

In Memoriam

Judge Jasper N. Searles

November 9, 1840 - April 25, 1927



Washington County Bar Association
District Court
Nineteenth Judicial District
Stillwater, Minnesota
May 9, 1927

STATE OF MINNESOTA

IN DISTRICT COURT

COUNTY OF WASHINGTON

NINETEENTH JUDICIAL DISTRICT

To the Honorable Alfred P. Stolberg, Judge of the above named Court:

The undersigned committee, appointed by you to prepare and present to the above named Court an appropriate memorial to the late Judge Jasper N. Searles, respectfully reports that we have prepared such a memorial, which is hereto attached and hereby made a part of this report.

We respectfully recommend and move in behalf of the members of the Bar of the Nineteenth Judicial District that said memorial be spread upon the records of the above named Court and that a certified copy thereof be forwarded by the clerk of the above named Court to the family of Judge Searles.

Dated May 9th, 1927.

Reuben J. Aboen
George H. Dunning
W. W. E. Lee

JASPER NEWTON SEARLES

Jasper Newton Searles, Judge of the above named Court from 1917 to 1925 and a distinguished member of the Bar of the State of Minnesota since 1866, was born at Royalton, Ohio, November 9, 1840, and died at his home in Stillwater, Minnesota, April 25, 1927.

Judge Searles was educated in the public schools of Cleveland, Ohio, at Hiram College, and received his legal education at the University of Michigan. He came to Minnesota in 1855, settling at Hastings, Minnesota. At the outbreak of the Civil War he enlisted as a private in Company "K", First Minnesota Volunteers. He was then twenty years of age. Soon after his enlistment he was promoted to the position of hospital steward and from then on was promoted steadily in the service until he was commissioned captain of Company "C", First Minnesota Volunteers. He was mustered out of service in the spring of 1864, and early in the summer of the same year he joined the expedition that left at that time for South Dakota to locate Fort Wadsworth. He remained at Fort Wadsworth until the fall of 1866, during which he engaged in the Indian trade and experienced many thrilling adventures and hardships which were remembered by him until his death.

In 1866 he returned to Hastings, Minnesota, where he married Sarah L. Tozer. In that year he began active practice of the law. In 1871 and 1872 he served Dakota County as County Attorney. He came to Stillwater in the fall of 1881 and formed a partnership with the late Fayette Marsh under the firm name of Marsh & Searles. In 1884 he became senior member the firm of Searles, Ewing & Gail. When said firm was dissolved Judge Searles formed a copartnership with Frank W. Gail which continued for a number of years and then he practiced alone until his elevation to the District

Bench by appointment of Governor J. A. A. Burnquist in July, 1917. In 1918 he was elected judge of the Nineteenth Judicial District and served until January, 1925, when his term expired.

Judge Searles was essentially an original thinker. During his many years of active practice of the law in this state, from its pioneer days to the present, his experience covered the whole field of the law. He was an exceptionally profound lawyer, as well as a practical man of affairs, and handled many important and complicated cases. He was one of those sturdy pioneers who helped build the law of this state. As a young man, he prepared and published "Searles Minnesota Digest" as well as a history of the First Minnesota Volunteers.¹

During the years he presided as Judge of the Nineteenth Judicial District he won the universal esteem of the members of the Bar who appeared before him, in addition to their admiration for him as a lawyer and as a just judge. He presided with dignity, poise and patience, and unfailing courtesy which he extended to counsel appearing before him, and particularly younger members of the bar, won him the respect of litigants as well as counsel.

His life is the life of a real American. He served his country in the time of war and time of peace. His life brings to all who knew him a vision of a sturdy, self-reliant and self-supporting man, who revered God, believed in the sanctity of the home, recognized the dignity of labor and the equality of all men before the law; of one who appreciated government of laws and not of men, and who classified humanity not wealth, religion or race but by conduct and attainments.

The people of Stillwater, Washington County and the Nineteenth Judicial District regret Judge Searles' passing but we do not [with] so much sorrow at his death as rejoice in the fact that we knew and loved him and that his name will always stand high on the honor roll of the state and

¹ The entire text is posted in the "Digest" category in the Archives of the MLHP.

nation. His life can be summed up in a paragraph: he was a venturesome pioneer, a brave soldier, an able judge, a conscientious and just judge, and a Christian gentleman.

Dated at Stillwater, Minnesota, May 9th, A.D. 1927 and presented to the above named Court at a General Term thereof held on said date.

Reuben A. Thorne
George H. Dickey
Wm. V. Law

Committee appointed by Hon. Alfred P. Stolberg, Judge of the above named Court.



1902

Appendix

The Elections of Jasper Newton Searles

House of Representatives, District 20. November 2, 1880:²

This was a “top 5” election:

Democrats:

John F. Norrich.....	2,040 *
M. Siebenshler.....	1,926
James Kennedy.....	1,952 *
H. H. Finsch.....	1,951
R. McAndrews.....	1,957 *

Republicans:

Jasper N. Searles.....	1,996 *
D. Boser.....	1,959 *
P. Barton.....	1,930
J. M. D. Craft.....	1,827
D. C. Johnson.....	1,857

Senate, District 23. November 4, 1890. ³

Jasper N. Searles (Rep.).....	2,115
James S. O’Brien (Dem.).....	2,011
Richmond Andrews (Alliance).....	441

The election was contested; a recount of the town of Marine was conducted, and on January 24, 1891, the Senate declared O’Brien the winner. See page 6 below.

District Court Judge. November 5, 1918.

He was unopposed, and received a total of 8,217 votes.⁴

² *St. Paul Daily Globe*, November 8, 1880, at 1.

³ 1891 Blue Book, at 564.

⁴ 1919 Blue Book, at 672.

Report of the Election Recount in 1891.

From the *Journal of the Senate*, January 24, 1891, at 96:

Mr. McMillan, from the Committee on Elections, reports the following:

➤ In the matter of the contest of J. S. O'Brien to the right of J. N. Searles to the office of Senator in the Legislature of this State from the county of Washington,

Your committee to whom was referred the evidence in the above entitled contest beg to report:

That your committee have examined the said evidence, and more particularly that portion of said evidence pertaining and relating to the vote cast in the town of Marine, in said county, it having been agreed and conceded by both of said parties to this said contest that the whole matter in issue rested and depended upon the vote cast in that town, that if the original canvass and return of the vote made in said town be allowed to stand, then J. N. Searles, the respondent, is entitled to retain his seat, but that if the recount be allowed, then J. S. O'Brien, the contestant, should be awarded the said office of Senator.

And your committee, after having examined said evidence, and heard the arguments of counsel in behalf of the said contestant and of the respondent in his own behalf, are of the opinion that the recount of the vote in the said town of Marine should be allowed, and that the said contestant, J. S. O'Brien, is entitled to the office of Senator in this Legislature from Washington county, Minnesota.

Respectfully submitted.

F. G. McMILLAN, Chairman.
N. N. MAYO.
S. D. PETERSON.
HENRY KELLER.
A. Y. EATON.

Biographical sketches of Judge Searles:

From Hiram F. Stevens, ed., 1 *History of the Bench and Bar of Minnesota* 249-250 (1904):

Jasper Newton Searles, of Stillwater, Minnesota, was born November 9, 1840, in North Royalton, Ohio, to Jonathan D. and Harriet E. (Bronson) Searles. He received his early education in the public schools of Cleveland, then known as Ohio City, and later entered Hiram college. At the age of fifteen, in June, 1855, his parents moved to Hastings, Minnesota, and young Searles entered a select school at that place. When the war of the rebellion broke out he enlisted as a private in the First Minnesota Volunteer Infantry.

Meritorious conduct soon caused him to be raised to the rank of second lieutenant, from which rank he was promoted to first lieutenant and later to captain in the regiment, which office he held when the regiment was mustered out in the spring of 1864. Returning to private life, Mr. Searles again took up his studies, entering the Ann Arbor law school, from which he graduated in 1869, and was at once admitted to the bar at Hastings. He has worked up a large general practice, but devotes his time more particularly to logging and corporation cases, having been special counsel for Seymour, Sabin & Company; Northwestern Manufacturing and Car Company, and now counsel for the Clearwater Logging Company; Stillwater Water Company; Stillwater Gas and Electric Light Company; St. Croix Lumber Company, etc.

Mr. Searles appears in all the state and United States courts, and has been associated in the law business with various firms, his first partnership being in the firm of Claggett & Searles. Then he moved to Stillwater and was in the various firms of Marsh & Searles; Searles, Ewing & Gail, and Searles & Gail. At St. Paul it was Kneffner, Fauntleroy & Searles.

Mr. Searles is a man of reliance and integrity, whose success has been achieved by hard work and close application. He is a member of the Masonic fraternity and a man of social temperament, quick witted and keen. He was married in

Hastings to Miss Sarah L. Tozer, by whom he has three children, viz., Lewis T., Jasper E. and Marcia H., now Mrs. W. W. Conklin. In religious matters Mr. Searles affiliates with the Episcopalian church.

From Joseph A. A. Burnquist, *3 Minnesota and Its People* 278 (1924):

Judge Jasper Newton Searles occupies a position of distinguished preferment as a representative of the Minnesota bar and his record constitutes a notable example of usefulness and industry, for he has reached the eighty-third milestone on life's journey, yet is still an important factor in the world's work, owing to his well preserved mental and physical powers.

He is serving as judge of the nineteenth Minnesota judicial district and for more than forty years has been a resident of Stillwater. His identification with the state bar covers fifty-four years and superior professional attainments and an unsullied reputation well qualify him for the duties of his high office.

Jasper Newton Searles was born November 9, 1840, on a farm in Cuyahoga county, Ohio, about eighteen miles from the city of Cleveland, and is the only living child of Jonathan D. and Harriet C. (Bronson) Searles, who were married March 19, 1835. The father was born in Broome county, New York, April 14, 1814, and as a child was brought to Ohio by his parents, Jonathan and Charlotte Searles. The former was born January 4, 1784, and was a son of Isaiah Searles, whose natal day was April 8, 1759. Harriet C. (Bronson) Searles was born April 22, 1818, a daughter of the Rev. Julius Bronson. He was a minister of the Methodist church and officiated in the Western Reserve of Ohio until his death in 1826. He was five generations removed from John Bronson, a native of England, who came to America in 1636 in company with Rev. Thomas Hooker, the noted divine, and passed away on November 28, 1680. The line is traced upward through Isaac, his son; John (II), son of Isaac; Joseph, son of John (II); Seba, son of Joseph; Azor, son of Seba; and Julius, son of Azor. Mr. and Mrs.

Jonathan D. Searles spent their declining years at the home of their son in Stillwater, the former passing away on March 3, 1894, at the age of seventy-nine, and the latter on November 14, 1884, when sixty-six years of age. They were the parents of three children, of whom Julius B. was the eldest. He was born January 21, 1837, and also chose a legal career, successfully following his profession at Owatonna, Minnesota, and Peabody, Kansas, until his demise, which occurred at the latter place on March 4, 1876, when he was thirty-nine years of age. His sister, Elsie, was born January 1, 1843, and died September 20, 1857, at the age of fourteen.

Jasper Newton Searles spent his early life on the home farm in Cuyahoga county and was a lad of thirteen when his parents established their home in the village of Ohio City, now a part of the city of Cleveland, where he attended the public schools. In 1853 the family moved to Hiram and he became a student in the Eclectic Institute at that place. Two years later they journeyed westward, settling in Hastings, Minnesota, and Judge Searles has since lived continuously in this state, save during the period of the Civil war. He enlisted as a private in Company H, First Minnesota Regiment, and later was made second and first lieutenant of companies H and G and finally captain of Company C of the same regiment, being mustered out in 1864, at the end of three years' service. In that year he became a member of an expedition which was sent to Dakota territory to establish what was later known as Fort Wadsworth.

In 1866 Judge Searles entered the law department of the University of Michigan, from which he won the LL. B. degree in 1869, and his professional novitiate was served in Hastings, Minnesota, where he maintained an office for twelve years. While living there he filled the position of county attorney of Dakota county, which he also represented in the state legislature for a term, and in 1881 he located for practice in Stillwater.

He soon gained recognition as one of the most talented attorneys in Washington county, becoming noted for the precision of his briefs, the logic of his arguments and the success with which he handled cases of a difficult nature.

With the passage of time his clientele has steadily increased and experience and study have ripened his ability. Since 1917 he has been judge of the nineteenth judicial district of Minnesota, which comprises Washington, Chisago, Pine and Kanabec counties, and his native sense of justice and comprehensive knowledge of the law make him an able presiding officer over the tribunal of which he has charge. His decisions are strictly fair and impartial, embodying the most correct application of legal principles, while the equity of the case is also manifest in his opinions.

On October 18, 1866, Judge Searles was married to Sarah Lewis Tozer and for fifty-seven years they have traveled life's journey together, each retaining the precious prize of good health. Mrs. Searles was born in Waterville, Maine, October 13, 1845, a daughter of Isaac Bates and Mary Burgess (Bates) Tozer, and has become the mother of three children: Lewis Tozer Searles, who was born September 8, 1870, in Pittsburg, Pennsylvania; Marcia Harriet, who is the wife of Walter W. Conklin of Minneapolis, Minnesota; and Jasper Eugene Searles, a resident of Salt Lake City, Utah. There are also eight grandchildren in the family: Wade and Jane, the children of Lewis T. Searles; Sarah Alice, the daughter of Mr. and Mrs. Conklin; and Marcia, Nina, Jasper L., Margaret and Susan, the children of Jasper E. Searles.

The Judge is a Royal Arch Mason and was formerly identified with the Benevolent Protective Order of Elks and the Knights of Pythias. He is a member of the Loyal Legion of Minnesota, of which he has served as commander, and his religious views are in accord with the teachings of the Episcopal church, of which he is a consistent member. He is the dean of the legal profession in Minnesota and his course upon the bench has won high encomiums, for through his example and efforts he has inculcated in men a high regard for the dignity of the law and respect for its observance.

From *Little Sketches of Big Folks* 356 (1907):

SEARLES Jasper Newton, Baytown. Office Mower blk Stillwater. Lawyer. Born Nov 9, 1840 in North Royalton Ohio, son of Jonathan B and Harriet C (Bronson) Searles. Married Sept 18, 1866 to Sarah L Tozer. Educated in the common schools of Ohio and high school Hastings Minn 1859; graduated from law dept Univ of Mich B L 1869. Practiced law in Hastings Minn 1869-81; member of firm of Marsh & Searles Stillwater 1881-83; alone 1883-84; Searles, Ewing & Gale 1884-86; Searles & Gale 1886-88; removed to St Paul and practiced 1888-1890; returned to Stillwater 1890 and engaged in general law practice to date. Member of House of Representatives 1881-83; state senator 1896-98. Served 3 years in First Minn Vol Regt in Civil War, advancing from private to capt. Member Masonic fraternity; GAR; Washington County Bar Assn.

From Albert Nelson Marquis, *Book of Minnesotans* 455 (1907):

SEARLES, Jasper Newton, lawyer; born at Royalton, O., Nov. 9, 1840; son of Johnathan D. and Harriet E. (Bronson) Searles; educated in public schools of Cleveland, O., Hiram College and Law Department, University of Michigan; married at Hastings, Minn., 1866, to Sarah L. Tozer. Came to Minnesota, 1855; enlisted as private in 1st Regt., Minn. Vols., and became captain; engaged in practice of law at Hastings, Minn., 1866; has been in practice at Stillwater since 1871. Republican. Member Masonic order. Recreations: Traveling. reading.

Credits

The photograph of Searles on the first page is from Hiram Stevens' 1 *History of the Bench and Bar of Minnesota* (1904) and that on page 5 from *Men of Minnesota* (1902).

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