

MEMORIAL SERVICES

**FOR DECEASED MEMBERS
RAMSEY COUNTY BAR**

**HELD AT THE
COURTHOUSE, APRIL 8, 1939**



SAINT PAUL LEGAL LEDGER

Memorial Services

On Saturday, April 8, 1939, Memorial services in honor of those members of the Ramsey County Bar who died during the past year were held in the Court House. These memorials will be printed in full by the Legal Ledger, beginning with the issue of June 6, 1939.

MEMORIAL TO THE HONORABLE JUDGE GRIER M. ORR.

It is a pleasure to pay tribute to a man of the life and character of Judge Grier M. Orr.

Judge Grier M. Orr was born May 14, 1856, at Pike's Furnace, Clarion County, Pennsylvania. His father was Hunter Orr, his mother Margaret Lawson Orr. His father was engaged in the manufacture of pig iron at Pike's Furnace and there Grier M. Orr lived until the age of 12, when the family moved to Oconto, Wisconsin, where the father engaged in the lumber business for a number of years.

Grier attended the public schools in Oconto from 1868 to 1873. At that time he entered Heidelberg College at Tiffin, Ohio, and graduated in 1878. He then taught school at Tiffin, Ohio, for three years, reading law in the meantime. He then entered Cincinnati Law School, where he graduated in 1883. He practiced law at Lima, Ohio, for a year, and in 1884 came to St. Paul, where he resided for the next 55 years until his death on January 25th, 1939.

In his early practice he was in partnership with Wilson J. Romans, a lawyer well known and highly esteemed. Mr. Romans died early in life and thereafter Grier M. Orr practiced alone until he was elected Judge of the Municipal Court in 1894. In 1898 he was re-elected by a tremendous vote. At the end of his term, in June

1902, he retired voluntarily from the Municipal Court, and in the fall of 1902 he was elected Judge of the District Court. He held that position until his resignation on account of failing health in November 1930.



During his years at the bar his practice was general and during those years and during all of his life he was much interested in social and fraternal life of the community, being prominent, in the activities of various of the benevolent societies.

Some time after his elevation to the District bench, the Juvenile Court was established in St. Paul, and very soon after its establishment Judge Orr took on the work of that court, and in his later years on the bench his work was devoted largely to juvenile and domestic affairs. Judge Orr had a keen sense of human sympathy, was tireless in his attention to the details of this class of service, and these qualities rendered him peculiarly well fitted for the administration

of the juvenile and domestic work of the court, and he became distinguished and an authority on these subjects.

Judge Orr's work was not by any means limited to the line of work above mentioned. He presided at the trial many important cases, among which was the case which determined the validity of the inheritance tax law passed by Legislature on April 20, 1905, after several previous laws had been passed and declared unconstitutional.

Judge Orr delighted in meeting people for the sake of social and friendly contact. Few men in the community had a wider circle of acquaintances and friends. Many people could say of Judge Orr, "We know him well and know well of him" for he was highly esteemed by those whom he knew and who knew him.

Judge Orr was married to Etta, daughter of the late J. W. Soule, formerly a prominent citizen of the City of Rochester, Minnesota. Mrs. Orr and a daughter, Mrs. Helen Huestis of Hollywood, California, survive.

Judge Orr came of Revolutionary stock. His grandfather, Robert Orr, came from the North of Ireland about 1764, settled in West Pennsylvania, and served as a Captain in the Westmoreland Volunteers during the Revolutionary War.

The Orr family during several generations lived to ripe age. Hunter Orr was born in 1812. At the age of about 90 he visited his son in St. Paul. The Chairman of this committee had the pleasure of meeting Hunter Orr, and on one occasion asked him how many presidents of the United States he could remember. His answer was that he had not counted up, but that he was quite active in politics at the time. Andrew Jackson was President.

It will be observed from what we have written that the lives of Hunter Orr and Grier M. Orr cover a period of 127, years, and those were years of useful activity. Judge Grier M. Orr will be remembered as one of the builders of social institutions of his day.

Respectfully submitted,
CARL W. CUMMINS,
CHARLES S. KIDDER,
M. J. DOHERTY,
OSCAR HALLAM, Chairman

MEMORIAL TO THE HONORABLE
RICHARD D. O'BRIEN

Richard D. O'Brien was born in St. Paul on August 16, 1874. His grandfather (Dillon O'Brien) and grandmother Elizabeth Kelly) were, born in Roscommon County, Ireland. He was educated in a Jesuit College, and she in a Convent, in Ireland. They were married very young.

The British Parliament passed the Encumbered Estates Act, designed to avoid the delays and obstructions inevitably encountered in foreclosing a mortgage in the Courts of Equity. The new procedure was invoked against the young couple. There were no exemptions of real or personal property, and, stripped of everything, they decided, to immigrate to America, which they did, as steerage passengers on a sailing ship that took three months to cross the Atlantic.

He accepted a position as teacher in the Government School for Indians at La Pointe, Madeline Island. In this school the boys of his family received their early education from their father, and the girls from their mother.

In 1865 the family moved to St. Paul where he became Editor of the Northwestern Chronicle, a lecturer, and a writer of fascinating stories of country life in Ireland. He made, in cooperation with the Archbishop John Ireland, a great contribution to the Irish people in colonization work in Minnesota.

In later years he wrote of America:

"I love America. I love it, for it has given my children a home. I love it because it is the sanctuary where millions of my countrymen have found refuge. I love it for the atmosphere of freedom which fills it from the Atlantic to the Pacific. No external causes can shake the stability of the Republic. It rests upon no party platform. Its pillars are the homesteads of the people. While these remain pure and virtuous the Republic lives; should they become corrupt, it matters not what party cry hurls the noble edifice to ruin."

Of their four sons, three were lawyers,—Christopher D., John D. and Thomas D. O'Brien. Christopher and John were born in Ireland, and Thomas at La Pointe. All

were trained in the school of experience and hard knocks. With this advantage, and without a college education, they attained broad culture, a wide and intimate knowledge of history, and legal learning,—all were brilliant and successful lawyers. As young men, and throughout their entire careers, they were leaders in their profession and in the civic and religious life of this community and state.

We think it proper on this occasion to refer briefly to the records of their lives, as spread upon the minutes of this Court.

"In the trial of questions of fact, he was the equal of the ablest. Intuitively he distinguished truth from falsehood and an honest witness from a falsifier. He had singular ability quickly to sense the effect of testimony upon the court or jury, and to know what would be believed or what rejected. This power made him a master in the difficult art of examination of witnesses. His conciseness pleased court and jury.

"He seemed scarcely to try to convince, but, with ingenuity of the highest order, he quickened the conscience and enlisted the sympathies of juries that they might discover for themselves a way to decide in his favor."

He was "a man of great power".

Judge Thomas D. O'Brien, as County Attorney, Insurance Commissioner, and Judge of the Supreme Court of the state, and in private practice, completed a life of great usefulness. He had a most distinguished career as a citizen, lawyer and judge.

The same love of our country and abiding faith institutions, as expressed by his father in the paragraph quoted, appears in his book "The Citizen and The Constitution" (1926), an enlarged edition of his book on the same subject known as "The Great Experiment". He said:

"Those who indulge in such condemnation" (referring to matters of procedure) "fail to realize how well the constitution protects the very liberty they exercise, and how its maintenance has produced so large a measure of democracy, of equal opportunity, of individual liberty and happiness that they accept those benefits as matters of course, and forget the appalling cruelty and tyranny of other and older governments; of

governments exercising arbitrary powers which the American people determined should never be exercised in the United States."

We are living in a new world of glistening bayonets where in many lands the rights of minorities are trampled on,—treaties are mere scraps of paper, and the natural rights of individuals to life, liberty and the pursuit of happiness are denied altogether.

There are those in our country who fear that the Federal Constitution might, under stress, be stretched by judicial interpretation to the point of actual amendment.

We have, however, from the highest judicial authority in our country, a most reassuring statement. Chief Justice Charles Evans Hughes, speaking last month at Washington at the celebration of the 150th anniversary of the first meeting of Congress, said:

"And what the people really want, they generally get. With the ultimate power of change through amendment their hands, they are always able to obtain whatever a preponderant and abiding sentiment demands. We not only praise individual liberty but our constitutional system has the unique distinction of insuring it."

"We protect the fundamental right of minorities in order to save Democratic government from destroying itself by the excesses of its own power."

Let us hope that this strong, clear and timely message, the shot fired at Lexington more than a century and a half ago, was heard round the world.

Christopher D. O'Brien, the father of Judge Richard D. O'Brien, was the first to break away from the family home in the wilderness. Early in the fall of 1862 he walked the two hundred miles to Minneapolis, where he obtained employment in a wholesale grocery firm. Three years later he joined a mule team caravan, bringing government supplies to Fort Sully. When he returned from the Fort Sully expedition he obtained employment in the Mississippi River Survey. Afterwards he entered the law office of Cushman K. Davis. He served as Mayor of St. Paul and County Attorney of Ramsey County.

It is likely that his unusual experiences and contacts of youth and early manhood developed in him the high courage and confidence which carried him to victory in many important and hotly contested cases before court and jury. It has been said of him that he tried and won more cases before a jury than any other lawyer in this State.

It was natural that his son should turn to the law.

Joseph H. Choate, on a public occasion, accepted congratulations on his success as a great lawyer and diplomat with the statement: "I am entitled to great credit because I have succeeded in spite of my advantages."



Judge O'Brien did not attempt to ride or capitalize on his background. He quickly made his own place as a citizen and lawyer. He fought his own good fight and kept the faith.

He received his early education in the public schools of St. Paul, and graduated from the high school in 1894. This was followed by three years in the Academic Department of our State University. He then entered the law department. However in 1898, during the Spanish American war, he enlisted in the 14th Minnesota Volunteers as a quartermaster sergeant and was mustered out as Second Lieutenant. Resuming his law course at the University, he graduated in 1900, and entered the law firm of his father, and uncle Thomas D.

O'Brien. In 1905, when Thomas D. O'Brien became Insurance Commissioner, the firm was changed to C. D. and R. D. O'Brien.

As a Democrat he was elected to the City Council in 1904 and again in 1906. In 1907 he was elected County Attorney, holding that position until appointed a Judge of this Court in 1923 by Governor A. O. Preus to succeed Judge William Louis Kelly, who retired.

Judge O'Brien continued on the bench until February 23, 1939, when he was suddenly stricken and died at the home of a friend in St. Paul.

He had and never lost during his continuous public service of thirty-five years the confidence of the people and electorate of St. Paul and Ramsey County. He secured by re-election an endorsement of his record of his public service as member the City Council, County Attorney, and Judge of this Court.

He was County Attorney for sixteen years. He personally tried and secured convictions in many important criminal cases, including the West State Bank and Payne Avenue Bank holdups, the City election fraud cases and the case of State v. Frank J. Dunn, reported in Volume 140 Minnesota Reports 308—the most important Criminal case of his career.

His preparation of these and all his cases was exhaustive. He literally lived with each case. In the trial he was calm, dispassionate and fair to the defendant, and to the extent that juries had confidence he would take no advantage. He was most skillful in direct and cross-examination, and convincing in his argument before the jury.

He was Judge of this Court for sixteen years.

In a judge, we look for a "balanced temper," absence of stubborn pride of opinion, an open mind which hears and reflects before passing judgment, courage of conviction, sense of justice, and, finally, justice tempered with mercy

Judge O'Brien had all these qualifications.

He was conscientious and thorough and most deliberate in his judgments.

His relations with all members of this Court were friendly and cooperative. He realized, with all his associates, that "justice delayed is justice denied," and contributed his full share to the unique distinction this court has had and sustained, within and without this State, of keeping the calendar up to date, thus giving every litigant a speedy hearing and determination of his cause.

He was appointed on November 23, 1928, a member of the faculty of the St. Paul College of Law—his subject, criminal law and procedure, and on November 23, 1937, elected a member of the Board of Trustees; he held both offices until his death.

Judge O'Brien was married in 1906 to Miss Edith L. Clements, who died in 1936. He is survived by four daughters, the Misses Elizabeth and Barbara O'Brien, Mrs. David Kennedy and Mrs. James Camp, all of St. Paul; four brothers, C. D. O'Brien, Jr., Arthur C., and Gerald O'Brien, all of St. Paul, and Charles S. O'Brien, of Cleveland; and a sister, Mrs. Carl B. Teisberg of St. Paul.

It was a great shock to his family, the Bench and Bar, and his many friends, that he was called suddenly, and far short of his allotted time, but it is a consolation that up to the date of his death he had full vigor of body and mind, and from the beginning to the end of his career he never lowered for one moment the very high standard of his forbears.

He leaves behind him the priceless legacy of a much loved and honored name.

His life may be summed up in these lines:

"Honor and fame from no condition rise;
Act well your part, there all the honor lies."

Dated April 8th, 1939.

Respectfully submitted,
A. E. HORN, Chairman,
GEORGE W. MORGAN,
RALPH A. STONE,
RICHARD KYLE,
HARRY S. STEARNS,
THOMAS W. McMEEKIN.

PERSONAL TRIBUTE BY THE
HONORABLE JOHN W. BOERNER

We would like to pay a brief additional tribute to the memory of Judge O'Brien. Our friendship began as young men when he started in the practice of law in his father's office, and it has continued during an association in the county attorney's office and on the bench, and my affection for him has never ceased.

He was a loving husband and father and a friend dear to the hearts of those who knew him well.

He was always courteous and considerate and a genial and entertaining companion.

Judge O'Brien was a keen judge of human nature and was firm and fearless in the performance of his duties both in the county attorney's office and on the bench.

During his service as county attorney he prosecuted successfully many important cases. He was a competent judge, being true and fair and giving to all their rights as he understood them.

His passing is a great loss to the bar and a great personal loss to the judges of this bench with whom he was associated from day to day.

MEMORIAL TO
WARREN SHAW CARTER

May it please the Court:

On behalf the Bar of Ramsey County, the following memorial to Warren Show Carter is respectfully submitted:

Warren Carter was born September 1, 1888, at Somersworth, New Hampshire, and died at his home in Saint Paul on March 11, 1939. He was graduated from Dartmouth College with a degree of B.S. in 1910, attended Harvard Law School for one year and then finished his legal education at the University of Michigan, from which institution he was graduated in 1913 with the degree of LL.B. He then became associated with the firm of Davis, Kellogg & Severance, the name of which was later changed to Kellogg, Morgan, Chase, Carter & Headley. With that firm he spent his entire professional life. In and after 1918, his status was that of partner.

In 1916 he married Miss Esther Kaiser of Saint Paul, who survives him. They had one son, Warren, Junior, who is a sophomore at Dartmouth College.

For twenty-five years he practiced his profession actively in St. Paul. During this period he handled many important matters, both in and out of court, and his ability and integrity earned him a well merited reputation both among his fellow lawyers and with the Courts before which he practiced. One before whom he had often appeared recently wrote:

"It was always a pleasure to hear him present an argument. It was so clear, concise and forceful."

He was essentially the lawyer. He had a penetrating and well balanced mind. He was industrious and thorough in his preparation. Deliberation of manner and speech, methodical care, clarity of thinking and expression, and above all a complete frankness in his dealings with the courts and opponents, were among his outstanding qualities in the preparation of a case.

In his professional work Mr. Carter never sought the limelight and in his personal life he never sought popularity. Yet he was essentially a friendly person. He made many friends both in and out of the profession. His very modesty and reserve were, for those who knew him, qualities that attached them to him.

The practice of law was Warren Carter's vocation. His avocation was the collection of books and information about books. They were his constant companions and friends. He loved their written contents, of course; he also loved the print, the paper, the bindings, and everything about them. A large and carefully selected private library, in which he spent the greater part of his leisure time, stands as evidence of his genuine devotion to those unobtrusive but loyal friends.

The same care and discrimination that were shown in the selection of his library were evident in his home and its furnishings and in all that he gathered about him. Only a nature such as his, sensitive always to the appropriate thing, could have created the atmosphere of warmth and beauty, unobtrusive but all-pervasive, which made his house an abode not only for the body but for the mind and spirit.

Mr. Carter always retained an active interest in the affairs of Dartmouth College. He was a Past President of the Northwest Dartmouth. Alumni Association and for some years was a member of the Alumni Advisory Council of the College.

On his death there passed a loyal and loving husband, an understanding father, a friend held in affectionate regard by all who knew him, a lawyer of whom the Ramsey County Bar Association may well be proud.

Respectfully submitted,
MONTE APPEL, Chairman,
FRANCIS O. BUTLER,
HORACE H. GLENN,
JAMES H. MULALLEY,
JOHN H. SEXTON,
CALVIN HUNT.

MEMORIAL TO
HAYDN SAMUEL COLE

May it please the Court:

On February 13, 1939, Haydn Samuel Cole, for many years a distinguished and much respected member of the Ramsey County Bar, departed this life at St. Paul, Minnesota. To the end that his name and very useful life work may not be forgotten we present this brief record of his life and varied activities.

He was born in Newark Valley, Tioga County, New York, on October 12, 1861. His father was William Henry Cole, who was for a time Superintendent of the school of Owego, New York, and later County Superintendent of Schools of Tioga County. During this period and later his father studied medicine, and in 1873 settled in Kewanee, Illinois, where he practiced his profession until his death in 1917.

Mr. Cole's mother was Bessie Rounsevell Watson, who was a native of Newark Valley and was married to his father in 1860. On both sides of his family Mr. Cole was descended from very early colonial and pre-revolutionary stock, and by both birth and heredity was a genuine American descended from the hardy pioneers who founded this country and helped make it great.

He was educated in the public schools of Newark Valley, the Owego Free Academy and the schools of Buffalo, New York, in which places he spent his early years and until the year 1873 when his father settled in Kewanee, Illinois.

After his family settled in Kewanee, he pursued his education at various places, first, in the Kewanee High School from which he was graduated in June, 1876, then at Knox College in Galesburg, Illinois, and thereafter at the University of Illinois, where he remained one year. In 1881 he was appointed a cadet to the United States Military Academy at West Point, having been selected for the appointment after a severe examination at which 36 aspirants competed for the appointment.

He spent 4 years at West Point and was graduated therefrom in 1885. Upon graduation from West Point Mr. Cole chose for his army service the Third U. S. Infantry and joined the regiment at Fort Ellis, Montana, on September 1, 1885.

Fort Ellis was located on the Northern Pacific Railroad about 4 miles east of Bozeman, Montana. The work at Fort Ellis was routine post duty only and during the summer of 1886 the Post was abandoned and Lieutenant Cole was ordered to Fort Custer located at the junction of the Big and Little Horn Rivers. This post was in an Indian country and while there Lieut. Cole saw some field service. While at Fort Custer and in April, 1887, Mr. Cole married Miss Mary E. Mense of St. Louis, Mo., and took his bride to Fort Custer. This Post was headquarters for the First Cavalry, and two companies of Infantry and five of Cavalry were stationed there. The garrison was large enough to afford considerable entertainment and social life, and the year spent there was for the young bride a year full of novelty, excitement and pleasure. This year was also quite exciting for Lieut. Cole, for in this year he experienced considerable field service, including several dangerous contacts with the hostile Crow Indians, and one battle with that tribe at Crow Agency.

In May, 1888, the Third Infantry Regiment was removed to Fort Snelling and in June of that year he joined the staff of General Ruger as Engineer Officer of the Department Dakota. While in this service he located Fort Yellowstone in Yellowstone National Park, laid out the Infantry Barracks and sewer system at Fort Snelling, prepared maps of the then little known Glacier National Park Region and the South Dakota Region, where the Federal troops were fighting the Sioux. In 1889 he was sent to Sioux Falls, South Dakota, to attend the convention then preparing a constitution for the new State of South Dakota. His mission was to have incorporated in the new constitution a clause reserving to the United States jurisdiction over Army Posts in the new State. This he succeeded in accomplishing. Mr. Alonzo J. Edgerton, father of the late George B. Edgerton of our Ramsey County Bar, was Chairman of the constitutional convention, and on the last day of the convention when the constitution was finally adopted he invited Lieutenant Cole to sit with him on the platform, saying, ["Lieutenant you may never see another convention leading to a State's admission into the Union. So, sit beside me during the final proceedings of the birth of a new State." Thus Lieutenant Cole had the honor of sitting alone with the presiding officer during the final proceedings of the birth of a new State.

In 1891 General Ruger was transferred to San Francisco and was succeeded by General Wesley Merritt as Commander of the Department of the Dakotas, and Lieutenant Cole served as a member of his staff until January, 1892, when by

order of the President he was retired from active service as First Lieutenant of Infantry. Upon retiring from service Lieut. Cole received the following letter from Lieut. S. D. Sturgis, Acting Assistant Adjutant General of Department of Dakota:

"In accordance with your verbal report that you have finished the duties of preparing for publication a map of the Department and that the affairs of your office are in such a state as to justify the issuance of an order relieving you from further duty at these headquarters, I have the honor to inform you that the above order will be published today. I am, in this connection, directed by the commanding General of the Department to convey to you his thanks for the able manner in which you have performed the duties of your office, and the other duties which devolved upon you, during your service under his command. He directs me to say that he shares in the general regret of all in the army who know you, in the severance of your connection with the active army. You have during your short service in the army, by your quiet and unostentatious manner and unfailing courtesy, personal as well as official, made warm friends of all on duty at these headquarters, and your ability in discharging the duties of the several positions on the staff, that you have been from time to time called upon to fill has secured for you a high measure of respect from all. You retire from the active army bearing with the best wishes of all for future success."

Upon his retirement from the army Lieut. Cole decided to practice law. During the years of his service as an engineer officer and at Army Posts in Montana he had studied law and before retirement had taken the state law examinations and been admitted to the Bar of Minnesota. His first attempt was at St. Louis, Mo., where early in 1892 he entered the law office of Mr. David P. Dyer, who later became a Federal Judge. Along in June of that year the heat in St. Louis became so oppressive that he abandoned St. Louis and returned to St. Paul. Upon the advice of his lawyer friend, Mr. John D. O'Brien, he opened an office in the Manhattan Building and began his professional career. For a time he found the office a rather lonesome place and business dull, although two rather important matters had been committed to his care, but not long afterwards he was invited by Mr. O'Brien to become a member and he did become a member of the firm of Stevens, O'Brien, Cole & Albrecht. This firm was one of the leading law firms of St. Paul, and in this office Mr. Cole found plenty of work with fair compensation and enjoyed his connection very much.

When the United States declared war on Spain his old friend General Merritt was appointed to command in Manila, and immediately applied to the War Department requesting that Lieut. Cole be permitted to serve on his staff in the Philippines. The War Department, however, because of the many demands for staff appointments, especially through political channels, had made a rule to appoint no retired officers to staff service anywhere.

Thereupon Lieut. Cole volunteered for college service and was assigned to the University of Minnesota. This service involved only an hour or two daily for drill and classes and did not seriously interfere with his law practice. Early in 1902 a committee of the heads of the St. Paul banks asked Mr. Cole to become president of the old St. Paul Trust Company, for the purpose of liquidating and winding up its affairs. This company was then insolvent as a result of general depression in values and illegal investments. In this enterprise he was very successful and in less than two years after becoming president all the company's assets had been converted into cash, an assessment on stockholders had be levied and collected, all debts paid and the affairs of the company wound up. His experience in winding up the affairs of this company convinced him that a trust company was needed in St. Paul and in 1903 he, with the aid and cooperation of all the St. Paul banks, organized the Northwestern Trust Company. He became vice president and legal counsel of the company and had charge of its active management. Northwestern Trust Company prospered and under Mr. Cole's management developed into a sound and reliable corporate trustee. In 1913 Mr. James J. Hill purchased all but a very few shares of the stock of the company and at Mr. Hill's urgent request Mr. Cole remained in charge of the company until the fall of 1914, when he resigned and retired from its management After retiring from the Trust Company, Mr. Cole, with Mr. Ira C. Oehler, organized the Investment Service Company, a mortgage loan and agency company, in connection with which they rendered financial service to their many clients in advising and taking care of investments, managing trust estates, and to a considerable extent practicing law, with special attention to trusts and the settling of estates.

When in 1917 war was declared on Germany, Mr. Cole immediately volunteered for service. He was at that time a retired First Lieutenant, over 55 years of age, and had been long out of touch with military affairs. Because of his age and many years' absence from any connection with military; affairs, there was practically no chance of his obtaining duty with the troops and in the field. But there were many

most important duties outside of active service with the troops and Lieutenant Cole immediately applied for service in the Quartermasters Department at New York City and was ordered to the Quartermaster Department in New York. He reported there for duty on May 1, 1917. Then followed at New York a period of some 19 months service, which in all probability was the hardest, most exacting and difficult service of his whole life. At least so it seems to one reading over Colonel Cole's account of that period contained in his own record of that service. During this period he was promoted from First Lieutenant to the rank of Major on February 19, 1918, to the rank of Lieutenant Colonel on May 11, 1918, and to the rank of Colonel on June 14, 1918. It would unduly lengthen this memorial to describe the many and important duties and activities which devolved upon Colonel Cole during this period. Indeed a complete account of all his duties activities, their magnitude and methods of accomplishment would alone make a small volume. But the records show that in all these arduous activities he was highly successful and displayed organizing and executive ability of a very high order. On November 17, 1918, his superior officer, Brigadier General A. C. Dalton, in a letter to the Quartermaster General of the United States commending, Colonel Cole for his service in the Quartermaster's Department, reciting his various offices, duties and responsibilities, said:

"The excellent business ability displayed by Colonel Cole is of a character that is rarely found among Army Officers. He brought with him on his return to active service a most valuable business knowledge acquired after his retirement from active service, which coupled with his energy and fine spirit of loyalty, made his services of the highest value to the Department at a time when the burdens falling upon this office were of a character that made it practically impossible to find officers of the Army with business training and experience capable of carrying on the work."

In appreciation of his services Colonel Cole was advanced to the rank of Colonel and awarded the distinguished service medal for especially meritorious and distinguished service in the performance of duties of great responsibility. This medal is highest decoration for meritorious service not involving personal bravery. Upon returning home to St. Paul after the war ended Colonel Cole resumed his activities in the Investment Service Co., and was principally engaged in its affairs until June 1st, 1929. Since then he led a more leisurely life. He was

not inactive, however, and aside from his own private affairs he gave considerable attention to several financial, banking and insurance companies with which he was connected as director and officer.

It is hard in a few words to fully appreciate a character such as Colonel Cole. He was an able and dependable lawyer and a business executive of marked ability, and his many clients will remember him with grateful appreciation for the sound advice he gave them and the accurate and successful management of their personal matters committed to his care. Colonel Cole's reputation will not rest alone, however, on ability as a lawyer nor as an executive. He was of a happy disposition and a believer in the ultimate triumph of the right. Although he passed through several panics, depressions and retrogressions, whichever word one has in mind to use, he never seemed unduly alarmed or frightened at the state of affairs and still believed that no matter how bad was the outlook, times would change and recoveries would be made. Both as a lawyer and a business executive and advisor Colonel Cole's judgment was sound and his advice wise. His ethical standards were high and steadfastly maintained. The domestic life of Colonel and Mrs. Cole was ideal. They were a couple who once falling in love with each other did not thereafter fall out, but to the end their affection and reverence for each other was deep and sustained.

As stated above, Colonel Cole was suddenly and unexpectedly stricken on February 13, 1939. His beloved wife, whose health had for some little time been failing, seethed unable to withstand the shock of her husband's sudden demise and on March 4, 1939, she too passed on. They are survived by two children, a son Dr. Wallace H. Cole, distinguished surgeon of St. Paul, Minnesota, and a daughter, Elizabeth Cole Boardman, wife of Dr. Walter Whitney Boardman of San Francisco.

The Bar of Ramsey County will miss the wise counsel and genial association of Colonel Cole and his friends, especially those whom it has been his duty to counsel and advise, will most keenly regret his loss and cherish of him a fond remembrance.

This memorial was prepared by Judge Frederick N. Dickson, Dillon J. O'Brien, who, at the request of Mr. Ira. C. Oehler, the chairman of the committee, read the memorial, added the following:

I became associated with the firm of Stevens, O'Brien Cole & Albrecht as a law student a few months after Colonel Cole left the firm to direct the affairs of the Northwestern Trust Company, but the organization of the Trust Company did not, by any means, sever the close ties of warm personal friendship and professional association between Colonel Cole and my father. During all of the years of Colonel Cole's association with the Trust Company he retained my father as counsel for the company in matters of importance. The very sincere affection of my father for Colonel Cole, which I am sure was reciprocated, was characteristic of the regard and understanding so often found subsisting between men of quite different temperaments.

Probably, above everything else, my father's high esteem for Colonel Cole was a recognition of his exceptionally strict code of personal and professional honor and ethics, and their warm and continuing friendship was one of the outstanding influences in my father's life and professional career. He often used to refer to what he considered the rare combination of qualities possessed by Colonel Cole: a fine legal mind and sound business judgment, supplemented by exceptional efficiency and power to dispatch business, acquired from his active military training and discipline.

Among Colonel Cole's papers was found a letter from my father, dated in 1903, acknowledging a remittance Colonel Cole had sent him in connection with the division of some legal fee, in which my father said:

"The joy naturally awakened by unexpected good things is shadowed by a melancholy thing you say about probably the last time, etc. It recalls the pleasant and profitable years that you were in this office and says goodbye to them. If it is to your interest I will not wish you back but I will always regret your absence. I think I fully appreciate your qualities—more than you yourself did—and I was always conscious of the practical benefits I reaped from our association. You did me far more good than I did you. The times were very, happy ones, for me. I think you appreciated them, too. It is a pleasure to look back and think there never was the slightest cloud upon our relations. I am very glad to believe that I have in some sort stood the scrutiny of an intimate association and that you think kindly of me. I need not, I hope, assure you that I will always respect and esteem you and have

the friendliest feeling towards you. Maybe some day when you have made your fortune and established your fame you may desire to return to the practice of 'pure' law and the enjoyment of philosophic speculation arising in 'small causes'. If ever you do, remember that your old place is waiting for you."

Respectfully submitted,
CHARLES W. BRIGGS
FREDERICK N. DICKSON
DILLON J. O'BRIEN
IRA C. OEHLER, Chairman.

MEMORIAL TO
CHARLES N. DOHS

Charles N. Dohs died in St. Paul, July 13, 1938, at the age of sixty-five.

He was born at Newark, New York, October 27, 1872 and graduated from Columbia University in the year 1894. He had also studied medicine. Immediately after graduation he became an assistant in the prosecutor's office in New York for a short time, and in 1894 moved to Dubuque, Iowa, and began the practice of law under the firm name of Gibbs and Dohs where he remained for only three years.

In 1879 he entered the editorial department of the West Publishing Company where he remained until 1915, and left as an important contribution to the law libraries the familiar and important work "Words and Phrases."

From 1915 to 1935 he was associated in the practice of law in St. Paul with the late George B. Edgerton. This well known firm conducted much important litigation in State and Federal Courts. In 1935 Mr. Dohs became associated with Mr. R. Edison Barr in St. Paul in the practice of law, and at the time of his death was senior member of the firm of Dohs and Barr.

He was a past master of Summit Lodge Masonic Order, to which he gave unstintedly of his time and effort throughout the years. He was a member of the House of Hope Church, and had been a member of the Minnesota Club.

Charles N. Dohs was a familiar figure to the Bench and Bar of Ramsey County. His industry was proverbial—his enthusiasm boundless. No road was too long or too hard. His knowledge of medicine aided in his understanding of human nature and his studious application of the law.

It was but natural that his greatest victories should come and his path should follow difficult, complicated and vexatious litigation, because his industry and enthusiasm lead him there. It is sad that his untimely death deprived him of the knowledge of his very important victory in the Circuit Court of Appeals, which came down two weeks after his death.

On September 1, 1897, Charles N. Dohs married Caroline Sturgess in New York City, at which time they took up their residence in St. Paul, Minnesota. They have been residents of this city ever since that time and his widow survives him.

The Ramsey County Bar has lost an important member of the Bar. Those who knew him intimately will long remember the lessons of industry and sobriety which his work well exemplified. He was a formidable opponent—a valuable associate.

Respectfully submitted,
R. EDISON BARR, Chairman
FRANK T. O'MALLEY
THOMAS F. FITZPATRICK
JOHN A. BURNS

MEMORIAL TO
DANIEL W. DOTY

Daniel W. Doty was born October 25, 1860 in Indiana County, Pennsylvania. He was one of two children of Nathaniel and Tabitha White Doty, his sister Melissa being his senior. He was of the seventh generation from Edward Doty, a passenger on the Mayflower. His father Nathaniel was one of four brothers all of whom served in the Civil War, he and one brother dying in the service. Nathaniel died November 1, 1864 when Daniel was four years old. Daniel attended District School until eleven years old. From eleven to sixteen years of age he attended a Soldier's Orphan School at Dayton, Pennsylvania, provided by the State for the orphans of its soldiers.

He graduated from the State Normal School at Indiana, Pennsylvania in 1880. He worked on railroad engineering parties in Pennsylvania and Kansas. In 1882 he settled in Crawfordsville, Indiana, a town of several thousand population, where he studied law and was admitted to the bar. He was elected City Attorney of Crawfordsville.

He was married June 17, 1886 to Helen M. Smith at her home in Wellsville, Ohio. In October, 1886 Mr. Doty moved to St. Paul, Minnesota where he resided until his death, November 22, 1938. His widow, a daughter, Margaret M. Doty and a son, Donald S. Doty, an esteemed member of our Bar survive him.

During all his business life in St. Paul he practiced his profession. He was an excellent lawyer, ever regardful of the high ideals the profession exacts in all his relations with the Court and with clients. He held no public office here, but public affairs were among his chief interests.

Mr. Doty felt that as a citizen he was under strong obligation to take an active part in advancing the affairs of the community in which he lived. He had a reformer's zeal, a direct and vigorous style of speech which a natural humor: made incisive and attractive, and his barbed arrows of wit added emphasis to what he had to say without giving offense. He was courageous, persistent and regardless of self in any effort he made to promote public reforms. These qualities naturally brought him leadership and with his position at the bar others looked to

him for counsel and advice, sometimes resulting in militant action to bring about civic reforms of the moment.

As an instance, Mr. Doty, representing other citizens for whom he acted as attorney, at one time petitioned the District Court accusing a grand jury of neglect, misconduct and misconception of duty in failing to properly investigate certain liquor cases and requested the Court to re-instruct the grand jury or to re-submit the cases to another grand jury and asked for a new method of choosing a panel of jurors in Ramsey County. The District Court fined the petitioners for contempt of Court. Mr. Doty appealed the case and the lower Court was reversed. State vs. Young, 133 Minn. page 96.

Mr. Doty had the quality of mind which made impersonal, far as he was concerned, public activities of this kind and he never carried prejudices or personal feelings into his other relations with persons whom he publicly opposed. With individuals he was sympathetic, tolerant and just to their point view. His judgments were unbiased and he was a loyal and generous friend.

He took a prominent layman's part in the church with which he was affiliated, was active in securing a branch library in Merriam Park and for many years was attorney and advisor of the Children's Home Society. His long life in this City was distinguished by the influence which he exerted upon others by forceful elements in his character which were unusual but natural to him. Those associated with him and who knew him honored him and recognized in him a man who would make his mark upon any community in which he lived and a friend in the true sense of friendship.

Respectfully submitted,
WALTER L. CHAPIN, Chairman,
JOHN E. STRYKER,
BRUCE W. SANBORN.

MEMORIAL TO
GEORGE B. EDGERTON

May it please the Court:

On behalf of the bar of Ramsey County the following memorial to George B. Edgerton is respectfully submitted

George B. Edgerton was born in Mantorville, Minnesota, on June 11, 1857, the son of Alonzo J. and Sarah Curtis Edgerton, and died at Saint Paul on July 29, 1938. He attended Lawrence University at Appleton, Wisconsin, and received his legal education at Columbia University. Admitted to the bar in 1880, he commenced practice at Mantorville in association with his father, a former Judge of the United States District Court in Dakota Territory.

He served as County Attorney of Dodge County; in 1890 was appointed Assistant United States Attorney, and 1893 Assistant Attorney General, an office which he held for six years. In 1899 he entered private practice, in association with former Attorney General Childs and Arthur Wickwire, and practiced continuously in Saint Paul until a few weeks before his death.



He was married to Alice J. Godwin on July 11, 1883. His son George G. Edgerton, a member of this bar, and two daughters, Mrs. J. T. Christison and Mrs. Henry N. Klein survive him.

As a lawyer he was able, zealous in his devotion to the interests of his clients, an adversary who, while fair and courteous to his opponents, was always regarded with most wholesome respect by them. Once convinced he right he was untiring in the representation of his clients. This was well illustrated in the famous case in which he represented the Mille Lacs tribe of Chippewa Indians, when largely at his own expense, he carried on an action in their behalf twice through the Court of Claims and once to the Supreme Court of

the United States, the whole case lasting over a period of ten years, and finally resulting in a recovery from the government of nearly a million dollars.

He was a lawyer for whom no code of ethics was necessary because the highest principles of the profession were inherently his.

It is impossible to adequately express in words the love and affection felt for Mr. Edgerton by his host of friends. Most of us have a few close friends of our own generation. His were of three generations. He never grew old, and the spirit of youth which when it really abides through life makes each year merely a fresh page in the book of memory and gives to its possessor always roses in December, was ever within him.

He lived a full life; he was an able lawyer and a good citizen; he was loved and respected by all who knew him. These are the finest memorials to any man.

Respectfully submitted,
WM. C. GREEN, Chairman
F. G. INGERSOLL
OTTO KUEFFNER
WILLIAM. G. GRAVES
ALBERT J. MUELLER

PERSONAL TRIBUTE TO THE LATE GEORGE B. EDGERTON BY ALBERT J. MUELLER
AT THE ANNUAL MEMORIAL SERVICES OF THE RAMSEY COUNTY BAR ASSO-
CIATION APRIL 8, 1939.

As one of Mr. Edgerton's former associates in the practice of law and a member of this Memorial Committee, it would be amiss on my part not to make a tribute to this gentleman, based upon my personal relations with him.

At the outset I am impelled to say that his outstanding success in the practice of law and his having been a highly respected member of that profession for over half of a century made him a worthy son of the late Judge Alonzo J. Edgerton, first

judge of the United States District Court for South Dakota. In 1935, and forty-three years after his death, at a session of that court, the occasion being the presentation of a portrait of him at the opening of the new Federal Court House, it was said, among other things, that he was not only the first judge of that court, but formerly a member of the first legislature of Minnesota, one of the first United States Senators from Minnesota, later becoming Justice, then Chief Justice of the Supreme Court for the Territory of Dakota and who was most deserving of these many honors bestowed upon him, because of his rare ability, high-mindedness and the esteem in which the citizens at large held him. All these, too, are typical of the gentleman whose memory we today are commemorating.

More than twenty-five years ago when I began the practice of law there were several gentlemen of the local bar who were truly an inspiration to me. One of these was Mr. Edgerton; I never thought then that one day I would have the good fortune to become his friend and one of his associates in the practice of law.

During this association, brief as it was, I observed the many fine and rare qualities of this gentleman, which were not only an inspiration, but a code of ethics in itself, which would lead any lawyer to the inevitable belief that if all men were like him, a code of ethics would be unknown.

Most fortunate is the young lawyer who can serve his apprenticeship under a lawyer such as was Mr. Edgerton, for he was not only an ideal and able advocate and counsellor but most helpful as a reliable guide to the younger members of that profession.

To the end, my association with him, and his firm was a very pleasant one.

When preparing this brief tribute, I appreciated more than ever before, the trite but true saying that often-times words really fail to adequately describe or picture a person or a situation.

I am honored by the privilege to make this personal tribute to so fine a gentleman.

Respectfully submitted,
ALBERT J. MUELLER,
One of the Committee.

MEMORIAL TO
PHILIP GILBERT

May it please the Court:

On behalf of the Ramsey County Bar, the following memorial of Philip Gilbert is respectfully submitted:

Son of Colonel Henry Clark Gilbert, attorney-at-law, and Harriet Champion Gilbert. His parentage was of English ancestry with a touch of Scotch and Irish, tracing back through early Colonial days to the old country. Born October 29, 1860 in Coldwater, the county seat of Branch County, Michigan, the seventh child.

When Philip was less than two years old, and his youngest brother Henry Clark about eight days old their father, Colonel Gilbert left his law practice and was mustered in with the Nineteenth Michigan Volunteers. The regiment went south to fight for the Union. Colonel Gilbert came home on a furlough and again in a coffin, having been killed in the battle Resaca, Georgia.

Philip attended the public schools at Coldwater, and graduated from the high school. His mother died in 1876. Thereafter for several years Philip lived with and worked for Allan Vanderhoof, a grocery man and dealer in horses. In 1883 he entered law school of the University of Michigan, and graduated in 1885. The graduating class numbered about 140, many of them coming to Minnesota and the West. Among those coming to St. Paul were Charles Bechhoefer and William A. Cant, both well known to this bar. Philip was admitted to bar of Washeman County, Michigan. He came to St. Paul on May 6, 1886, and was admitted to practice by the District court of Ramsey County the same year. He began practice with E. Howard Morphy, under the name of Morphy and Gilbert. In 1892 the firm name appears Morphy, Gilbert and Murphy, and later Morphy, Ewing, Gilbert and Ewing. In 1900 he practiced alone, and in 1902 formed a partnership with Jesse E. Greenman, under the firm name of Gilbert and Greenman.

In 1911 he removed to Salem, Oregon, where he operated a farm for several years and practised law for a short time, being associated in the office of A. O. Condett. He returned to Minnesota in 1914 and was located in Minneapolis for a short time, doing special work as attorney for Charles Bechhoefer, trustee under

the will of William Hendricks, deceased. In 1924 he became assistant Examiner of Titles for Ramsey County, Minnesota, and continued in the office to March 1, 1937, when he retired and returned to Salem, Oregon. He died at Salem, Oregon, on October 7, 1938, almost 78 years of age, and was buried in Belcrest Memorial Park of that city.

He married Alcetta Tinkham of Coldwater on June 10, 1889. She survives him. He is survived by his brother Henry C. Gilbert of Minneapolis, and his six children, Charles S. of St. Paul, Minn.; Henry C. of Minneapolis, Minn.; Tinkham of Salem Oregon; Rosamond Gilbert Haight of Ritzville, Washington; Edna Gilbert Davies, of Swartmore, Penn.; and Elsie Gilbert Jackson of Portland, Oregon. There are fifteen grandchildren

This, of course, is but a bare outline of his career. The important question is what sort of a man was he. This is answered in this manner. He was an excellent lawyer, especially well grounded in the fundamental principles of law. He was an able advisor, cautious and safe. He was unassuming, modest, a hard worker, and always faithful. He was devoted to his country. He was a member of the Loyal Legion, an honor reserved to those whose fathers were officers in our Civil War. For a time he was Commander. He was a member of the Presbyterian church, in politics, a Republican. Above all he was completely honest and his life was a model of Christian living. He was especially fortunate in his family. A devoted wife and children, all now matured, and each one an honor to their parents.

Such a man was Philip Gilbert; an honor to his country and to his profession.

Dated at St. Paul, Minn., April 8, 1939

Respectfully submitted,
W. P. WESTFALL, Chairman
GEORGE W. PETERSON
JAMES C. OTIS
SHERMAN R. CHAMBERLAIN
BERNARD G. BECHHOEFER

MEMORIAL TO
HENRY A. LOUGHRAN

May it please the Court:

As testimony of its profound regard for the ability, scholarship, and integrity displayed in the life of the late Henry A. Loughran.

Henry A. Loughran was born in Savanna, Carroll County, Illinois, on the 21st day of May, 1868, the fourth eldest son of Daniel and Mary Loughran. He attended the grade schools of Savanna until he was 16 years of age, then moved to Madison, South Dakota, and entered the State Normal School and after graduation taught school for a few years until he returned to St. Paul and was graduated from the Law Department of University of Minnesota, obtaining a Bachelor of Laws, Master Degree in the month of June, 1896. Mr. Loughran was married to Catherine Keefe in July, 1900. One son was born as a result of that union, Harry A. Loughran, who is employed in the Department of Justice in New York City. For years the family resided at Cottage Park, White Bear Lake, Minnesota. His widow now resides at 819 Portland Avenue, St. Paul.



Mr. Loughran began the active practice of law shortly after he was admitted, with offices located, in the New York Life Building where he remained until the fall of 1927. He moved to the Hamm Building where he became associated with the firm known as Wondra, Loughran, Sigel and Flynn, and for the past six years had been employed in the Legal Department of the Government.

As a lawyer he was always energetic and industrious in his work and in his general practice he was a capable trial lawyer. Also took an active interest in civic affairs, and at one time aspired to the District Bench but was unsuccessful. Always courteous and loyal to his friends, modest and retiring in his nature, a man of good common sense and sound judgment. The last few years of his life his

health failed rapidly. His attempt to continue the ambitious program he had set only hurried the inevitable. He died in the City of St. Paul on the 18th day of April, 1938, at the age of 70 years.

The sympathy of this Bar goes forth to his family and friends in the loss they and we have sustained. We move this memorial be spread upon the records of the Court and copies be mailed to the immediate members of the family of our departed friend.

Dated this 7th day of April, 1939.

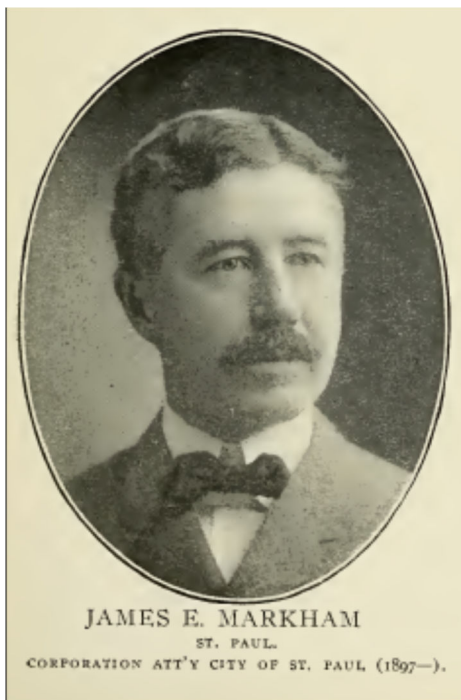
Respectfully submitted,
JOHN C. ZEHNDER, Chairman
DANIEL J. HOLLIHAN
THOS. J. NEWMAN

MEMORIAL TO
JAMES E. MARKHAM

On behalf of the Bar of Ramsey County, the following memorial to James Markham is respectfully submitted:

Mr. Markham was born in Rochester, New York on 21, 1857. He spent his early youth on a farm in the Genes Valley, Allegany County, New York. His early schooling was had at a country school and Belfast Academy, which latter institution was accredited by most Eastern Colleges. After graduation from the Academy he read law in a law office and was admitted to practice in New York and for a number of years engaged in practice in Salamanaca, Buffalo, New York City and adjacent points.

Like many other young men of that time, the West seemed to hold a fascination for him and he came to St. Paul in 1886. During his professional career which was spent in St. Paul, he was associated with the following firms: Propping, (Morris F.) & Markham; Richardson, Markham & May, Markham, Moore & Markham; Markham & Markham and Markham & Calmenson.



In 1897 Mr. Markham was appointed. City Attorney for the City of St. Paul and continued in that position until the year of 1900. He rendered outstanding service to the community in his capacity as City Attorney and showed marked ability not only in the handling of the many legal matters in which the City was involved, but in advising the officials of the City and in the formulation of necessary ordinances or legislative acts.

After his retirement from the City Attorney's office he practiced with his brother George, as heretofore stated, for many years. He continued in the general practice of law until 1917 when he was appointed Assistant Attorney General of the State, and thereafter was appointed Deputy Attorney General, which office he continued to hold until 1933 when, during a

change of administration, he and all other members of the then Attorney General's staff were replaced.

During Legislative Sessions, Mr. Markham was assigned as special advisor of the Legislature, drafted and prepared bills for the members of the legislature; advised with their committees on constitutional questions, and by his outstanding service rendered a most beneficent service to the State of Minnesota. He was frequently assigned by the Attorney General to render assistance to County Attorneys throughout the State in important criminal and other matters, and participated in practically all appeals taken to the Supreme Court in criminal cases during the time he was associated with the Attorney General's office.

It has been said, and we think truly, that Mr. Markham's name appears as attorney in matters which have been before the Supreme Court, more often than the name of any other attorney in the State.

After his retirement from the Attorney General's office, he continued in the practice of law to the date of his death. He was appointed for and did special work for the Federal Farm Association, and was a consultant writer of briefs in appeal cases for other lawyers. He was eighty-one years of age at the time of his death, which occurred on June 25, 1938.

Mr. Markham was married to Catherine Browning and to this marriage were born two daughters, Mrs. A. W. Trenholm and Mrs. Leila Lufkin, both residents of St. Paul. These daughters and four grandchildren survive.

Jim, as he was generally known to the members of the Bar, possessed a charming personality; his social instincts made him a delightful companion; his sense of humor and his knowledge of human affairs made him welcome wherever he went. At different times he was a member of the Minnesota Club, Town & Country Club, Athletic and other clubs.

Mr. Markham was well grounded in the fundamentals and science of the law. He was diligent and careful in the preparation of his cases, upright and honest, and he combined to an unusual degree, the qualities of both counsellor and advocate. It may be truly said that during his professional in St. Paul, he was among the outstanding lawyers of this community.

Respectfully submitted,
THOS. C. DAGGETT, Chairman
ARTHUR A. STEWART
L. L. ANDERSON
JOHN F. FITZPATRICK

MEMORIAL TO
LINUS O'MALLEY

On behalf of the Bar of Ramsey County, the follow memorial to Linus O'Malley is respectfully submitted:

Mr. Linus O'Malley was born November 25, 1880, at Cresco, Iowa. His parents were Patrick F. and Margaret O'Malley.

His boyhood was spent in and about Cresco and there he attended the parochial schools and then Notre Dame University, and thereafter Iowa State University. Before coming to St. Paul he was employed for a brief time in mercantile business. He came to St. Paul in 1905 and again earned his livelihood in the mercantile business and for a time in a branch of the advertising field while studying law at the St. Paul College of Law. He obtained his degree in 1908, and was immediately admitted to the Bar of this State.

Mr. O'Malley practiced law continuously thereafter as a member of the Ramsey County Bar, until his untimely demise December 28, 1938, slightly less than five weeks after his 58th birthday, when the shadows of life had barely begun to point to the East. He is survived by his widow, the former Leona Sensor, of Decorah, Iowa, whom he married September 22, 1922. His career at the Bar was spent in association with his brothers, Raymond G. and Frank T. O'Malley, who, together with two sisters, also survive him.

Mr. O'Malley was a lawyer of truly splendid ability and an exceptionally able trial lawyer and was so recognized by the Bench and Bar. He loved his profession, and was utterly unselfish in his devotion to his clients' affairs. He was a true friend and steadfast in his loyalty to the memory of his chosen friends who had departed this life before him.

Mr. O'Malley was reasonably active in politics, principally local, not as a candidate, however, nor because of any desire for personal reward, but because of commendable interest in good government. During the last several years of his life he was a member of the St. Paul Sanitary Drainage Commission.

Whenever possible Mr. O'Malley indulged in fishing. He loved flowers and gardening. Much of his leisure was devoted to study of history and literature which no doubt accounted in part for his own enviable power of expression.

Mr. O'Malley will long be remembered as a fine lawyer and a real man.

Respectfully submitted,
STAN D. DONNELLY, Chairman
P. J. RYAN
KAY TODD
PHILIP J. MACKEY
R. PAUL SHAROOD

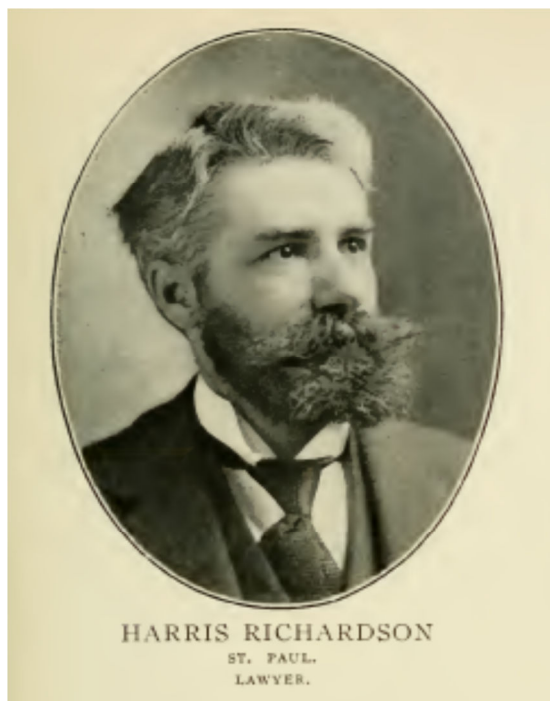
MEMORIAL TO
HARRIS RICHARDSON

May it please the Court:

On behalf of the Bar of Ramsey County, the following memorial to Harris Richardson is respectfully submitted:

Mr. Richardson was born on his Grandfather's homestead near Lowell, Wisconsin, on August 8, 1858, and died at Minnesota, on February 23, 1939. He went to preparatory school at Beloit, Wisconsin, before entering Yale University. He was graduated from Yale University in 1881, and entered the Law College of the University of Wisconsin, from which he was graduated in 1883. In June, 1882 he married Mary. K. Fairchild, and in June, 1883 they moved to St. Paul, Minnesota. Two children were born of this marriage, Walter Richardson and Gertrude Richardson Angell. Mrs. Angell alone survives.

Mr. Richardson was associated with the firms of Kerr & Richardson; Warner, Richardson & Lawrence; and Richardson & Kerr.



In his long practice Mr. Richardson developed a very large clientele. In all probability there was never a lawyer who worked harder and who devoted a greater amount of his time to his work. No amount of close mental concentration seemed to be fatiguing, and his close associates marveled at his ability for sustained and almost constant mental effort.

In his law practice he never knew the meaning of the word "defeat." No lawyer ever fought his cases more energetically and with better preparedness, both as to law and facts. His handling of legal matters was marked, to a degree, by the utmost care and attention to details, and many a case was won on points and theories which might well have escaped the attention of a less careful lawyer. His

adroitness and quick thinking will be well remembered by lawyers who have opposed him, and by the members of this Court before whom many legal matters were submitted.

In his practice Mr. Richardson seldom had what might be termed "easy cases." He didn't particularly want them. He reveled in an intricate, difficult and close question of law. It challenged his intellect, and he met the challenge with delight and amazing vigor.

After fifty-six years of practice in the courts of the State of Minnesota, Harris Richardson, the lawyer, is well known, but the man Harris Richardson, is not so well known. As a student at Yale University he was intense and obtained a broad culture, which, on account of his wonderful memory remained with him. As a geologist he was more than an amateur, and at one time did some notable research work fossils. Soon after he came to St. Paul he wrote literary reviews for the Pioneer Press, anonymously, that attracted considerable attention. He also wrote legal notes for the West Publishing Company. For a long time he was the secretary of the Republican State Committee, where he exerted great influence, but always avoided publicity. As a member of board of directors of the St. Paul Public Library he organized and systemized its management at the very beginning.

He gathered a rare collection of etchings dating back to Ostade and Durer, early 1500, and old editions of the Bible

He went through great sorrows, which made him sympathetic with others in their troubles. As a generous friend he will be missed by all who knew him but, perhaps especially, by widows and children of his former clients. He was seldom a guest in the homes of his clients and friends, but he never missed an opportunity to visit and console with those in trouble or distress

Respectfully submitted,
G. WINTHROP LEWIS
HAROLD C. KERR
LLOYD PEABODY
JOHN P. KYLE
RICHARD A. WALSH

MEMORIAL TO
BENJAMIN FRANKLIN WOOLEY

On behalf of the Bar of Ramsey County, the following memorial to Benjamin Franklin Wooley is respectfully submitted

Benjamin Franklin Wooley was a member of our Bar for number of years last past. Mr. Wooley was born on a farm in a small town called Utica in Winona County, Minnesota, on September 3, 1876, the son of Marcus and Anna Wooley. He died in St. Paul, Minnesota on June 1, 1938.

He attended the St. Charles High School at St. Charles, Minnesota, from which he graduated; and thereafter entered Winona State Teachers College at Winona, Minnesota. After leaving there, he attended the Minneapolis Business School, and thereafter attended the St. Paul College of Law, from which he graduated in 1916.

Prior to his graduation from law school, he was the principal of the Edinburg High School at Edinburg, North Dakota; and left the Edinburg High School to take up the same position with the Antler High School at Antler; North Dakota; and from there left to become the principal of the Avon High School at Avon, South Dakota. He also served as principal of the Rice Industrial School at St. Paul, Minnesota. He taught at this school while he was attending the St. Paul College of Law. From 1905 to 1907 he was the head of the Commercial Law Department of the Minneapolis Business School. In 1918, he started to practice law in St. Paul, Minnesota, and during the years 1923 to 1927, in addition to his practice, he maintained a school known as the Business Law School, where he taught during the winters.

Wooley had many friends, one of whom was the late Mr. Hillman, who for many years was the head court reporter for our District Court. Mr. Wooley probated the estate of Mr. Wooley.

At the time of his death, Mr. Wooley left him surviving his wife, Mary, and three children: a son, John, of the age of twenty-five years, who is a teacher in the St. Paul High Schools; and two daughters, Jean, of the age of twenty-three, who is doing social work in the City of St. Paul, and Marion, of the age of twenty years, who is a junior at Macalester College in St. Paul, Minnesota. Mrs. Wooley is a

poetess and also a writer of fiction, her work having been accepted by a number of national magazines; and Mr. Wooley was always proud of her accomplishment. At the time of his death, Mr. Wooley was a member of the Central Presbyterian Church of St. Paul, Minnesota.

Mr. Wooley was a kindly person and considerably interested in the affairs of the community. He was always friendly and glad to discuss with younger people the problems which generally affected them. He was well read and well informed. He was held in great esteem by those who knew him.

Respectfully submitted,
FRANK J. DANZ, Chairman
A. I. LEVIN
RAYMOND J. ROCKSTROH

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Credits

Photographs have been inserted by the MLHP. Photos of James E. Markham and Harris Richardson are from *Men of Minnesota* (1902), while those of Judges Orr and O'Brien, George B. Edgerton and Henry A. Loughran and are from *Men of Minnesota* (1915).

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