-known trial lawyer, and continued such affiliation until during World War II when the government sought his services in the office of price administration. His abilities were soon recognized and he became chief trial lawyer. Thereafter he returned to private practice and formed an association with Rudolph Low which continued until his death [on November 27, 1958].

For many years Russ was an active member of the Cosmopolitan Club of St. Paul, having served as its president and secretary. He was a charter, life time member of the St. Paul Rod and Gun Club, and active in Ducks Unlimited. He served on various committees and was continuously active in affairs of the Bar Association.

He was truly an enthusiastic and ardent sportsman. Earlier in life he took to raising, and training dogs, and from time to time produced eleven Pointers of recognized standing. His keen interest in dogs qualified him to serve often times as a judge of dogs and at field trials.

Russ was acknowledged as one of the finest shots in this community and acquired many awards for his excellent performances. He loved to hunt and fish and seldom missed a weekend during the open season.

He took pride in his home and was extremely devoted to his family.

Russ was a warm, cheerful and gregarious personality with a keen sense of humor. He was kind, unselfish and deeply sympathetic. He had an anecdote to fit every situation. He loved conversation and fellowship and his was that cherished ability to spread laughter and joviality among all with whom he associated, and instill within one a better feeling for that association.

Respectfully submitted,
RUDOLPH E. LOW
HAROLD E. RUTTENBERG
EVERETT L. PETERSON, Chairman.



Mr. Miley: A committee consisting of Mr. James F. Lynch, Mr. Edward E. Cleary and Mr. John P. Frank has prepared a memorial to Mr. William F. Desmond, which will be presented at this time by Mr. Lynch.

Mr. Lynch read the memorial to Mr. Desmond.

William F. Desmond was born at Saint James, Minnesota, January 8, 1902, the son of Timothy and Elizabeth Desmond. He attended grade school in the City of Minneapolis and graduated from Saint Thomas Military Academy and Saint Thomas College, where he was a proficient athlete.

After graduation he was employed in the editorial department of the West Publishing Company and later became associated with John P. J. Dolan, Michael F. Kinkead and John W. McConnell in the general practice of law. Upon Mr. Kinkead's election as County Attorney, Mr. Desmond became one of his assistants July 1, 1931, a position he retained until his death May 4, 1958, with the exception of 1942 and 1943, during which years he served in the United States Army.

Possessed of a profound knowledge of criminal law and a keen understanding of human nature, Mr. Desmond was a prosecutor of high integrity. Although not in good health for the last ten years of his life, he nevertheless exercised a keen intellect and calm judgment in appraising the many problems concerned in the administration of criminal law in this county with justice and patience.

Working in close cooperation with the Saint Paul police department during the entire period of his service in the County Attorney's office, he worked on the investigation which led to the Murder Incorporated convictions of the Gordon and Loeb murders, as well as innumerable similar situations which developed in the administration of criminal law in this jurisdiction from 1931 until his death.

Mr. Desmond was survived by his mother, who has since passed away, and by his brother George M. Desmond of Saint Paul, and a sister Mrs. Leona Ashburn of Denver, Colorado. His wife died in July, 1946.

Respectfully submitted,
JAMES F. LYNCH
EDWARD E. CLEARY
JOHN P. FRANK



Mr. Miley: A memorial to Mr. Clifford W. Gardner has been prepared by committee consisting of Mr. C. Paul Smith, Mr. Daniel Dennis O'Connell and Mr. Solly Robins, and will be presented at this time by Mr. Smith.

Mr. Smith read the memorial to Mr. Gardner.

Clifford W. Gardner, past president of the Minnesota State Bar Association and one of the outstanding trial lawyers of this area, passed away in Saint Paul on December 17, 1958.

Mr. Gardner was born on October 11, 1899, in Mankato, Minnesota, the son of Walter T. and Anna L. Gardner. He was graduated from St. Thomas College in 1918 in absentia when in the United States Army during World War I. Upon his return from the army he attended and was graduated from the Saint Paul College of Law and was admitted to practice here on September 8, 1923. At the time of his death he was associated in the practice of law with Daniel Dennis O'Connell, Daniel John O'Connell and Robert J. Monson in the Minnesota Building.

Cliff was dedicated to the activities of the American Bar, Minnesota State Bar and Ramsey County Bar Association and was an energetic and tireless worker on numerous committees. He served as president of the Minnesota State Bar Association in 1952-1953. He was a member of the Board of Governors of the Minnesota State Bar Association from 1953 to 1955, and Minnesota delegate to the American Bar Association House of Delegates from 1954 to 1955. He performed outstanding work during the years he served as chairman of the Ramsey County and State Bar Associations Unauthorized Practice of Law committees and was a member of the American Bar Association on the Unauthorized Practice of the Law. He gained a host of loyal friends and admirers throughout the country for his contribution On behalf of his colleagues and for his unrelenting efforts in stamping out

practices inimical to the best interest of our members and citizens. The *Gardner vs. Conway* [234 Minn. 468 (1951)] decision by the Minnesota Supreme Court is one of the landmarks in the field of the unauthorized practice of law and has been cited approvingly by virtually every state bar association in the nation. For many years Mr. Gardner traveled throughout the country with other Minnesota lawyers and judges on a trial tactics panel which gained fame for the Minnesota State Bar Association. In recognition of his brilliant work as a trial lawyer he was named to the International Academy of Trial Lawyers. In addition to his professional memberships, he maintained membership in the American Legion and the Loyal Order of Moose.

He was survived by his widow, Dorothy Sauer Gardner, a prominent attorney in Dubuque, Iowa, a son, Clifford W. Jr., his mother, Mrs. Anna L. Gardner, two brothers, Dr. Walter Gardner of St. Paul, and Harvey E. Gardner, an attorney in Janesville, Minnesota.

There are certain people born into this world who are not quickly, if ever, forgotten. Their numbers are few. Most of us lead lives of such gray and quiet incident that the memory of us rapidly dims when death removes us. Not so, however, with this chosen few. Their energy, their dedication to effort and aspiration, the vehement announcement of their beliefs and the relentless accomplishment of those things which they hold to be of worth and value, characterize their activities. We may agree with them, we may disagree with them, but we cannot ignore them. The very extremes of the affection or opposition which they inspire among those who know them, is indeed a measure of their greatness. Name, if you will, any person of memorable history, and you will find that that person was one toward whom an attitude of neutrality was impossible and unthinkable. These are the ones who have moved in the vanguard of human progress

He was one of the chosen few. His ability as a lawyer is well known. His success in the practice of his profession is conceded. But his accomplishments were far and, above all of that. As all of you know, or should know, he devoted an infinitude of time over a period of years to the best interests of the law, the lawyer, and the lawyer's place in our society. And in these activities, he was inflexibly forthright and outspoken.

Cliff will ever be remembered—a colorful, controversial figure whose like is disappearing from our timid, conforming society. He was intense, direct and plain-spoken. With all of that, with all of his unaffected bluntness, we who knew him well, knew what a kind, good heart beat within him. Cruelty, hypocrisy, injustice—these were the things that were anathema to Cliff, the things that would drive him into a frenzy of denunciation. In his attacks upon the mountebank, the puffed-up, the snide, the greedy, the self-righteous, he pulled no punches, he gave no ground or quarter. But for the poor, the troubled, the suffering, he had a kindness, a sense of sympathetic understanding that was boundless.

The newspaper men of the city recognized the talent and brilliance that marked Cliff's activities. Oliver Towne, in his column which appeared in the *St. Paul Dispatch* on December 22nd following Cliff's death, writes as follows:

Cliff belonged to the disappearing school of lawyers whose showmanship and genuine emotion made him an unforgettable figure in City hall and court-rooms around the country. His biting wit masked a warm heart that only his close friends knew. Just as few knew the scope of his adventurous life—one which took him on a big game hunt in Africa for his honeymoon a few years ago.

And the tribute to his kindness which Paul Light published in the *St. Paul Pioneer Press* of the same date is a fitting

conclusion for this memorial. This is what Paul wrote:

To Cliff Gardner true charity was anonymous... "That kid you mentioned in your column this morning, the one whose bike was stolen," he'd say over the phone. "Buy her a new bicycle and send the bill to me. But don't you dare mention my name, promise?"

Up to now I've kept my promises to Cliff. But with his death Wednesday, I think the city should know Cliff Gardner just a little better. The St. Paul attorney believed in quiet, gentlemanly charity.

I remember a little boy who lost the light of his love, a mongrel pup. Cliff ordered me to buy this boy the finest pup I could find and "send the bill to me... but don't dare mention my name, promise?"

Another time a needy child who'd just received a repainted "new" sled for Christmas from a local welfare agency came back from his first slide of the season, the sled ruined. A car had backed over it, squashing it beneath the wheels. Cliff authorized me to buy the "fanciest sled you can find in St. Paul."

The list of Cliff's good deeds is long and shining. But he would have been the last to admit it.

Respectfully submitted,
DANIEL DENNIS O'CONNELL, Chairman
SOLLY ROBINS
C. PAUL SMITH



Mr. Miley: A committee consisting of Mr. Walter T. Ryan, Mr. Joseph M. Donahue and the Honorable Robert V. Rensch has prepared a memorial to Mr. A. Jerome Hoffmann, which will be presented at this time by Mr. Ryan.

Mr. Ryan read the memorial to Mr. Hoffmann.

A. Jerome Hoffmann was born in Saint Paul, Minnesota, January 8, 1899, the son of Henry and Theresa Hoffmann.

He acquired his elementary education in the public schools of Saint Paul and his legal education in the Saint Paul College of Law; graduating therefrom in 1921, he was admitted to the Bar of Minnesota the same year.

For approximately five years following his admission to the Bar he was employed by the National Surety Company in an assignment covering the Eastern states.

In 1929, he entered the practice of the law in an association with John Edmund Burke. Upon the termination of that association in 1939, he became associated with Joseph M Donahue, under the firm name of "Hoffmann and Donahue." In 1950, John W. Graff joined the firm and the name became "Hoffmann, Donahue and Graff." Later the firm was joined by Harold W. Schultz and Edward G. Springer, and so continued until Mr. Hoffmann's death.

During his entire practice he maintained offices in the Minnesota Building.

Jerry saw active service in World War I and during World War II he regularly conducted classes in Red Cross work, teaching life-saving and first aid to many who later became instructors themselves.

He was a member of the Executive Board of the Saint Paul Foundation, the Delta Theta Phi Legal Fraternity, the Saint Paul Athletic Club, the 40 and 8 American Legion Post, and the Ramsey County, Minnesota and American Bar Association.

For eight years prior to his death he was a member of the committee on criminal law of the State Bar Association, and from 1956 until his death he was its chairman. He originated the Institute on Criminal Law and during the State Bar Convention held in Duluth in 1957, he conducted the Institute's first trial panel. He had made full preparations for the 1958 Institute, but illness prevented his attendance and he passed away the day following its presentation.

Jerry loved the outdoors. He was a real fisherman. He never carried away an undersized fish, but gently removed it from his hook and replaced it in the water for future enjoyment. During hunting season he could be found tramping through meadows, fields and woods in search of quail, grouse and pheasants. His collection of guns was the envy of his hunting companions.

Jerry had a keen, active and retentive mind. He was studious and not only well grounded in the law, but well versed in literature generally. The books in his library ranged from the classics to the lightest of fiction.

While Jerry may be best remembered as a criminal lawyer, his practice included all phases of the law. He believed in the concept that one accused was entitled to counsel and a trial by jury of his peers. He enjoyed the excitement and strategy of a criminal trial. He was recognized by *Bench and Bar* as an outstanding trial lawyer, courteous to the Court and his fellow lawyers, but never neglecting or sacrificing what he deemed to be the rights of the cause he represented. His clientele consisted of persons from every walk of life and each was represented to the best of his ability. Many of the persons he represented were referred to him by fellow lawyers.

His preparedness, personality, wit and humor made him a powerful and convincing advocate before any tribunal or in any controversy.

He was kind and generous to his relatives, friends and clients and was deeply interested in each of them. Each knew that in his passing a true friend had been lost.

He passed away in Saint Paul on the 21st day of June, 1958, and is survived by three brothers and four sisters.

Of him it can well be said, "He was a real gentleman, a good lawyer, and a kind and devoted brother and friend."

Respectfully submitted,
JOSEPH M. DONAHUE
ROBERT V. RENSCH
WALTER T. RYAN



Mr. Miley: A memorial to Mr. Bert A. McKasy has been prepared by a committee consisting of Mr. John A. Burns, Mr. John B. Burke and Mr. Michael J. Galvin, and will be presented at this time by Mr. Burns.

Mr. Burns read the memorial to Mr. McKasy.

The man whom we memorialize was closer in friendship and helpfulness to all Minnesota lawyers than any other member of our profession. He inspired and retained the confidence and respect of his associates.

Bert A. McKasy was born in Mankato, Minnesota, December 29, 1902. He was the son of John and Mary Busch McKasy. The family home was at LeSueur, but his parents were living temporarily in Mankato at the time of his birth and soon thereafter returned to LeSueur. Bert attended St. Anne's grade and high school, finishing his high school course at St. Thomas Military Academy, St. Paul, from which he was graduated in 1920. He received his pre-legal college education at St. Thomas College and in 1922 entered Georgetown University Law School from which he was graduated in 1925, receiving the degree of L.L.B. In his college days he was an active member of Sigma Nu Phi Legal Fraternity.

In 1926 Mr. McKasy began law practice in St. Paul in association with the law firm of Denegre, McDermot, Stearns and Weeks, continuing with the firm under the name of Stearns, Stone and Mackey until he became executive secretary of the Minnesota State Bar Association in 1940, where he served until 1945. He then resigned to accept an appointment from Governor Thy to the Minnesota State Industrial Commission and was reappointed by Governor Youngdahl, serving as chairman until 1948 when he resigned to again assume the duties of executive secretary of the Minnesota State Bar Association, continuing, until his death on December 1, 1958.

In 1940 Bert McKasy and Lee Halleran were married and she and a son, Bert J., survive him. He is also survived by a brother, John J. McKasy, who is a distinguished member of the Bar, practicing in Minneapolis, Minnesota.

Bert's appointment as executive secretary followed a period of activity and dissension over the desirability of integrating the Minnesota State Bar; because of his frank approach and kindly disposition he was able to keep all factions in perfect harmony and with his assistance and direction the membership of the association was greatly increased and local and district associations were activated and further efforts toward integration were abandoned.

Bert A. McKasy was a modest and unselfish man. He would not court aggrandizement and would shun personal publicity. We may here record only the minimum of his outstanding efforts in the service of his chosen profession. The legal profession in Minnesota has produced countless representatives of Bench and Bar who have contributed in large measure to its professional stature, but it would be difficult indeed to name anyone who has given more of his time and efforts to establish the effectiveness of our group organization. Those who have labored with him in the administration of Bar affairs are unanimously agreed that it was his quiet, calm and persuasive manner that increased the membership from about 1700 to more than 3200, and made possible the effective organization of the profession in this state.

The official records disclose that in the short space of nine years, from 1945 to 1954, the Minnesota State Bar Association has five times been recognized by the American Bar Association for outstanding service. It is the only Bar Association to be named consistently for outstanding work. At Cincinnati, Ohio in 1945, the Award of Merit was given the State Bar Association for the most outstanding and constructive work in its field during that year. In September,

1951, at the annual meeting in New York, the Minnesota State Bar Association was awarded the Certificate of Honorable Mention. A similar certificate was awarded in San Francisco in September', 1952, and in Boston in 1953. The certificate awarded at Chicago in August, 1954 brings the total to five.

The recognition which came to the lawyers of Minnesota was largely the result of Mr. McKasy's quiet, dignified and persistent planning. He was a master in the administrative field. Not only was the organization signally honored as above set forth but he, as executive secretary of our association, was given special recognition by the Minnesota Safety Council in its certificate of appreciation for meritorious service issued to him by the Minnesota Safety Council May 18, 1955. Besides the events to which we have referred and beyond all these was the character, the person, the man whom we all loved.

We could dwell on this phase but-Bert has been so ably characterized in the tribute published in Bench and Bar that we prefer to quote the same:

"A gentle knight of the law, of high integrity and gracious humility, whose loyalty and devotion to the profession of law and whose able and self-effacing service to our Association contributed in a substantial measure to leadership, progress and achievement; a kindly counselor whose keen intellect and calm judgment appraised many of the problems of the Bar and, by his unfailing tact and courtesy, effected their solution in a spirit of understanding and harmony. A patient man whose respect for human dignity placed at ease even the humblest with whom he dealt; a cheerful, steady administrator who earned the respect and admiration of those who worked with him; a man whose greatest treasure was his family; a just man, whose devotion to his Creator was profound and faithful, but without ostentation.

"We, who have been favored to know him, cherish, as a lasting heritage of our Bar, the remembrance of the nobility of his character and the warmth and generosity of his friendship."

We may in conclusion paraphrase Halleck's reference to the passing of his friend, Joseph Rodman Drake:

"None knew him but to love him,
Nor named him but to praise."

Respectfully submitted,
JOHN A. BURNS
JOHN B. BURKE
MICHAEL J. GALVIN



Mr. Miley: A memorial to Mr. William P. O'Brien has been prepared by a committee consisting of Mr. W. M. Kronebusch, Mr. Carl W. Cummins and Mr. John P. Drews, and will be presented at this time by Mr. Kronebusch.

Mr. Kronebusch read the memorial to Mr. O'Brien

William P. O'Brien was born in St. Paul, Minnesota on December 29, 1886 of parents of Irish descent. Included in his family were two sisters and a brother. Mr. O'Brien acquired his elementary and high school education in the public schools of the city of St. Paul. The untimely death of both of his parents immediately thereafter left him with the responsibility of looking to the care of his brother and sisters. Shouldering this burden, he went on to continue his education at the University of Minnesota for a period of time after which he enrolled at the St. Paul College of Law from which he graduated in 1915.

Immediately upon his graduation from law school Mr. O'Brien was admitted to the bar of Minnesota and from that time forward continued to maintain offices at St. Paul until his death. In 1928 he opened offices at Minneapolis which he also likewise maintained. During World War I he left his practice in the care of his associates for two years while he served in the United States Navy.

During his many years he developed an extensive practice in commercial and insurance law. He was a member of the Ramsey County Bar Association, Minnesota State Bar Association and American Bar Association. For a period of forty years prior to his death he was also a member of the Commercial Law League of America.

In his earlier years Mr. O'Brien was an enthusiastic outdoor sportsman. One of his favorite sports was small mouth bass fishing on the St. Croix River. He was also an active and participating member of the St. Paul Rowing Club. Ultimately

he yielded in these sports to his greatest enjoyment—golf. For many years preceding his death he was one of the most enthusiastic playing members of the Town and Country Club of St. Paul. He also held a life membership in the St Paul Athletic Club

Quick to accept a challenge to a cause he believed in Mr. O'Brien was tireless in his persistence to that cause. During his entire life, however, he was gifted with a keen sense of humor. He was a constant and generous donor to many charities, feeling a special devotion to the Little Sisters of the Poor.

Mr. O'Brien passed away on June 21, 1958 following a brief illness. On June 25 final rites were held for him at St. Luke's Church at St. Paul and he was laid to rest in Resurrection Cemetery. He is survived by his wife, Annette J. O'Brien, and his sisters, Alice J. Walsh and Marie L. O'Brien.

Prepared and respectfully submitted by
W. M. KRONEBUSCH,
Committee Chairman.

Committee:
W. M. KBONEBUSCH
CARL W. CUMMINS
JOHN P. DREWS



Mr. Miley: A committee consisting of Mr. Robert A. Gearin, Mr. Richard J. Leonard and Mr. John. G. Bouthilet has prepared a memorial to Mr. Roland J. Oliver, which will be presented at this time by Mr. Gearin.

Mr. Gearin read the memorial to Mr. Oliver.

Roland John Oliver was born in St. Paul, Minnesota on March 3, 1907, the son of John and Olga Oliver. This father, still living, was employed by Minnesota Railroads.

To his many friends, Roland was known as Ollie, Rol, or Pudge. He attended grade school in the Twin City area and Central High School of Minneapolis. Upon graduation from Central he attended the University of Minnesota and graduated from the University Law School in 1930. While at Minnesota he was elected to the Minnesota Law Review and was a member of Gamma Eta Gamma Law Fraternity.

In 1930 he joined his step-father, George Nordlin, in the practice of law in St. Paul, and later became a member in the firm known as Nordlin, Oliver and Pleva.

In 1934 he married his dear wife, Mary Lynch, and their union was blessed with three fine children, Susan Mary, John and Bruce.

In 1942 he joined the F.B.I. and continued as an Agent until 1944. Upon returning to St. Paul he entered private business until 1946 when he resumed the private practice of law, in which he continued until the time of his death [on March 1, 1959].

Ollie was an ardent sports fan with a patient love for his Alma Mater. He was very proud of his record of attending all home football games played by the University of Minnesota since his graduation, with the exception of one instance when he was

hospitalized. Football was probably his greatest love, and a victory by a poor team meant more to him than an undefeated season by Minnesota's best. He was not always in agreement with the coaching, but he would never criticize the efforts of any individual athlete. He was particularly fond of seeing the underdog win and this philosophy was not confined to sports. While at the University of Minnesota he played on the tennis team and during the later years of his life continued active participation in tennis and golf.

His fondest hobby was the study of the Civil War and he felt that this episode in American History was unmatched in producing real heroes of the battle field. During his life he gathered together a complete Library on the Civil War and was regarded as an authority in this area on the subject. He had visited many of the battle areas of that war and knew not only the history of these battles but also knew the traits and personalities of the various generals and the strategy and supposed strategy which they applied in any particular engagement.

Ollie was a man who dearly loved his profession and responsibilities which it carried. He was endowed with a keen and understanding mind and his ability to grasp significant issues was a source of amazement to his fellow lawyers. Whether preparing a brief or personally arguing a client's cause, he was outstanding in both his vigor and his ability. He respected the law and was quick to point out to any of its critics that our system was the best that could be devised for the protection of everyone's rights. He was not afraid to uphold his principles even in the face of mass opposition and this stand in many instances brought him new friends and new respect. In some particular instances he was not always in agreement with the law, but even though he might advocate a change he was careful to respect the judgment of his fellow men.

He was a man of integrity and possessed a generosity which had no limits. He loved people, regardless of their economic status or their beliefs, and he was always anxious to help anyone who needed his aid, regardless of their ability to pay. In his social life, as in his profession, people were human beings and although he was a fierce competitor in all matters he would not use an advantage to promote an unfair result.

A man is composed of many facets and it is difficult to put into words the composite of this very dear friend. His friendly smile, his kind understanding and his generous offers of aid when needed, we all, of course, will miss. In simplest terms we are grateful for our association and friendship with him. To his memory and to his family, this memorial is respectfully dedicated.

Respectfully submitted,
ROBERT GEARIN
RICHARD LEONARD
JOHN BOUTHILET



Mr. Miley: A memorial to Mr. George C. Rogers has been prepared by a committee consisting of Mr. James T. Denery, Mr. Edward K. Delaney and Mr. George Cahill, and will be presented at this time by Mr. Denery.

Mr. Denery read the memorial to Mr. Rogers.

George Carney Rogers was born July 15th, 1876 at St. Paul, Minnesota and died December 24th, 1958. He was the fourth son of John Rogers Sr. and Adilia Carney Rogers. John Rogers Sr. was a Pioneer Saint Paulite, coming to St. Paul from Ireland in 1849.

George attended Central High School in St. Paul and while there excelled in baseball and track. He continued his athletic career at the University of Minnesota and won letters in baseball in 1898, in football in 1899 and in track in 1896, 1897, 1898 and in 1900. Though weighing only 131 pounds, he played end, halfback and quarterback on the Pre-Doctor Williams Gopher Football teams in 1897, 1898 and 1899. He was Field Captain of the 1899 team.

George was one of the organizers of the "M" Club and continued to be active in the same up to the time of his death.

George graduated from the University of Minnesota School of Law in 1900. He received his early training in the offices of the late John D. O'Brien, who was his ideal. He continued actively in the practice of the law up to December 1st, 1958, though handicapped the past ten years with cataracts of both eyes. He fought vigorously for the rights of his clients and no case which he handled would he spare time, energy and preparation in the protection of the rights of his clients whether they happened to be rich or poor. George was a determined man of positive convictions.

George never grew old, though 82 years of age, he walked from his office in the Endicott on Fourth Street Building to the funeral parlors of O'Halloran and Murphys to pay his last respects to a fellow Attorney, Ray Allard, who died October 25th, 1958. His love for sports and in particular football continued to the time of his death. He missed only one "Home Game" since his graduation from the Minnesota University. On that occasion, illness made attendance impossible. He exulted in the Gopher Victories, he grieved in their defeats.

Few men in the history of St. Paul had a wider acquaintance among the alumni of Central High School and of the University of Minnesota than George Carney Rogers.

Respectfully submitted,
EDWARD K. DELANEY
GEORGE CAHILL.
JAMES, T. DENERY, Chairman.



Mr. Miley A committee consisting of Mr. Frank J. Danz, Mr. Linus J. Hammond and Mr. Robert E. Faricy, Sr., has prepared a memorial to Mr. Norbert L. Willwerscheid, which will be presented at this time by Mr. Danz.

Mr. Danz read the memorial to Mr. Willwerscheid.

NORBERT L. WILLWERSCHEID was born in St. Paul, Minnesota on June 16th, 1892, the son of John A. Willwerscheid and Eugenia Willwerscheid. He lived his entire life in St. Paul and came to his death in St. Paul on January 5, 1959 at the age of 66 years.

He attended primary parochial schools and Cretin High School in St. Paul and entered the St. Paul College of Law in September of 1909. He finished his legal studies at that institution in June of 1913, and was admitted to practice the profession of law in the State of Minnesota that same year.

On May 14th, 1913 he entered into marriage with Miss Agnes Murphy of St. Paul, Minnesota, and out of that union two children were born; daughter Lois, now Mrs. Henry Salvas of St. Paul, Minnesota and son Norbert L., Jr. presently of Los Angeles, California. He is survived by his widow, Agnes, and his two children above named and also by three grandchildren and two great grandchildren. He is also survived by three sisters, Mrs. Charlotte Heinen of Minneapolis, Minnesota; Mrs. Paul J. Maley and Mrs. Howard V. O'Connell, both of St. Paul and two brothers, John F. and Eugene P. Willwerscheid of St. Paul.

In the years 1911 and 1912 and while Mr. Willwerscheid was at law school he was employed in the office of How, Butler and Mitchell, and he continued with that firm after graduating from law school and until the fall of the year 1913.

In 1913 Mr. Willwerscheid was retained by the Theo. Hamm Brewing Company of St. Paul, Minnesota in its legal department and he was employed in that capacity representing that company in its many legal problems until October of 1921 when he entered private practice in St. Paul, Minnesota with one Fred W. Zollman, now deceased, under the firm, name of Zollman and Willwerscheid. He continued with that firm until the fall of 1927 when he was retained by the Walter Butler Construction Company of St. Paul as its General Counsel and he represented that firm in that capacity until the year 1933.

1933: In 1933 Mr. Willwerscheid was engaged in employment with the State Highway Department. In his capacity in that department, he helped organize the then newly created Drivers' License Division and acted in an administrative and legal capacity in that field.

1935: In 1935 he was appointed attorney for the old State Relief Agency and directed the land acquisition projects for that Agency.

1936: In 1936 Mr. Willwerscheid was assigned by the Attorney General as Assistant Attorney General to the Highway Department and was engaged in land acquisition work. In that capacity he traveled throughout the state preparing for and conducting the trial of condemnation proceedings in the District Courts.

1946: On October 1, 1946, he became associated with the Department of Labor and Industry, Industrial Commission and was appointed Chief of the Division of Workmen's Compensation. In that capacity he supervised, generally, the work of the Division and passed on awards and stipulations of settlement in workmen's compensation cases. He researched and drew all bills for presentation to the legislature on recommended workmen's compensation legislation, and in 1953 worked in close cooperation with the Interim Com-

mission on Workmen's Compensation appointed in 1951 to revise and codify the laws of the state relating to workmen's compensation and report to the 1953 legislature. As a result of said study, the workmen's compensation law was revised and codified in 1953.

Mr. Willwerscheid continued as Chief of the Workmen's Compensation Division until his retirement early in 1958.

Norbert L. Wiliwerscheid was a true gentleman in the fullest sense of the word. He was kind and considerate, a loyal friend and a respected father.

In the practice of his chosen profession he was ever guided by honesty and integrity. He was a keen and apt student of the law and able to fortify his legal opinions with formidable authority. In his practice, as in all his activities, he was faithful, earnest, untiring and unselfish, and rendered the utmost service in an able and efficient manner for the best interests of his clients and as a public servant.

In the death of Norbert L. Willwerscheid the Ramsey County Bar Mourns the loss of a distinguished and honorable member.

Respectfully submitted,
FRANK J. DANZ, Chairman
ROBERT E. FARICY, SR.
LINUS J. HAMMOND



Mr. Miley: A committee consisting of Mr. George G. McPartlin, Mr. E. Willard Murnane and Mr. Edgar G. Vaughan has prepared a memorial to Mr. Thomas J. Newman, which will be presented at this time by Mr. McPartlin.

Mr. McPartlin read the memorial to Mr. Newman.

Thomas J. Newman was born November 30, 1874, at Bethany, Missouri, the son of a prominent local physician and surgeon, George Newman and Louisa Allen Newman. His father served as a medical officer with the Union forces in the Civil War and spent much of his time on the battlefields treating the sick and wounded.

Tom Newman, as he was affectionately known to all of his friends, received his grade and high school education at the St. James Military Academy in Salina, Kansas. He then entered the University of Missouri for his academic work and was graduated in 1896.

While there he became a member of the Kappa Alpha Fraternity, in which he maintained an active interest all his life. During his academic work in college he became interested in law and after graduating from the University of Missouri entered Harvard Law School from which he was graduated with honors in 1900.

He returned to Joplin, Missouri and practiced his profession until 1902 when he came to St. Paul and entered practice before our Bar, which continued until shortly before his death. While in college and shortly after his graduation Tom participated in athletics, particularly baseball and remained an active and enthusiastic baseball fan. He also enjoyed hunting and fishing and returned to his home state of Missouri each year, until his 77th birthday, for the quail season.

Tom had a deep-seated respect for the rights of the common people and from this grew his defense of persons accused of wrongdoing, and his latter practice in this State was principally in the field of criminal law.

In this field, he acquired an excellent reputation for his integrity in the presentation of the defense of his clients. He was courteous to the Courts, before whom he appeared and to opposing counsel. Without exception the Court and opposing counsel knew that Tom would never knowingly misstate a fact or circumstance. One of his outstanding cases was the defense of Percy Hagen, charged with murder. There were two disagreements before a jury finally acquitted his client.

In his general and criminal practice he was most generous of his time for the young men in their beginning of practice.

In his leisure Tom was an ardent reader and philosopher. He enjoyed with his friends the discussions of the philosophies of Plato and Aristotle, and the early history of the law.

In all probability his enjoyment of the works of the great philosophers and the early history of the criminal law, created his sense of sympathy for the unfortunates and the accused.

Tom departed this life on May 10, 1958, leaving a niece, Mrs. Grace Napier of Saint Paul, surviving. The Bar of this County and his many friends will miss his kindly smile of greeting, the amiability of his friendship and his unfailing courtesy in the trial of cases. To his memory this memorial is respectfully dedicated.

Respectfully submitted
GEORGE McPARTLIN
E. WILLARD MURNANE
EDGAR G. VAUGHAN



Mr. Miley: About a week ago a letter was addressed to Mrs. John Bowman, who now lives in Arizona with her son, informing her of this memorial service this morning and inviting her to be present if possible. Just yesterday I received a letter, which I believe should be read at this time.

Mr. Miley read a letter from John A. Bowman and Mrs. John Bowman.

P. O. Box 91
Apache Junction, Arizona
March 25, 1959

Mr. M. B. Miley
St. Paul, Minnesota

Dear Mr. Miley:

Your thoughtful communication, concerning the Memorial Services of the Bar Association is appreciated. Mother and I regret that we will be unable to attend because of the recency of the death and the attendant problems which always follow. At the time of your meeting, we will pause briefly, and thus be with you in spirit.

My father had a simple, yet beautiful, ceremony conducted by a community pastor and concluded with a rendition of "Lead Kindly Light." He is laid to rest beside his daughter, who preceded him in death by three months, in a cemetery east of Mesa, facing the beautiful Superstition Mountain which he loved so well.

I am sure that it would please him to know that the Memorial will be read by one of his beloved students. We extend our thanks to Mr. Klein and his committee, and to you all, his friends and associates. We will welcome a copy of the Memorial.

May the sorrow of those similarly bereaved this year be assuaged and lessened as we enter the joyous Easter season.

Sincerely,
JOHN A. BOWMAN
MRS. JOHN BOWMAN

Mr. Miley: A memorial to Mr. John Bowman has been prepared by a committee consisting of Mr. Philip J. Klein, Mr. Richard B. Klein and Mr. James A. Fetsch, and will be presented at this time by Mr. Phillip J. Klein.

Mr. Klein read the memorial to Mr. Bowman.

It is with the greatest humility that we ask you to join in honoring the memory of our friend and colleague, John Bowman, whose unselfish contributions to his profession and to his fellow lawyers should be memorialized in greater measure than these simple services permit.

John Bowman was known to us in many different roles. He is not only remembered as a capable adversary. He is also revered as an earnest student, a beloved teacher, a loyal friend, and a noble gentleman.

John Bowman was born on February 17, 1883, in Gladfax, Sweden. After coming to this country as a youth, he received his formal education here. He received his Bachelor of Laws Degree from the Valparaiso University Law School and was admitted to the practice of law in 1913. He practiced law in the state of West Virginia for a short period after his graduation. Then, to our good fortune, he determined to practice his profession in this state. With the exception of a brief time which he lived in Brainerd, Minnesota, Mr. Bowman engaged in the active practice of the law in St. Paul until 1947.

During 1947, he accepted an opportunity to culminate his career as a law teacher, and he then joined the faculty of the St. Paul College of Law where he devoted his full efforts until his retirement in 1950. Although his teaching years were but the closing interlude, there are many among us who are inclined to believe that it was in his years as a teacher that his works found their greatest fruition. During his career, Mr. Bowman had developed a scholarly love for the law which he combined with his wealth of experience and his broad knowledge of the literature of the law to give his many post war students a lasting and invaluable appreciation of the nobility, of the law. In even greater measure than he loved the law was he, in turn, loved by his many students of whom no less than three hundred are numbered among the members of the bar.

Mr. Bowman was happily married and had two children, a son and a daughter. He enjoyed the great happiness, for one who so greatly served the law himself, of seeing his son, John A. Bowman, graduate from the St. Paul College of Law with the highest scholastic honors in his class. Mr. Bowman was living happily in retirement with his family in Apache Junction, Arizona, when he was beset by his last illness. Those who visited him or corresponded with him during his last illness found him courageous and inspiring to the end.

He was survived by his wife and his son, of Apache Junction, Arizona, and three brothers, Alfred, Joseph and Enoch, all of Forest City, Iowa.

It is with gratitude and affection toward him and in sincere sympathy with his family that we say,
May he rest in peace.

Respectfully submitted,
PHILLIP J. KLEIN
JAMES A. FETSCH
RICHARD E. KLEIN

Mr. Miley: Your Honors, the memorials have all been completed, and I now move this Court through you, Chief Judge McNally, for an order directing the Clerk of this Court to spread these memorials upon the permanent minutes of this court and, further, to instruct the Clerk to send copies of these memorials to the next of kin of those we have here today remembered.

Judge McNally: The motion of Mr. Miley, representing the Bar Association, will be granted, and the Clerk is directed to carry out the purpose of the motion. The members of this Court desire to join with the members of the Bar in the presentation of these very thoughtful memorials. Personally, I should also like to thank the Bar. I have been in a very close association with the members of the Bar for the past thirty-five years, but am now forced to the reluctant conclusion that this will be the last memorial exercises over which I will preside. I wish to thank the Bar Association for conducting these exercises. We also wish to thank the members of the other courts who have sat with us during these proceedings.

As a further tribute to the memory of the departed, no other business will be transacted, and the Court will now adjourn without day.



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