

AUTOBIOGRAPHY  
OF  
G. AARON YOUNGQUIST

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# Foreword

By

John C. Goetz

My maternal grandfather, Gustav Aaron Youngquist, was born in Sweden in 1885 and when still a small boy emigrated to Minnesota with his family. Like the many thousands of families from Scandinavia who made the same journey in those days, his was far from wealthy. His father was a blacksmith and his mother, in addition to caring for seven children, worked as a seamstress in her home.

The "panic" of 1893 and the ensuing years of depression ("hard times", as they were then called) required the family to adjust by moving from Arlington Hills, then still semi-rural, to "the country"—the Swedish community of Gotha in Carver County, where an aunt and uncle farmed. Grandfather, age 9, went to live with them and help care for their small children until, at age 13, he had to quit school and go to work. He worked as a butter maker at the creamery for two years and then, after a respite to attend classes for confirmation in the Swedish Lutheran church, hired out as a farm hand for an uncle near Worthington, husking corn at 3 cents a bushel and driving a team of horses to carry water for the steam engine on the threshing machine.

At age 16, in 1901, he followed his family back to St. Paul and, having had a good taste of manual labor, went to work as an office boy at the Hayes Business College in the Pioneer Building in exchange for tuition, taking classes in bookkeeping and stenography while earning cash with a paper route. He soon set his sights on becoming a court reporter.

With such an ordinary beginning to his life, why did he write (in shorthand, of course) an autobiography almost 60 years later, shortly before his death in 1959? Because on the way to becoming a court reporter, he changed course, attended and graduated from the St. Paul College of Law, and then had a noteworthy career in law enforcement including several years in private practice with Charles Loring, a future Chief Justice of the Minnesota Supreme Court. He was elected Polk County Attorney in 1914, appointed an Assistant Attorney to the Minnesota Attorney General in 1921, then appointed and later elected in 1928 Attorney General of Minnesota. In 1929, President Hoover, on the recommendation of Attorney General William D. Mitchell, appointed him Assistant Attorney General of the U.S. responsible for enforcement of prohibition and taxation, and in that capacity he supervised the prosecution of Al Capone, which forms a fascinating section of his memoirs.

By the end of the Hoover administration, he had argued about 65-70 cases before the United States Supreme Court — a court that included Justices Holmes, Brandeis, Stone, Taft and Cardozo (and Pierce Butler of Minnesota who oddly is not mentioned). He tells colorful anecdotes about a few of these cases. He also argued cases before Judge Learned Hand who once gave him career advice (return to Minnesota), which he followed. Back in private practice in his own firm in Minneapolis, he specialized in appellate advocacy, advised businesses about tax policies and served on committees that drafted the original Federal Rules of Criminal Procedure and the Minnesota Rules of Civil Procedure.

But I don't think grandfather decided to write an autobiography to toot his own horn. In fact I'm not sure that he intended that it would ever be published, because he died before his initial draft was even



transcribed from shorthand. I think he wrote because he knew his life was interesting and full of good stories, not only from his career in law but from his hardscrabble youth as an immigrant boy in a Minnesota not far removed from frontier days, and he wanted to pass them along to posterity, if only for his own family.

A bit of advice to the reader. Because my grandfather never had a chance to edit his memoir, it is not as organized as it might have been and may include material of no interest to you. For example, you will find passages about his religious beliefs and affiliations (possibly interesting if you are a Lutheran, Unitarian or Congregationalist) interjected in the midst of his later career in private practice. However, when my grandmother had the manuscript transcribed from shorthand, she prepared an index (you will find it at the beginning) which can help you find particular subjects.

A copy of my grandfather's autobiography, typed from his original shorthand manuscript, is in his papers at the Minnesota Historical Society. The version that follows is complete though reformatted (page breaks are added).

When my grandfather's papers were donated to the Historical Society, my brother made copies of the first pages of Westlaw editions of the United States Supreme Court cases in which he appeared. They are filed in my grandfather's papers at the Historical Society and comprise a companion article, "Citations to Cases in which G. Aaron Youngquist Appeared before the United States Supreme Court, 1925-1933," posted on the MLHP website.

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# AUTOBIOGRAPHY

## OF

## G. AARON YOUNGQUIST

A good biography is a well told story of an interesting life. Whatever else behind the writing of it, in my case it was largely prompted by my wife and a child or two, and perhaps a couple of friends. A measure of vanity is an inescapable ingredient. "I" is the favorite pronoun of most of us, although some may conceal their liking for it more skillfully than others. I have not been one who has hid his light under a bushel, as my family will testify, and an autobiography should prove a wonderful vehicle for carrying the light down to posterity. So here goes.

### BIRTH PLACE AND FAMILY:

My birth place was Wara, Sweden, about seventy miles northeast of Gottenborg. It might be called a hamlet in present terminology, in the Parish of Ruda, the County of Skafaborgslan, Province of West Gothland.

There were seven of us, a sister and a brother had died in infancy; then my sister Hannah Mary and my brothers Joe and Al, and I, christened Gustaf Aaron. The younger ones were Emma and Ernest; born in St. Paul. Thus we came in during the period extending from 1870 to 1893, and I on the 4th of November, 1885.

### ANCESTRY:

Of my father's parents I know very little. My father was very young when my grandfather died from a fall while working on [2] a house as a carpenter, I believe; and my grandmother, a rather striking woman with beautiful hair, I am told, supported herself and her son by working

out in the neighborhood, a somewhat precarious existence, but it must have been a healthful one; my father was never sick, never lost a tooth and never visited a dentist; he never attended school and learned to read and write after he was a grown man.

The family treasure, lost somewhere over the years, was a simple account book in which he entered the charges for his work as a blacksmith, some as small as five cents, writing in phonetic English with a strong Swedish flavor. He had a good reading voice, and some of the older women of the neighborhood, themselves illiterate, greatly enjoyed his reading to them. He also was active in the country church; it had no organ and he led the singing.

My mother's parents were somewhat better off, a purely relative term, evidenced in part by her having photographs of them, and none of my father's family. This grandfather was also a 'smith, and he owned a few acres of land which he farmed. To apprentices, one of whom was my father, the words "horse shoeing" was a beginner part to them. The blacksmiths wrought farm implements and worked on practically everything made of iron and required in that rural community. An example of the skill required was the making of horse collars of iron, the hames to fit exactly the shoulders of [3] a horse, for there were then no padded horse collars on which the harness rested.

The only memento we have is a silver medal awarded my grandfather at an agricultural fair held in the 1870's, for his work in iron.

This grandfather was a stern man who worked his apprentices long hours in the shop and on the farm, and at the same time he worked the rest of the family too, because my mother had only a year or two in school. She had an aptitude for mathematics, and having neither blackboard nor paper, leveled off the family flour barrel and with her finger did problems in arithmetic.

When my father had completed his apprenticeship he married the master's daughter and struck out on his own (1878). While he had a shop, most of the work was done on the farms, and for that he was paid for a long day's work an incredibly small sum, and equivalent of about twenty-five cents, and perhaps a meal or two.

That covers the period to the birth of the first child beginning with 1875, so my mother was kept busy, not only with the children, but with sewing their clothes and doing sewing for the neighbors. Being a woman of ambition and a competent seamstress, she, with my father's assent and by his encouragement, decided that their children should have a chance at something better than the hard life that they themselves were [4] living. This was the time of the flood of emigration of the poor from Sweden to America, the craftsmen and the laborers.

#### EMIGRATION TO AMERICA:

So my mother spent long hours with her needle, saving her earnings grain by grain, until my father and she had hoarded enough to pay their passage from Sweden, with a few dollars for subsistence on arrival.

We stayed a day or two at my grandfather's nearer to the seaport. How all of us, plus my mother's two sisters, found room in the little cottage, I do not know.

#### SHIPBOARD INCIDENTS - Cut Lip - Lost Cap:

I have one memento from that visit, a lump on my lower lip. Running out of the cottage, I tripped on the door step and split my lip about half an inch. They tell me that the doctor who stitched the cut gave me a coin for not crying. But unfortunately, on shipboard the stitches came out and the two edges of the wound separated and grew together awry.

The one other incident on shipboard which I recall having been told of is that my cap was transferred to my brother Joe when his blew into the sea and was captured by a shark.

We landed in Boston late in October of 1887. I had my second birthday a week or two later. I visited my grandmother and my Aunt Emma in 1912, and Aunt Emma, the last survivor of them, again in 1951, a [5] few months before she died. Four first cousins we had in Sweden, children of Aunt Anna, emigrated to America, and all but one, who lives in Seattle, have died. The only relatives in Sweden I know of, are two cousins, one of whom is Minnie Johnson.



Aaron Youngquist is the small child in the back row with a white bow at his neck.

This is his entire family about 1896.

Source: Youngquist-Goetz family album



Aaron Youngquist, around 1903, in "my first Taylor made apparel (it cost me about \$25)."  
Source: Youngquist-Goetz family album

### ILLINOIS RESIDENCE - Arm Injury - Snake Incident:

For the next year and a half we lived in Illinois, at Boody and at Princeton. There my sister Emma was born. In one of the towns my father worked at the railroad shops, and one day while running across the street to meet him coming home, I fell and a light farm wagon ran over my hat and over my right arm, crushing the blood vessels and leaving a pale blue mark on my wrist, another of the many scars I acquired during an active boyhood.

The only other Illinois incident I have heard of is that one day my brother Al picked up what he thought was the unwound brim of a straw hat and passed it under my arms and behind my neck, but it writhed away! We had never seen a snake before.

### TO ST. PAUL:

In March of 1889 we again went westward to St. Paul. Distant relatives, the Buttons, sheltered us until we found a house. My first independent recollection is that Mrs. Button told us that if we left the yard the policeman would take us. [6]

In those days St. Paul was not much of a city. It did have street cars, horse drawn; and some of the streets in our area, which was Arlington Hills, were later paved with round cedar blocks placed on end. On the downtown streets cobble stones began to be replaced by asphalt. I remember how grateful I was for the asphalt.

### CAB MISHAP:

One day while selling papers I was run over by a hansom cab loaded with a trunk and two passengers, the impact slamming me down and knocking off my hat. I came to in the back of a saloon at the corner of 7th and Cedar, and it was a proud moment for an eight or nine-year-old to be driven home in state, in the cab that had run over my ankle. I still remember the fiery yellow rig and my sore toes.



### BLACKSMITH SHOP - NEW RESIDENCE -PANIC OF 1893:

Early in 1890 my father bought a blacksmith shop and had built a house. Neither of them cost very much. Not long after came the panic of 1893, and the hard times were seriously felt. Father worked at his trade, when he could find work. Mother did sewing for more opulent neighbors, and Hannah and Joe left school and went to work; she as an errand girl for a downtown dressmaker, and he as a driver's helper for Mannheimer's Department Store.

Hard times continued, and 1894 and 1895 father spent a year or so as blacksmith and wagon maker on the [7] big Dalrymple Farm near Fargo.

My brother Al and I - and later my sister Emma - I believe the two illiterate ones - who left school about one year, again attended various schools. I was reasonably well behaved, but once when I had been confined in the cloak room for punishment and was being brought back, one of the boys grinned at me and I grinned back, and Miss Standing, a teacher whom I liked, slapped me and I struck her back with my fist, and they sent me to the principal's office.

There were no school cafeterias those days; we walked home for lunch or carried a sandwich if the distance was too great.

### BOYHOOD DAYS:

There was no work in particular for us to do, but as the younger ones came along it was our job to baby-sit and baby-walk and feed them. It was harder on them than it was on us. I remember the day while wheeling one of them in a baby carriage, with the bright sun shining in his face, a kindly woman stopped me and raised the top to shield the child.



While I was not particularly pugnacious, we boys did have scraps, with brothers as well as outsiders. I remember one Sunday when some older boys got two of us eight-year-olds into a fist fight which lasted so long that we could hardly raise our arms. I thought I was win-[8]-ning, when I must have dropped my guard, as the result of which I got one which made me spy in the sky a balloon with a man in it.

In the summers we left school and worked. Joe was a herdsman. Several families living on the outskirts on the lake kept a cow, and it was Joe's job to drive them into the woods near the lake early in the morning for grazing and herding them home in the late afternoon in time for milking.

One of my memories is an expedition beyond the lake when six or eight of us got lost, mistaking the blue sky for the lake and certain that we were completely surrounded by water.

The summers we spent playing in the neighborhood when we were not tending the young ones. We played marbles, jacks, and mumble-de-peg. Sometimes we used to go clear down to the coves along the Mississippi River and collect the fine sand and fill bottles with layers of vari-colored sand that we had dyed.

Another exciting pastime was following the fire parades, the fire engine drawn by a team of galloping horses, sometimes two teams, and the gongs sounding loud and clear.

But it was not all play. We attended Sunday School every Sunday, as well as church services with the grownups, the public schools for nine months, we had to spend six weeks of the summer attending school at the Swedish Lutheran Church - [9] Swede School, we called it - studying the catechism and bible history, and a little Swedish grammar. The schoolmaster was a hot headed individual. More than once did I see his cane hurtling past the ears of the boys and girls when he threw it at some misbehaving culprit.

### FARM LIFE AT SWENSON'S:

My first view of farm life came in 1893, when my Aunt Hannah married Alfred Swenson, who had a 60-acre farm about forty miles southwest of St. Paul. The post office was the inland crossroads town of Gotha, which had a general store, a blacksmith shop, and a dozen or so inhabitants, and the parish was the Swedish Lutheran Church of West Union, a solid settlement of Swedish immigrants from the Province we came from, bounded on the west by an equally solid settlement from Sweden, and to the south by the Irish and on the west and north by the Germans. There was little communication with the outside world, except very infrequent visits outside, a weekly newspaper in Swedish, and a newspaper for the Germans, and I don't know what the Irish read.

After my aunt and uncle had been married a couple of years, having one baby and another on the way, they asked that I, then about 9½ years old, live with them and serve as nurse maid for my food and clothing. Father was working in North Dakota at the time, and mother was unwilling because of lack of adequate schooling (I did stay from school on [10] washday each week), but finally yielded, influenced, I suppose, by the difficulty of finding enough food for all of us.

The following spring my father bought a blacksmith shop at Gotha. Hannah and Joe, who had jobs in St. Paul, lived there until they moved back to St. Paul about four years later, I rejoining them after having served at my uncle's for about 2 years.

### SCHOOL ATTENDANCE DISTRICT NO. 24:

I attended school in District No. 24, a one-room, eight grade school, with an enrollment one winter of sixty-seven, ranging from a five-year-old to a twenty-one-year-old farm hand just arrived from Sweden. We had a remarkable teacher, Molly Shennenburg, who, I suppose, had attended one year at the Mankato Normal School. She

had a remarkable disposition, maintained strict discipline, and heard all her classes throughout the day. She forbade snowball fights between Swedes and Irish when one boy was caught loading his snow-ball with a broken ink bottle, and forbidding archery when a blunt arrow punctured the skin at my left eye brow. At the end of each week we chose sides for a spelling bee, Mamie Black always on one side and I on the other because we were always the last to miss. But not being occupied enough with that, Miss Shennenburg put on in the winter evening entertainments and labored to make them catchy with songs, recitations and skits. [11]

She favored me with parts, probably because I was the only pupil who spoke English with a foreign accent, having been born in Sweden. All the others had been born in the District, as had the parents of many of them. They were so clannish that one group heard nothing but Swedish (we were about equally divided), and the other nothing but the Irish brogue, except at school, and even there the teacher had to give orders that we use English at recess.

Our teacher married John Lindburg, a fine young farmer, and had a son of her own.

The school was located a half mile north of the Irish border and the only occupants of the south boundary of the school outside of the Irish clans were the Lindburg boy and I. Notwithstanding we had almost daily fights, we were still friends.

After returning home I attended for a few months the school located in the German settlement, where all but my young sister and brother and I were Germans, but not the fighting kind, as were my Irish friends three miles to the south.

That was the last of my formal schooling, except for the first four months of 1901 I attended the pastor's confirmation classes at the Church, I spent the other days back at School District 24. This school

had a tough teacher who gave me good marks and who put on good entertainments. He insisted I was wrong when I said "azure" meant blue, but no one had a dictionary, so we never settled it. [12]

During childhood I was an omnivorous reader, although an indiscriminating one. We had no books at home except the Swedish bible, a psalm book, and perhaps a religious book. While living in St. Paul I patronized the library, perhaps taking out books somewhat beyond my years, I believe. I also read the Swedish newspapers and several books in Swedish from the little church library, including some Swedish history.

#### THRESHING CREW JOB:

When I returned home from the Swenson farm I lived with the family in a house my father had built at Gotha, just behind the blacksmith shop and the cooperative creamery. In my spare time I worked on the neighboring farms for twenty-five cents a day, and sometimes in the vegetable gardens, and also at the interesting job as a member of the threshing crew. There were two jobs for the boys in the threshing crew; one was to cut the bands on bundles of grain that went into the threshing machine, and the other was to build up into a stack the straw that was carried on an endless rack, and sometimes blown by a blower from the machine - a dirty job, but better perhaps than band cutting. The "feeder" stood in the middle, in front of the many-toothed, cylinder which revolved at high speed and tore the bundles to shreds and drove them towards the "inwards" of the machine.

On each side of him was a small table on which the bundles were pitched from the stack, when stack threshing, or from the [13] wagons with box racks when shock threshing. At each table stood a boy with a sharp jack knife, often fitted to his wrist to prevent the knife falling into the cylinder, cutting the bands carefully, and sometimes not carefully enough, not to cut the hand of the feeder reaching over each table in turn to slide the bundles into the cylinder.

The less exciting but more agreeable part of the threshing routine was the eating. Coffee was served in the forenoon and again in the afternoon and a noon day dinner served by the farmwife, with the help of her neighbors, each farm trying to outdo the other in the variety and tastiness of the table; and then supper when we got through, which was sometimes late indeed.

#### CREAMERY JOB - Butter Maker:

Within the year after I returned home, I worked a few months for the butter maker as his helper in the creamery. He got up at half past four in the morning but let me sleep until five. The farmers, most of them Swedes, a good many of them Germans, and a few Irish, brought in their own and their neighbor's milk in five- or ten-gallon cans in their lumber wagons. The first arrival, as early as six in the morning, was nearly always the German; the more shiftless the farmer the later he came.

The can was lifted onto a platform a little above the wagon box. There I took off the cover lid to see that the can was clean, and smelled to see that the milk had not soured; [14] raised the can a foot or two with my right hand - the large can weighed 100 pounds - to the edge of the weighing tank, with my left hand dumped it into the tank, weighed it, took a sample for testing, and then ran it down through a trough into the milk vat, whence it was pumped into the cream separators, the skim milk being carried into one tank for the farmers to recover for their hogs, and the cream into the cream vat, where it was cooled and a culture added, so as to be ready at 5 or 10 the next morning for churning. It was turned from the vat into a pail and dumped into a semi-circular wooden churn, 7 or 8 feet long and 4 or 5 feet in diameter. Some coloring was added to the butter except when the pasturage was lush the butter carried its own good color.

When the butter fat had concentrated into little globules we turned off the buttermilk into a tank for the farmers, washed the butter,

turned off the water, added salt, worked the butter by rollers within the churn, then packed it into 60-pound wooden tubs which had been soaked in water during the night, and lined with a sort of wax paper, supplying everything that we could that was needed by the patrons on the New York market and sold it there at a two-cent a pound premium.

Everything had to be kept scrupulously clean to avoid tainting the butter. There was moisture everywhere, winter and summer, and trying to keep our feet dry, we sometimes wore rubber boots, [15] and sometimes wooden shoes, a kind of sabot, with a thick wooden bottom and a leathern top, both made by "scholars" migrated from Sweden.

Ed Larson, who had been butter maker at the village of Crawford, succeeded McCormack, and then within a year or so, with the help of his father, bought the creamery from the farmers for \$1600.00, paid for with a roll of bills that would choke an ox. I was Larson's helper, both before and after he bought the creamery. My salary, plus cream and butter for the family, was either \$8.00 or \$10.00 a month, increased about a dollar a month because the patron who owned the general store and also sort of looked after the creamery's business for the cooperative side, said I had done a good job. I was there during my 13th and 14th years and for a month or two after I was 15.

The power was a small stationary engine, and the fuel for the boiler was cord wood. Firing was one of my jobs, and at intervals the boss and I cleaned the boiler flues, which was a difficult and dirty job.

I was operating the creamery one summer's day when it happened, while the boss was in the hospital for an appendectomy, that the screw on the eccentric rod of the engine, which controlled the supply of steam into and out of the cylinder, came loose right in the middle of the churning. Because of it there was nothing to do but to take the half worked butter [16] out of the churn, pack it into the tubs and put it in the ice cooled refrigerator room.

I did not know enough about a steam engine to set the eccentric right, so I got a horse and rode the three or four miles to my uncle, who was an engineer of a threshing rig, and he did the job.

The next winter I was butter maker again because the boss' father died. That time I slipped from the milk platform and landed astride a milk can below, leaving one side of both legs black and blue, and swollen and stiff almost to the point of immobility.

At the end of 1900 I was the proud possessor of a recommendation from Ed Larson - "To Whom It May Concern" - that anyone looking for a good butter maker would make no mistake in hiring me.

225 Polaris, Cedar Rapids, Minn.  
**The Larson Creamery Company,**  
MANUFACTURERS OF  
**Fancy Creamery Butter.**  
Gotha, Minnesota. *April 20* 1901  
*To Whom It may Concern:—*  
*This is to certify that the brave Aaron Youngquist has been in my employ for about two years and that he has at all times rendered himself as boy of excellent character and as a first class man around the creamery and he has operated the creamery himself without any trouble whatever. He is a first class boy in every respect and in the two years in which he was in my employ he gained many friends and I take great pleasure in recommending him to anyone in need of a first class Butter maker.*  
*Yours Respectfully*  
*J. E. Larson*  
*Manager of Larson Creamery Co.*  
*Gotha.*  
*Minn.*



The reason for my quitting at the end of 1900 was to prepare for and attend the pastor's class for confirmation at the Church, with a dozen or so other country boys and girls in June.

I now attended my old school in District 24, riding the two miles or so on my bike, bought second hand by mail and paid for out of my wages, whenever the roads permitted it, no matter how cold it might be. My chief recollection of that period is my insisting that "azure" meant blue and the schoolmaster said a little red. But since there was no dictionary available either at school or at home, the dispute was never [17] settled. I still have a photograph at hand of teacher and pupils in the sunshine.

#### FURTHER FARM EXPERIENCE:

At the close of this remarkable schooling I hired myself down to the farm, about ten miles south of Worthington, operated by my Uncle Swenson, who had sold his little farm in Crawford County and rented this one.

The working hours were from 5:15 in the morning to 7 in the evening, with time out for meals, and the pay was \$15.00 a month. One of my tasks was to run the corn cultivator, drawn by two heavy horses. The nigh one was a lazy gelding. After slapping and whipping him for some days I hit upon hooking up a frame with a sharp point just about where his flank would be if he stood up in the harness. He slacked up just once and after that was eager to keep up with his team mate.

That fall I shocked seventy acres of small grain. To keep the barley beards from climbing up and down my back and my legs, I cut my costume down to a hat, a shirt and a pair of bib overalls, and found that it was a ticklish job. But that work was easy compared to the shock threshing. My uncle was in a "ring" of eight or ten farmers, each of whom furnished a man with a team and rig to haul the bundles to the threshing machine. The heaviest team and biggest rig was driven by me, fifteen and small for my age. There were no pitchers in the [18]

field, we had to load our own rigs, and pitch the bundles off at the machine besides. It took two heaping teaspoonfuls of malt to keep me going, but on the last two days of the six weeks we were at it, my nerve had given out and I had to crawl on the pitchfork handle in my lap to get the bundles from the ground to the top of the rig.

#### WATER HAULING JOB:

Then I was lucky, so I thought, to get the job of hauling water for the steam engine. My vehicle was a wooden tank and my motive power two old mares who couldn't pull and wouldn't run. The first day I stopped on a grade running from the well, and while I was pumping the water, with my back to the team, the nigh mare found some grass to her liking on the slope of the grade. By the time the tank was full, I sized up the situation and decided that she would be able to make the top of the grade, but I did take the precaution of getting off the tank and taking a position on the road. It was well I did. Instead of getting up on the road, she pulled the other mare down the grade with her, and the next thing I knew the tank lit in the slough with all four wheels up in the air and the team absolutely, mired and entangled. Luckily, a neighboring farm hand came along at that moment and helped me get them loose and get them out. So I got a horse from my uncle's farm near by and rode the two miles to the machine and reported the mishap to the boss, a Swede by the name of Robinson. [19] It took the whole crowd on the payroll a couple of hours to get the tank onto the road. I knew my job was gone. But to my astonishment and my everlasting gratitude, he never said a word about it and kept me on the job.

It proved to be tough. The season was dry and the water scarce, and more than once I found that the team could not pull the loaded tank from the edge of the softish slough, and I had to jettison half the load and deliver it and hike back for some more. I can still hear the engineer blowing his whistle for water. I remember the September forenoon when word came that President McKinley had been shot.

### HUSKING JOB:

When the threshing was finished along the first part of December I began picking grain for a neighbor at three cents a bushel. The best I could do was sixty bushels a day, and my partner, the one who helped me out on the slough, picked eighty to a hundred bushels. It was yet dark when we got up but when we were ready to go to work it was usually light enough to see. With a husking pin we tore off the husk, stripped the ear from the stalk and threw it against the sideboard on the far side of the wagon from whence it dropped into the wagon box. The only covering for our hands were cotton flannel gloves, but after a few hours the fingers were worn through, but we went on day after day with bleeding fingers. And we kept at it until the job was finished. [20]

### SHORTHAND SCHOOL:

When I left for home shortly before Christmas I was a money-lending capitalist; I loaned my uncle \$125.00. The family had moved back to St. Paul in the meantime. I was just sixteen and pretty much a man by that time, so I decided to take some intermediate work like a delivery man's helper, or such, so I looked around. Very soon I read an advertisement for an office boy in a business college, to work for his tuition in a nine months' course in bookkeeping, shorthand and typewriting. I couldn't have been a very likely looking prospect - a country boy, with country clothes and an over-due haircut, but somehow Dan Coffee, who operated the Hayes Business College in the Pioneer Building, thought I would do, so I went to work cleaning typewriters, delivering machines for rental, addressing envelopes on Saturdays and making a simple type of loose-leaf stenographer's note books, which I believe Mr. Coffee himself had devised.

On the side, I had a Pioneer Press paper route at \$1.75 a week, which I left for a St. Paul Globe route, which paid me 50¢ more for at least twice as much work.

For three months or so I studied bookkeeping, which I thought rather dull, and then took up shorthand and typewriting. The teacher was Minnie Edsel and her assistant was Delia Hayes, who later for many years was a court reporter for the District Court of Wisconsin. They were both fine women. Miss Edsel was an effervescent little lady who took [21] me under her wing and treated me as her own child; sent me to the doctor for a series of boils on the back of my neck, to the dentist for badly needed dental attention, and looked after my welfare generally. She was obviously a well bred woman, very bright, and her foreign accent and her whole demeanor gave the impression, re-enforced by some jewelry she still wore, that her's had been a family of distinction. My younger sister and my two younger brothers, all of whom learned stenography at the Hayes Business College, kept in touch with her for some years, but she was a proud woman and never accepted help.

#### RAILROAD STENOGRAPHIC JOB:

When about half way through the stenographic course Mr. Coffee came to me one day, and said he had an inquiry for a stenographer and he thought I would do. I didn't believe I would, but I took the job as stenographer for Mr. Gobel, General Storekeeper for the Omaha Railroad, whose office was at the shops way out West Seventh Street, about forty minutes by street car from where we lived. The office opened at 8 o'clock, and I believe it closed at 8, Saturdays included. The job paid \$40.00 a month, about what I earned hauling water and picking grain, but, oh, so much easier. Mr. Gobel was a kind, deliberate and patient man, all the qualities that made it possible for me to stay. I did know how to spell and how to punctuate, and he dictated slowly enough for me to keep up in [22] a fashion. Another man for whom I worked part of the time was a Mr. Juterman, a fiery old German in charge of the enginemen's payroll, which I typed for him. He used a guttural and spluttery speech I could hardly understand. Another clerk was Glenn Knapp. We would sometimes run across the frozen Minnesota River for exercise during the noon hour. He later studied

law, was a member of the legislature, and for some years located in Bisbee, Arizona.

#### BETTER RAILROAD JOB:

In the spring of 1903 Mr. Gobel told me he had recommended me to George Harper, Assistant Purchasing Agent at the downtown office. The pay was the munificent sum of \$465.00 a month. In addition to taking Mr. Harper's dictation, which gave me no trouble because I had studied and practiced diligently in my spare time, it was my duty to check the prices and discounts on the invoices for all the materials except coal and steel, bought by the railroad. But it was not easy. Prices and discounts were contained in catalogues, in letters, in telegrams, and in other forms. For the first six months I worked three or four nights a week to keep up. How they could entrust that job to a 17-year-old country kid, I cannot understand. But so far as I know, no mistakes were made - or at least, none were found because no one checked my work. The business of the railroad must have grown during my period of service, because when I left they hired a stenographer and a clerk to do my work. [23]

When Christmas came, Ike Stone, the Purchasing Agent, was of course deluged with gifts from the suppliers, and from his ample supply gave each of the men and the boys in the office a box of cigars. My former experience had been smoking corn silk cigarettes and "Big Whips" (they were made only of porous wood that drew well), but I venomously tackled my box of black cigars and smoked them on the way from home to the office after lunch.

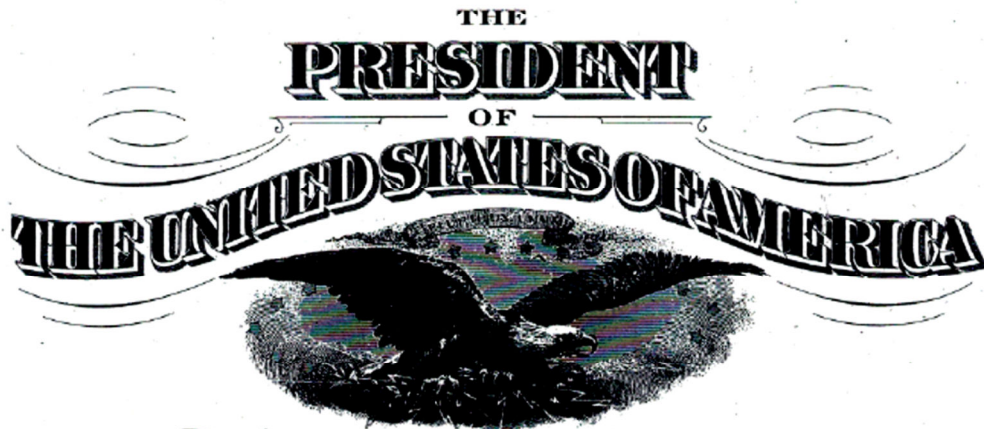
There is another advantage for working for a railroad: one gets passes, which made it possible for me to see the World's Fair at St. Louis in 1904, and to take some holiday trips to visit my uncle, aunt, and friends, near Worthington. It was mostly night riding, and in those days I never gave a thought to the sleeping cars. Working the day after was somewhat of a strain, but it was alleviated by the kindness of Mr. Harper.

One afternoon while taking dictation I actually fell asleep, and to save me embarrassment Mr. Harper announced in a voice just loud enough to awaken me, that he would finish the dictation later!

At the Hayes Business College I studied the Pitman System (I think it was Ben Pitman, not Isaac), which is, I believe, more exact and more speedy than the modern Gregg System, but harder to learn. My younger sister and two younger brothers also learned stenography at the Hayes Business College. The study of shorthand, and the practice of typewriting [24] continued. I attended night classes at the business college and practiced both shorthand and typing in spare time.

#### U. S. CIVIL SERVICE ARMY JOB:

After a couple of years with the railroad I took a government civil service examination as stenographer as soon as I was eighteen, and passed it. I had expressed a preference to be sent to the Philippines, which, soon after the Spanish-American War, seemed a glamorous part of the world, but a few months later there came a telegram offering me a job at \$1,000.00 a year at the Headquarters of the Department of Dakota of the United States Army right in St. Paul. I took it and spent about a fifth of my time taking letters from the Brigadier General commanding and his Adjutant and the Chief Clerk, using the rest of the time reading military books in the Headquarters library and practicing my shorthand and typewriting.



To all who shall see these presents, greeting:  
Know Ye, that reposing special trust and confidence in the patriotism, valor, fidelity  
and abilities of Gustaf Aaron Youngquist  
I do appoint him Captain, Army Service Corps in

### The United States Army

to rank as such from the twenty-ninth day of October  
nineteen hundred and eighteen. He is therefore carefully and diligently to  
discharge the duty of the office to which he is appointed by doing and performing all  
manner of things thereunto belonging.

And I do strictly charge and require all Officers and Soldiers under his command  
to be obedient to his orders as an officer of his grade and position. And he is to serve and  
follow such orders and directions from time to time as he shall receive from me, or the  
future Presidents of the United States of America, or the General or other Superior  
Officers set over him, according to the rules and discipline of War.

This Commission to continue in force during the pleasure of the Presidents of the United  
States for the time being, and for the period of the existing emergency under the provisions  
of an Act of Congress approved May eighteen, nineteen hundred and seventeen.

Given under my hand at the City of Washington, this twenty-ninth day of  
October, in the year of our Lord one thousand nine hundred and eighteen,  
and in the one hundred and forty-third year of the Independence of the United States.

By the President:

The Adjutant General's Office

Recorded: MAR 4 1919

*[Signature]*  
Adjutant General

*[Signature]*  
The Assistant Secretary of War.

### ATTENDED TAYLOR SHORTHAND CLASSES:

I attended an evening class taught by Robert S. Taylor, Chairman of the Standardization Committee of the National Association of Court Reporters I think it was he who gave us the modifications of the Graham System, and many shortcuts of his own. During the day I would take word signs and word combinations and write them down rapidly a hundred times to attain coordination between the ear, the mind and the hand. You cannot stop to think in shorthand, the writing must be automati-[25]-cally performed.

At that time I was aiming at court reporting, and to increase my speed I would attend meetings in the evenings and take down the speeches which I later transcribed. The habit of making outlines for words became so strong that while singing in the choir of the First Swedish Lutheran Church I would trace with my finger the phonetic outlines of words the minister used in his sermon.

The, mother of a girl who had died (I was courting the girl's sister at the time) wanted to preserve the funeral sermon, delivered in Swedish by the Rev. Peter R. Peterson, without manuscript and without notes, so I acted as reporter and took down the sermon. I slaved over the transcript many evening hours, and when I sent a copy to the minister he told me as nearly as he could recall the transcript was exact.

### REPORTING JOBS: Dairymen's Convention: Court Case:

Having taken no dictation at all for some eight or ten years, I was twice required to do reporting jobs. One was to report a dairymen's Convention held in Crookston, at the urgent request of the Superintendent of the Farm School, when the hired reporter became sick. I did have the advantage of having worked a couple of years in the Gotha Creamery and having lived on a farm, so the terms were familiar to me. But it was not easy, especially the discussion periods - but it was done.



At about that time the court reporter for Judge Watts, [26] Judge of the District Court at Crookston, became ill in the midst of the examination of a medical witness in a murder case, so the Judge asked me to take over, which I did. The medical terminology was a bit difficult and I did have to stop the doctor occasionally.

The next case for trial, with the reporter still absent, was one in which I was associate counsel for the defense, in the prosecution of a maid charged with stealing linen from the Crookston Hotel. No other reporter was available and I took down the testimony in that, too. My associate who was trying the case was not very quick on the trigger sometimes with his objections, so I would interpose one now and then, at the same time writing it down. I was amazed by my colleague referring in his argument to "that poor mistreated lady." She was acquitted. Some time later, when she sued the hotel, I was called on for a transcript of the testimony at the first trial, which I supplied without too much trouble.

That was the end of my court and convention reporting, but shorthand is my constant aid. I have forgotten none of the word signs or outlines, and I am using it in making draft of this narrative.

There was one incident I always remembered. One day in taking dictation the boss dictated the words "some things", in the plural. I wrote it "some thing's". He asked me to show him the authority for the possessive. I spent hours looking for it but found it not. He then told me that the [27] best way to learn was to find out for one's self.

#### LIFE INSURANCE JOB:

Mr. Palmer, President of the Minnesota Life Insurance Company, was looking for a personal stenographer. Mr. Taylor recommended me and I started work in December of 1905 at \$85.00 a month. A few months later the Board of Directors inaugurated an economy program which resulted in a cut of \$20.00. I gave notice and went to work as

stenographer for Frank J. Dawes, President of the International Flax Condensing Company, a subsidiary of the International Harvester Company, engaged in manufacturing a harvesting preparation from flax fibers by a process invented by Mr. Seth, whose dictation I also took, but he never was able to devise a treatment of the fibers that would keep the insects in the field from eating them.

In the early summer Mr. Palmer hired me back at my original salary. In the fall I met Mr. Dawes by appointment, and Mr. Jones, Purchasing Agent of the International Harvester Company, who offered me a job as Purchasing Agent of the Flax Condensing Company's plant at \$100.00 a month. I preferred to stay with Mr. Palmer and he matched the offer. I have often wondered, What if I had gone with the International Harvester? Mr. Jones said they were always looking for young men (I was twenty) to advance to higher positions and he found they were as scarce in the field as a few peas in the bottom [28] of a dish pan.

#### ENTERED LAW SCHOOL:

With Mr. Palmer's encouragement, I had enrolled as a special student in the St. Paul College of Law, but that was not permitted to interfere with my work. Mr. Palmer was a very exact man, but I had no trouble doing his work. In time, I became his private secretary, which included supervision of the company's printing, including insurance policies and all other forms. In the process, I learned the printer's signs of correction and the importance of meticulous care in reading proof. A little later there was added the job of reviewing and checking all the real estate mortgages and real estate documents in the loans the company made, other than examining the abstracts of title.

Mr. Randall succeeded to the presidency about a year before I left, and in later years I told him I claimed credit for teaching him the life insurance business, which was entirely new to him.

Soon after I had been admitted to the bar I resigned, despite an offer to raise my salary, which was \$100.00, to \$150.00 if I stayed, but I had made up my mind to practice law. Again, I wonder what the course of my business life would have been had I stayed.

#### LAW AND PHRENOLOGY:

Possibly my studying law was influenced by an itinerant [29] phrenologist, who examined my cranial bumps for a quarter when I was about fourteen. When I told him I didn't want to follow his recommendation that I become a salesman, he said I might make a lawyer.

It was well that I didn't realize the grind of the full day's job and five nights a week for nine months of the year for three years; otherwise I probably would not have undertaken it. I rose at six, ran to the office for exercise, carried my lunch in an early section of the morning paper, studied from seven until the office opened, used the noon time for lunching, reading the newspaper and studying; studying again during all hours between the end of the working day and the 7:30 to 9:30 school session, went home, had supper, and then to bed. I did spend Saturday afternoons at the YMCA gymnasium.

For graduation we were required to take examinations in all of the subjects taught in the first two years, so I took down all of the lectures. I never missed more than two or three during the three years I was there. At the beginning of the course it became known that a student who attended the lectures regularly took them down and transcribed them the following morning. When the boys found out about it, four or five of them asked me to make carbon copies (at a quarter apiece), which took care of my tuition and text books.

A student who had a high school education or its [30] equivalent was awarded the degree of Bachelor of Law, which admitted him to the bar without more. A "special" student got only a certificate of graduation and took the state bar examination before admission.

The school was well supplied with lawyers of the old school. Every instructor, except the Secretary, was a Supreme Court Justice or a District Court Judge, or a lawyer engaged in active practice. The advantages that a day school has over an evening school were offset in considerable measure by the varied background and the maturity and practical experience of court instructors. They were good teachers, with the possible exception of two or three that gave me low marks. The class was small - only sixteen at the end.

One incident I regret. Two of us graduated cum laude, the top man having an average of a little below 360 (of a possible 400), and I, a point or two behind. After the members of the class had elected a president they "reconsidered" and elected me. I should, of course, have declined, but I didn't.

#### HIGH SCHOOL EXAMINATIONS:

After the freshman year it occurred to me to try the high school examinations in two or three of the easier subjects, not necessarily with the idea of covering the full high school course, but rather to find out what I could do. [31] So during my two weeks vacation that summer I boned up and somewhat to my surprise passed in all of them with reasonable marks. From then on my spare time was devoted to studying, with tutoring, in Latin, mathematics, and English, and taking examinations. The second year English examination was a tough one. It had been prepared by a teacher in one of the St. Paul high schools and was apparently the one prepared for her own class on the basis of the course as she had taught it.

One answer helped me, I know. She asked me to quote a poem of Ralph Waldo Emerson. The only poems I knew were Bryant's *Thanatopsis* and Gray's *Elegy*. The last question was, "What books have you read during the past year, and why?" The answer: "Law books, because I had to, and several books on insurance, and none of them was of any help in this examination." As I remember it, she marked the paper 80!

A retired teacher, Mrs. Burnett, tutored me in algebra and geometry, showing me a few fundamentals and then supplying me with high school examination papers for a number of years past, instructing me to learn and memorize every answer and telling me it was highly unlikely that new questions would be asked. I guess they were not, because I passed in both.

When she started me on Latin she asked me whether I had studied it, to which I replied I hadn't, and then she had me read a couple of sentences in a text book. She then had me repeat, and then asked how I could possibly read it al-[32]-most perfectly if I had never studied it. My answer was that it looked something like Swedish, so I read it as if it were Swedish.

#### SCHOOL CREDIT FOR SWEDISH EXAM ALLOWED:

But the required second year of a foreign language almost proved my downfall. I had completed the full course luckily without a break, except for that one requirement. Although Swedish was being taught in the St. Paul and Minneapolis high schools, and although I pointed out that the year before a student of German had been allowed to take his examination in that language, the dean refused my request to be examined in Swedish, saying that the purpose of the examination was not to show my knowledge but to train my mind. Clarence Hurlbut, an instructor and Secretary of the school, did his best for me, but without avail. I happened to tell my predicament to a friend and neighbor of mine who was a student at the University and he suggested I see Dr. Stömborg in the Scandinavian department of the University. Although I didn't see what he could do for me, I went and introduced myself to the doctor and told him my story. I didn't know him, but he had been born within a few miles of where I had lived. He sat me down and gave me an examination in Swedish and then wrote out a certificate that he had given me the examination and that my knowledge of Swedish would entitle me to two years' credit at the university. I delivered it to Mr. Hurlbut [33] the day before the

Trustees met to award degrees. When he saw me coming the next evening he shouted - "They took it They took it!" One of the happier moments of my life.

#### GRADUATION EXERCISES:

My mother and most of the family (my father had died three years earlier) were at the graduation exercises. She had achieved her ambition of giving at least one of her children a "chance". D. D. Bryan presided in place of the Dean. When he handed me the diploma he embarrassed me by putting his arm around my shoulders and saying how hard I had worked and how well I had done. At the same time he spoke of my helping to support my family, which was hardly true, because I did little more than pay for my board and room. I am sure mother was thrilled.

#### STARTS LAW PRACTICE:

Out of a few hundred of savings I procured a secondhand desk, a secondhand typewriter and some secondhand law books, packed in made-to-order pine boxes which I could and did use as book cases. I migrated to Thief River Falls, a town I had never seen before. It seemed like a good location: what was called the War Road branch of the Soo Line had just been built up to it. Red Lake County was on the verge of being divided; the new county was Pennington, of which Thief River Falls became the county seat.

The only man I knew there was Ed Hicks. He was mortgage [34] loan appraiser for the Minnesota Mutual. He was an exact appraiser and a good hunter, but he couldn't bring me any business.



Aaron Youngquist, around 1910.  
Source: Youngquist-Goetz family album

I set up shop in two rooms above the McMann Hardware Store, on the same floor as two physicians and a dentist. I had two rooms, one my

office and the other my sleeping quarters. My "shingle" was a printed cardboard tacked onto the stairway leading up to the office.

I was rather timid and didn't make acquaintances very fast. I didn't even know enough to join the commercial club. My first client was a farmer, who claimed that the creamery at Hazel was cheating him on the butterfat test of the milk he sold. I hired a rig and spent a half day driving down and talking to the butter maker, but was not able to do anything for my client. After deep thought I screwed up my courage enough to charge \$3.00 for my services. I examined a few - a very few - abstracts of title, drew a deed or two, replevined a couple of heifers and started a garnishment. The municipal judge kicked out the garnishment, - regretfully, I think, he could not well have held against the older and untimid lawyer on the other side, - because the notary public had affixed his seal to the jurat on the garnishment affidavit, but had forgotten to state the date of the expiration of his commission. Although I saw that I was licked, I ran across a case in one of my secondhand law books that said the affidavit [35] was good nevertheless. But then it was too late.

Things were tough. There was no one to look to for help. A birthday card from one of my sisters bearing the legend, "When Your Ship Comes In" brought tears to my eyes. My total earnings for the half year I was in the office amounted to \$110.00.

#### ENTERS LORING'S OFFICE:

Oscar Napoleon, later state senator, invited me into his law office, but there was no salary or any assurance of income. Just then I learned, I believe from my friend Napoleon, that Charles Loring needed a stenographer in his law office at Crookston. I applied and went down and got the job at \$75.00 a month, just half of what Mr. Randall would have paid me to stay in St. Paul, with excellent prospects for advancement. During the next several years Mr. Loring tried time and again to increase the salary, but I constantly and persistently told him I would wait until he was ready to make me a partner, which he did four



or five years later. Loring was practicing alone at the time, his senior partner, Halvor Steenerson, who had been the best trial lawyer in the Red River Valley, having been elected to Congress sometime before. Our offices were on the second floor of the Strander Abstract Building and were equipped with a good law library for a country lawyer. There were just the two of us for the first few years.



Associate Justice Charles M. Loring  
Minnesota Supreme Court  
Date of photograph: 1935.  
Source: Minnesota Historical Society.

In addition to doing the stenographic work, the book-[36]-keeping and some law work, it was my job on Monday mornings to sweep the floors, clean the spittoons and carry the waste paper down to the furnace room of the Hotel Crookston, just across the alley. How would a Harvard or Yale graduate have looked upon that kind of a start in the practice of law?

I had never been in a law office before, unless my experience in Thief River Falls could have been called that, and had only once been present at a trial, and didn't know the difference between a verification and an acknowledgement. Once when Loring dictated a demurrer to a complaint I added a verification. He remarked that that ought to convince the court that the demurrer stood on good ground. Sometimes he would send me up to get Judge Watts to sign an order. Loring was a cousin of the well known humorist Bill Nye.



G. Aaron Youngquist and Congressman Halvor Steenerson  
in the law offices of Charles M. Loring in Crookston.

Date of photograph: ca. 1910.

Source: Minnesota Historical Society.



G. Aaron Youngquist and Congressman Halvor Steenerson  
in the law offices of Steenson and Loring in Crookston.  
Date of photograph: 1910,  
One year after graduation from Saint Paul College of Law.  
Source: Youngquist-Goetz family album

The bookkeeping system I devised was a simple one: a loose-leaf note book with unruled pages, about 3 inches by 5, in which I made shorthand notes of transactions, was my day book and cash book and journal; my ledger was a box of loose-leaf cards. I didn't have to bother about such things as depreciation, or about debt reserves, or anything of that sort. In those days there were no income tax returns to be made or a fine if not filed before March 15th. Our income wasn't large enough to get into even the lowest tax bracket. But I made a trial

balance each month, although sometimes I had to "fudge" it by a few cents or even a few a very few dollars. [37]

One incident that caused me agony and taught me to keep a watchful eye on dates, involved a claim for a farmer who had rented his team to a logger on an agreement which entitled him to a lien for his pay of \$300.00 or \$400.00. Not knowing about liens in that category and being very busy, I let the time for filing the lien go by. Of course, the client had to be made whole and I told Loring I would pay it, but he let me off with a contribution of one month's salary.

#### TRIP TO SWEDEN IN INHERITANCE CASE:

At about that time we were the attorneys for the administrator of an estate of a man who had died leaving a widow and six or eight children, and nothing else except a claim to an inheritance of \$2,000.00 or \$3,000.00 which he was on his way to Sweden to collect, when he became ill and died. I wrote a letter to a brother in Sweden who was supposed to have the money as guardian or trustee, and he replied that he would pay it if I proved that the dead man was the heir. The correspondence was carried on in Swedish, and although my Swedish vocabulary in the field of law was scant, he understood my letters and I understood his.

Finally, it was arranged that I go to Sweden and collect. Loring advancing \$500.00 and I agreeing to go without pay during my absence if we didn't collect. It was about the 1st of July, 1912 I took off. The travel expense was reduced by a pass on the Soo Line and its parent, the Canadian Pacific to Montreal [37] and back. Loring was local counsel for the Soo.

Just before leaving, a poison ivy rash broke out which covered my entire body except my face and hands. Save for that exception, I doubt if I would have been allowed to cross the border or board the ship. I assiduously applied a black salve in my upper berth all the way to

Montreal. I have often wondered what the chambermaid at the hotel in Montreal thought of the black hand towel I left in the common bath room!

My steamer trunk had not arrived when I embarked, but I had decided to make arrangements to have it sent on and go without it. However, the night train to Quebec arrived with it before we sailed.

The ship was loaded with school teachers on a sea crossing expedition and I had a grand time on the return voyage, too, I made many delightful Canadian friends, mostly girls.

After spending a week in London, much of the time at the British Museum, I went by sea to Denmark, by rail through that country in the night, and by sea to Gottenborg.

My grandmother and an aunt lived in a little cottage about seventy miles inland and I visited with them and other relatives for nearly two weeks, making daily inquiries about my trunk, which contained all my affidavits, photographs and other documents to prove the heirship of our client, and was missing again. It didn't come, so I proceeded to Stockholm and made further inquiries with no result, so I shipped from [39] Stockholm with my little bag for a couple of days' voyage to Hernosand, in the Baltic, and spent three or four days there talking to a brother, a lieutenant, and an attorney, who, with the aid of documents later sent, collected the inheritance, at a very modest amount for his fee, and sent the proceeds for delivery to the administrator. We turned it over to the administrator for the purposes of the destitute family after deducting traveling expenses and a few hundred dollars for services.

Incidentally, before returning home I again visited Stockholm and my grandmother, and spent a few days in Norway, in Berlin, in Paris, and again in London.

I borrowed \$25.00 from a friend in Sweden, cashed a \$5.00 check at the purser's office on the boat and reached St. Paul with no more than the nickel street car fare to my mother's home.

#### BACK TO WORK AT CROOKSTON:

But to return to Crookston and to work. Not only was there plenty of it for my training, but I was fortunate to be under the tutelage of an excellent lawyer, later Chief Justice of the Supreme Court of Minnesota. He was a motoring enthusiast, had the biggest or next to the biggest car in town; ordered an early Ford, a Franklin, a Chalmers or a 12-cylinder Buick, and not infrequently went on trips with his wife and two daughters leaving me, as he said, to do the work. The work increased to [40] the point where he hired my younger brother as a stenographer and janitor, and from that day on most of my time was devoted to practicing law and learning how. Loring did most of the trial work, not only our own, but for other lawyers in the area, and I sometimes sat in. At one trial he turned a witness over to me for examination, and when, a little later, I turned to consult with him, I found to my consternation, that he had gone back to the office - a lesson for me in self-reliance.

#### ENTERS PRIMARY RACE FOR COUNTY ATTORNEY:

In order to get more trial practice and extend my acquaintanceship among people who might become clients, I with four others, entered the primary in 1914 for election to the office of County Attorney of Polk County.

I devised a campaign poster, smaller than the common one, horizontal rather than vertical, on slick paper, my picture in one corner, and four words alternating in black and green - "Youngquist for County Attorney." These I tacked up, mostly on telephone poles, in strategic spots. They served for the campaign in the election as well as in the primary. I was second high in the primary.

My opponent was the incumbent, a member of an old and prominent family, Norwegian by descent, in an area where the Norwegians predominated and the Swedes were few and far between. My being a "dry", personally as well as politically, my supporters were the dries, most of whom were Norwegian farmers. [41] After the primary, one of them told me that the greatest obstacle to my election was my youthful appearance. I was twenty-eight. So remembering that two years earlier I raised a moustache that grew until after my return to Crookston, I revived that hirsute adornment and have worn it as a badge of victory ever since.

About six weeks before election Charley Loring told me to get out of the office and not to show up at all until election day. So I bought a new Ford roadster, the price as I recall was \$425.00, and spent my time on the road, returning to town only on Sundays. In addition to that, there were sent out hundreds of posters bearing nothing but my picture, my name and my ambition. Someone, I do not recall who, made cartoons for both candidates which were published in the Crookston Times. They bore also the candidates' affiliations. My opponent listed membership in the National Geographic Society among his affiliations. I had nothing so imposing. [See Appendix at 129-130] He apparently had no doubt about the outcome. I was told the day after election (by a bartender friend of mine who was a clerk of the election, who didn't like the other guy) that after the polls had closed my opponent came in, and when my friend asked whether he came to see how his vote was, he replied, "No, I just came in to see how the vote for some of the other offices is."

#### ELECTED COUNTY ATTORNEY:

So I took office, on the first Monday in January of [42] 1915, at a salary fixed by the 1895 law of \$1370.00 a year, which included allowance for heat, light and postage.

I was legal adviser to the County Board and the other county officers, I was the County Prosecutor, and in addition received reports of truancy in the schools, on which I sent warnings to parents of penalties they risked.

### MARRIAGE:

The following summer Scharlie Mary Robertson and I were married. I a Swedish emigrant and she the daughter of a Scottish born dental surgeon.

I had been living on my rather meager earnings and saving my county salary of \$114.16 a month toward the purchase of household equipment, which I arranged through a Crookston merchant to buy from a wholesaler with a profit of 10 per cent to him, and we went down to St. Paul and paid cash for our complete household equipment, much of it of excellent quality and almost all of which we still have.

We moved into the Colonnade Apartments, our first home. A year or so later I bought a small but adequate house near by for \$1600.00 and sold it for \$1900.00 when we moved to St .Paul.

### FIRST CHILD - Son Bob:

Our first baby son was born on May 16, 1916. The first time I saw him he sneezed, three times in quick succession, to establish his legitimacy, I suppose, because that was also a habit of mine. I recall, too, that he got only a glance; [43] my first concern was for his mother.

A week or so later I drove the family home in what was for those days a very elegant equipage - an Oldsmobile which Loring and I bought as an office car but which was devoted almost exclusively to the use of my family and of myself.



## SECOND CHILD - Son Jack:

Jack came on September 19, 1918, and was not at all a robust baby. Perhaps one reason was that he was six weeks old when I left for military service, a purely selfish venture on my part, because I was thrice exempt - by years, as a father, and as a county official.

Both boys were roamers. When Bob was about three I shut him up on the back porch until he promised not to run away again. When Jack was even younger he came home late one winter evening after being AWOL and was told that he could leave for good. He went out, trudged sturdily up the street for half a block and then came running back, crying as though his heart would break. I had somewhat the same feeling.

The wanderlust, remained in him. One Sunday evening when he was about fourteen he turned up missing and we could find no trace of him. The next forenoon while I was in court I got word that he had telephoned from Chicago, and I telephoned the money for his return trip. He told me that he had taken the bus the night before, taking only enough money [44] to pay his fare one way, because he intended to be away for an indefinite period but before the end of the trip he changed his mind and decided he was better off staying home. He left again a year or so later, but that time he left a note telling us not to worry, that he would return in two or three days, which he did.

I have no criticism of the runaways; I rather admire the adventurous spirit they show. I guess I didn't realize how stern a parent I was and how insistent I was about what should be done. That I regret. I regret, too, that for years I was too busy making a living to spend as much time with my sons as I should have.

Now I believe every young father should spend as much time as possible, and at every opportunity that presents itself, with his children, for the opportunity all too soon passes and will never return.

### THE GIRLS - Margaret and Scharlie:

Then the girls came; Margaret on the 14th of January, 1920, and Scharlie on the 23rd of November, 1924. Neither ran away.

Margaret was a soft hearted tyke. When I had to punish her brothers it was her it seemed to hurt. I spanked her once a little, but never again, nor Scharlie. Scharlie was more diffident. Bob always charged that she was spoiled, but I didn't think she was. She annoyed her brothers sometimes by tagging [45] after them, but they tolerated her. They used her as a football at times. Once they tried to make a complete circle with her in the swing, at a cost of a broken collar bone. They were often bruised and battered and cut in the head or suffered an ax wound in the foot that had to be sewed up, falls out of trees that resulted in injuries to bones and back, but never anything serious. More than once their mother remarked that she was glad to be able to count all forty fingers and forty toes at the end of a rugged day.

### COUNTY ATTORNEY ACTIVITIES: The Three Greeks.

During the first year in the County Attorneyship the criminal work was not so heavy, although I did have one murder case, a wood stealing case, a perjury case, and a number of others as well.

One I recall was the prosecution of three young Greeks for stealing articles from a railroad gang's bunks in a converted freight car. We had no Greeks in Crookston, so the defense imported one from Fargo to act as interpreter. Testing his impartiality, I asked him whether he was related to the Greek boys, and his answer was: "Me Greek, him Greek, that's all." From that time on, every time I met Carl Readsehl, a good old German who had a shoe store, he greeted me with, "Me Greek, him Greek, that's all," and laughed and laughed.

### EAST GRAND FORKS GAMBLING RAID:

East Grand Forks was tough town. It was across the [46] Red River of the North from Grand Forks, and DeMers Avenue was lined with saloons for two solid blocks running from the bridge. There were at least three gambling joints, and what there may have been beyond that I did not inquire. In the first campaign for the election of city officers, an older person of the "outs" came to my office and gave me a detailed report of the operation of two gambling houses which he thought I ought to look into.

He couldn't or wouldn't supply the evidence, so I used part of a small contingent fund, allowed for investigation (disbursed by Judge Watts, the District Judge in Crookston, it being known only to the two of us as to what it was being used for), to hire a detective to get the evidence.

When his work was completed I told the sheriff that I wanted him and his three deputies to go out on a job with me one evening, and took them over to East Grand Forks, where we raided the two principal gambling establishments. Two of the deputies were assigned to one and the sheriff and I to the other, sending a deputy to the back door to prevent escapes.

The gambling room was on the second floor and as we entered the hallway below it, the sheriff asked for the key to unlock the stairway door. The man started for the warning buzzer but the sheriff was too quick for him, so up we went.

The room was about 35 feet wide and about 60 feet long, supplied with perhaps a dozen poker tables, and a beautiful stud poker table at the far end. I started for [47] the far end and right behind me came the owner, telling the boys [to] stop, that the sheriff was there. Just as I came to the stud poker table the dealer, white as a sheet, opened the drawer in the table, pulled out some bills, and said: "Ole, where shall I put it?" He put it back in the drawer and I had the key.

Leaving the sheriff and his deputy in charge, I went out to telephone the Judge of the Municipal Court to have him hold court so I could arraign the dozens of prisoners we had. I reached him at his home and told him where I was and waited and waited, but he never showed up. Later I learned that he had stopped at the police station on the way, and had been told what was up, so he "ducked".

There we were with at least 75 men in the two places and no court! So I sat down at a poker table with a note book and had the sheriff present the prisoners one by one. I took down in each case the name and address of the party and asked him whether he had been gambling - invariably they had only been spectators - and took \$10.00 in bail from each and ordered them to appear in municipal court the next morning. (The only one who appeared was a farmer from across the line in Dakota). If a man did not have \$10.00, I took what he had. From Ole I took \$200.00 and from his helpers \$100.00 each.

During the process I noticed that the crowd was thinning out more rapidly than it should. The sheriff found that a window behind the corner of the enclosed stairway had been [48] opened and that the men were climbing out onto the roof of the next building one after the other as fast as they could. But we stopped that and finished the job.

I went through the same process at the place across the street (from which, by the way, many of the patrons had slipped out), and we started home about 3 o'clock in the morning, with sizeable rolls of bills in my pockets.

When I appeared in the East Grand Forks Municipal Court at ten the next morning the only man to show up was the farmer from across the line in North Dakotas!

The bail money I had taken was more than enough to cover all the fines that would have been imposed had the owners showed, so we forfeited the bail money and let it go at that.

Ole started up again, so we raided him once more, and this time we confiscated his tables, chairs, cases of cards and chips, and also the beautiful stud poker table as well. Ole quit.

#### EAST GRAND FORKS LIQUOR VIOLATIONS:

When the county went dry at the end of 1915, most of the saloons in the towns became "soft drink parlors". There ensued an impatient period of waiting before they began selling hard liquor again.

The East Grand Forks police did nothing and violations were so frequent that I asked the Attorney General of Minnesota., Mr. Young, to bring action to remove the Mayor and [49] Chief of Police. He refused, so I found another statute and started action myself. A deputy sheriff whom I expected to use as my principal witness became "ill" during the trial and did not testify, but I put in what was available. Before Judge Watts decided the case the Chief of Police died and I did nothing further about it, but violations were at least less frequent.

Knowing that the local authorities in East Grand Fork would do nothing, I again resorted to my contingent fund and hired two Pinkerton detectives. One of them worked for only a short time, but he did a thorough job of it. Reports in minute detail were made to me.

The investigation was timed to end just before the semi-annual session of the grand jury, and the detective was my witness before the grand jury. The grand jury was split between wets and drys, and the votes on the indictments split about the same way, but the drys were in the majority and at that time returned about 120 indictments, most of them for East Grand Forks liquor violations.

Then we started trying the cases one after another. The only witness was my detective, a plain, honest looking man, with considerable of a Swedish accent. In spite of the attacks made on the "Pinkerton detective", the jury convicted in case after case.



Judge William Watts  
R. I. Holcombe & William H. Bingham, eds., *Compendium of History and  
Biography of Polk County, Minnesota* 141 (1916)

After a week or two of that, I concluded it was asking [50] too much of the jury to continue to convict on the testimony of a single witness, a professional detective at that. So in addition to, him, I put on a barfly whom the detective had used as a decoy in buying liquor. The detective testified as effectively as usual, but my barfly couldn't remember whether the drinks were sold by the bartender being tried

or by his brother, and that, coupled with an alibi witness for the defendant, brought an acquittal. So I reverted to my one-man witness and had better luck.

#### HUTTON - Remarkable Detective:

My detective, whose name was Hutton, was really a remarkable person and as honest as he looked. Just before the trial of one of the defendants was about to begin, his attorney came to me and insisted it was a case of mistaken identity.

So I had him bring his man to the hotel during the noon recess, and when I pointed him out to Hutton he immediately cleared the man, whom he called Jones, by saying this blind pig had been worked by the other detective. Hutton had been at the place only once and a party had given him the name of Jones, but it was not this man. So that indictment was dismissed.

In another case the defense counsel cross examined Hutton most minutely about the saloon. As Hutton's testimony went on, I sat amazed in my chair, because it seemed impossible for any man to have observed and so exactly recall everything he saw.

He described the size of the steps, the windows, the doors, [51] the number of tables and chairs and what they looked like, and even the pictures on the walls. After a verdict of guilty was returned, my friend, the defense counsel, told me that Hutton had been right in every particular.

After that term of court ended, I called on the Pinkerton Agency to do a similar job in Crookston. But Hutton was not available, and the investigator assigned was so new in the business that he came to town dressed in a brand new lumber jack's outfit, although the sawmill in the town had been shut down for five years or more and no lumber jack had been seen there since. Of course, he was not able to buy a drop.

### VOLUNTEER LOCAL DETECTIVE - Crookston Round-up:

Shortly after that, a local man who did odd jobs around the town came to my office and told me he spent a good deal of his time in the bars and that he had gotten tired of seeing these blind piggers operate and that he wanted to help get them. So I hired him part time to continue his visits, and every few days I would spend the evening with him in my office and write down in a little black note book the places he had visited, who was on duty at the bar, where the liquor was kept, who else was there, what they were doing, how many drinks were bought, and by whom, and even some of the conversation. After all the bars had been covered, there was one of them he had not been able to get anything on, so I had the Municipal Court Judge, who was [52] a trustworthy man, issue search warrants for the others, about a half dozen of them, and in the late afternoon of May 17th, Norway's Independence Day, recruited the entire police force, the sheriff and two of his deputies, the police force consisting of the Chief, his two policemen, one of whom was superannuated, and a driver of the street sprinkler. Even then, counting myself, there were not enough to provide two for each of the joints, so I called in the Mayor and one or two of the aldermen. We met up at the jail at about 8 o'clock in the evening. None of them knew what was up. I assigned two men to each place and told them where to look for the liquor and gave them the search warrants. But at one bar, to which I assigned the superannuated policeman and the sprinkler driver, I instructed them to make no search, but just to go in, show the search warrant, and lock the place up for the time being.

Exactly at 9 o'clock we descended on our quarry. The sheriff and I found one bottle of whiskey hidden up under the bar, and then, over the vigorous protests of the bartender, went to the room on the upper floor and found several bottles covered by his wife's lingerie in the dresser drawer, and a larger number hidden in a trunk in which he had stored his winter bedding.



We then, headed to the place assigned to the superannuated and to our dismay found it open and no one in but the bartender, [53] who knew nothing of the raids. It occurred to us that they had picked the wrong place, and as we got to another a few doors away, for which we had no search warrant, we saw a number of faces peering out of the front window, tried the door, found it locked, and upon entering found also our two officers of the law! So we apologized and withdrew.

The only inconvenience anyone suffered was the audience at the Lyric Theatre across the street, whose film operator had rushed across the street to get a drink between shows and was held incommunicado for nearly an hour!

But finding the liquor was not enough to prove the sale, so resorting to an old and little used statute, I subpoenaed some of the buyers to appear before the Municipal Judge and got their testimony, which was in the main truthful and made the case. But one man employed in the flour mill across the street from the place the sheriff and I searched, insisted that he had bought only soft drinks, and admitted otherwise only after I, referring to my little black note book, had told him the hour of his visit, that two men, naming them, were playing cards in the bar, the drinks he had bought, and who was with him. I knew that he had patronized another bar near by, which he admitted only after being enlightened by the contents of the note book. He also denied having frequented a third place, which was dry so far as I knew, but merely opening the note book brought the admission that he had bought liquor there too. [54]

We failed to find liquor in only one place, where the search was made by the deputy sheriff who, as previously mentioned, had become "ill".

The defendants in these prosecutions, with the evidence we had by search and by witnesses, were "sitting ducks". Most of them pleaded guilty and the rest were convicted.

No one but Judge Watts, who has since died, and myself, knew, or ever will know, the identity of my good citizen detective.

At each two winter terms of the court in 1916 and 1917 the grand jury returned well over 100 indictments, most of them for liquor violations, and lesser numbers, although always a fair number, at the other terms. The reports made by County Attorneys to the Attorney General for those two Years show that Polk County had more criminal business than any other county In the state except the two big city counties - Hennepin and Ramsey.

The work, at \$114.17 a month, was so heavy that along in the last year of my term I told the County Board I was resigning. They urged me to stay and offered to pay for an assistant. So I agreed and hired as my assistant, at \$100.00 a month, one of my primary opponents in 1914, telling him I would not be a candidate for re-election. He succeeded me, and later succeeded Judge Watts.

#### MADE GOOD AS COUNTY ATTORNEY:

A few years later, when I became Assistant Attorney [55] General of the United States one of the other assistants, who also came from the north country, told me that when the Attorney General was considering appointing me he had asked the Assistant what he thought of me. He replied. "I do not know him, but I know that he was a damn good County Attorney."

Many years later my friend who succeeded me as County Attorney called my attention to something that never occurred to me: he said that as he saw it, I had never set any goal to work toward but just tried, to do well what was to be done. I deemed it a high compliment.

Practicing in the country in one's earlier years is the best foundation I know of for success in the law. Not only does it provide proper training, but the closer contacts with people supply a knowledge of human nature. And besides, it is fun.

## LQRING AND THE "SWEDE":

In the earlier days in Crookston I worked in the law library a good many evenings and consequently was at hand to serve any client who might come in on the early evening trains from the East end of the county, or from the North.

One evening there came a stodgy farmer with a sparse black beard and little knowledge of the English language. Our conference was carried on partly in English and partly in Swedish. When we were done, I asked him out of curiosity [56] how he happened to come to our office and he answered. "Well, yen I come in on the train I asked a feller where to go for a lawyer and he say, 'You go to Loring & Youngquist, there is one good lawyer and one Swede.'"

Loring and I have told the story many times. While he was Chief Justice and after I had held fairly high office in the State and the Nation, he told the story at a gathering, and after he had finished one of his friends remarked, "Well, Charlie, that is the first time I ever knew that you were a Swede." (My wife tells me I must not repeat this story).

Some years later I defended this library client in an action of trespass. One of the witnesses was Nick Johnson, who, on cross examination was asked whether he was related to the defendant. His answer: "No, except we is both Swedes."

At the same trial we had as a witness a Swedish neighbor who spoke no English. There being no other interpreter available, I served both as attorney and interpreter, but there was no risk as opposing counsel understood Swedish as well as his native English. When Mr. Vaule, who had a strong Norwegian accent, was cross examining one of our witnesses he asked - "Were you in Harrison's house?" Judge Watts thought the mixture of Swedish and English in the trial had caused him to lapse into speaking Norwegian, and interrupted with, "Better speak English, Mr. Vaule"; and Mr. Vaule, having been taken somewhat by surprise, said sweetly: [57] "Well, I was trying to, Judge."

### FORDING POPULAR RIVER IN THE FORD:

On one occasion Loring and myself, coming back late in the evening from a ride along the old Wyoming Trail in the little Ford Roadster, had to ford the Poplar River. His suitcase was tied onto the running board and as we approached the other side he asked me to slow up so as not to get it wet. I did, and as the front wheels climbed the far bank the engine died. I cranked it up and spun the hind wheels deeper and deeper into the river bottom. Finally, Loring crossed back to the other side in a rig that came along and roused out a near by farmer, who, after having yoked his oxen, finally found a logging chain in the darkness, drove them across the river lower down and, hooked the chain to the front axle, when I said helpfully, "I will start up the engine." The farmer's answer was: "No, no, no! If you do, we will never see the car or the oxen again"

### MADAM DUFOUR:

The most famous of all was the incident that occurred in the prosecution of Madam Dufour for operating a house of ill fame. One of the "girls" had told me everything, including the names of customers. I called. John, an emigrant from Sweden, who didn't speak the English language very well, and pried out of him his story. While the Madam was being cross examined at the trial, she whispered to me, at a recess [58] that Mr. \_\_\_\_\_, a prominent man, was one of them. "Should I tell about that?" Oh, I told her, we had plenty of other evidence and did not need that.

When we came to trial I called John to the witness stand and after the preliminary questions, asked him: "Were you in Madam Dufour's house last fall?" His answer Was: "Naa - What? Naa, I wasn't there, I was in the house next door."

After I had glared at him and he had been excused, he high-tailed it down town. When the taxi man found out why he was in town, he

accosted him and said: "John, when are you going to pay me what you owe me for taking you from Madam Dufour's last fall?"

Said John, looking him straight in the eye: "Well, how can I pay you that now, when I just told the Judge I was not there?"

(Many of the above stories were told in a most realistic Swedish dialect.)

It is a long way from Crookston to the Supreme Court of the United States, but I must repeat a couple of events that took place there.

When a new attorney makes his first argument there, the Justices, true to form, take up much of his time with questions. [59]

#### U. S. SUPREME COURT ANECDOTES:

In one case Chief Justice Taft leaned forward and said, "Jones, your time is up." The young man protested: But, Mr. Chief 'Justice, I have not finished?"

To which the Chief Justice replied, with a sweet smile and his famous chuckle: "Oh, yes, you have."

In another action one of two elderly lawyers was given a rough time by the court during his argument, and when his adversary, who was hard of hearing, rose to make his argument, the Chief Justice, after a whispered conference with his brethren, said: "The court does not care to hear further argument," thus indicating that they had not been convinced. After the Chief Justice had repeated the words to the hard of hearing lawyer, which should have been music to his ears, the old gentleman turned to his friend and said: "What did he say?" and got the answer: "He said they would rather decide in your favor than listen to you."

On one occasion when I was arguing a liquor tax case involving several kinds of whiskey, one of which was called "Old Whiskey", which term I repeated more than once, Mr. Justice Sutherland, an Englishman with a delightful sense of humor, leaned forward and said, "Tell me, Mr. Attorney General" - they never addressed assistants as such - "is that a term of description or a term of endearment?" [60]

#### APPOINTED ASSISTANT ATTORNEY GENERAL MINNESOTA:

In July of 1921 I was appointed Assistant Attorney General of Minnesota. At various times I was assigned to act as counsel for the Board of Control, which had charge of all State institutions, the Highway Department, the Insurance Department, the Minnesota Tax Commission, and others. Because of my experience in criminal law, the Attorney General assigned me to try cases for County Attorneys who needed help.

In the first two or three years I tried five first degree murder cases. In the first four of them the defendants were minors, all of whom were convicted. When I asked the Attorney General to pick an adult the next time, he gave me one in which the defendant was a good looking young man. There were also several arson cases, and a variety of others.

During this time one of my former law instructors asked me how I liked trial work. I told him it was all right, but I worried throughout the trial, lost my appetite and couldn't sleep. He told me I must never worry, leave the case at the court house at the end of the day and forget it until the next morning. Then I said, "That would be fine, but it is hard to do." He said, "I never could."

#### DRAFTS MINNESOTA TRAFFIC LAW - GASOLINE TAX LAW:

One of my early tasks was to assist a committee in drafting Minnesota's first comprehensive traffic law. [61] Later, I drafted the Gasoline Tax

Act, and fifteen years later I was counsel for the Power and Oil Commission, in an action in which the Minnesota Supreme Court interpreted the act to mean that the oil companies and not the State were entitled to reduction or three per cent for wastage, even though it appeared that the allowance was greater than the actual loss. I suppose that in justice to myself I ought to say I did not have that point in mind when the act was approved.

There was no reviewer of statutes to draw bills for the legislators, and during each session we drafted hundreds of them, some of importance but more of them of little consequence. As previously stated, among those I drafted were the first comprehensive traffic act and the Gasoline Tax Act.

I probably tried more cases in court than any other Assistant Attorney General, or possibly all of them put together. I did most of the condemnation work and argued a number of cases in the Supreme Court of the state as well.

#### U.S. SUPREME COURT ARGUMENTS:

At the same time, I was fortunate in being picked to participate in arguments before the Supreme Court of the United States involving the iron ore royalty tax, the Railroad Gross Earnings Tax, and the Moneys and Credits Tax imposed [62] on a non-resident owner of Minnesota bonds.

#### SUCCESSFUL OVER NATIONALLY KNOWN OPPONENTS:

In the royalty tax case, the Special Attorney General retained to represent the State and I were opposed by galaxy of legal luminaries - Charles Evan Hughes, Nathan Miller, former Governor of New York and counsel for the United States Steel Corporation; John G. Milburn, of New York, Mr. Vanderlip of Minneapolis, and Mr. Hall of Duluth.

Repeated to me several of my friends was the language of Mr. Justice Brandeis - "Two young lawyers of the West took the measure of the big lawyers in the East."

TRIAL ANECDOTES - Worthy Juror- Dream Story - Mother as Witness:

In an arson case in the southwestern part of the state the County Attorney told me that the defendant and his friends had personally interviewed all of the jury panel in attendance. He also suggested that the panel was subject to challenge because there were more carry-overs from the preceding year than the law allowed. So when the trial opened I challenged the panel on that ground. The challenge was allowed by the court and the sheriff and his deputies hurried through the county and summoned a completely new batch which reported to the court immediately.

The County Attorney also told me that one of the jury panel, an upstanding business man, was a very close friend of [63] defendant's family, but we decided that he would abide by his oath. The defense accepted him, of course; and when, after a few formal questions, the State accepted him, we could see that he was greatly discomforted, but he proved worthy of the confidence we had put in him.

Another arson case involved a young fellow whom the deputy sheriff heard say things in his sleep that incriminated him. I telephoned one of my brothers in the Attorney General's office to brief the question of the admissibility of dreams. He telephoned back shortly a negative answer, which we accepted, but when the St. Paul newspapers reached the little town the next morning the "dream story" was well outlined on the front page. My good friend had mentioned the matter to a reporter just as a matter of passing interest, having no idea that it would be published, and he was much embarrassed.

One more incident: The defendant's mother testified in his behalf. She did not speak English very well, she obviously was confused, and did



give testimony that was damning to him. During the next recess the defendant asked to see me, and he thanked us for the way we had treated his mother.

In another arson case, the man who set the fire, whom we had bought over from prison to testify against the one who had hired him, told us at a meeting with the owner both had put down on a piece of blue note paper, on the back of [64] which our witness had composed some poetry, offers of the amount to be paid, that he had placed the poem in a book in his bed room. He telephoned his wife, and sure enough, she brought it in. A handwriting expert identified some of the figures as being in the defendant's writing. I had just about finished cross examining the defendant, when the Assistant County Attorney who sat in at the trial, wanted the defendant asked about the paper, since his own attorney had not asked about it. I protested that asking him would only give him an opportunity to deny it, which he had not done. But he persisted and I yielded, because our evidence was so convincing that his denial wouldn't hurt. To my amazement he answered, "That is my writing but not my paper."

#### APPOINTED ATTORNEY GENERAL OF MINNESOTA - Later Elected:

When Attorney General Hilton ascended to the Supreme Court of Minnesota at the end of January in 1928, Governor Christianson appointed Deputy General Pratt to fill the vacancy. A month later he died and I was appointed in his place. Eight months later I was elected to the office. I campaigned actively throughout the state, making 35 or 40 speeches for Hoover, and that year we all rode in on the Republican band wagon.

No startling events occurred during my short term, but I think we did our job well. [65]



G. Aaron Youngquist  
Date of photograph: 1929.  
Source: Minnesota Historical Society

### REGENT'S STATUTE UNCONSTITUTIONAL:

One item of interest was an opinion I gave Governor Christianson, to the effect that the statute under which the Governor had for many years appointed the Regents of the University was invalid because, as the Supreme Court had held a year or two before, the act of 1851 creating the University, perpetuated by the Constitution adopted in 1858, made it an autonomous body, with the result that in the election of regents the provision of the old act that it be done by the legislature "in joint session assembled" prevailed.

### URGED TO ENTER RACE FOR GOVERNOR:

During 1929, I was urged by the Republican leadership to seek the governorship in 1930, the year in which Governor Christianson intended to try for a seat in the United States senate occupied by Senator Schall. I told them I didn't under any circumstances want to be a candidate, that I did not want to stay in politics, that my aim was to get into the private practice of law to enable me to pay my debts and to provide properly for my family, and the education of my children.

But the pressure continued and I finally agreed that I would make the try provided I had no opposition in the primary. They set about to provide that assurance, but they had not succeeded when a call came from my friend, Attorney [66] General Mitchell, in Washington, that he wanted to see me.

### OFFERED ASSISTANT U.S. ATTORNEY GENERALSHIP:

I had no inkling of his purpose. I recalled that Mabel Walker Willebrandt had resigned as Assistant Attorney General in charge of the Tax and Prohibition Division of the Department of Justice; but I said to my wife that he must know I would not trade the office of Attorney General of Minnesota for that of an Assistant Attorney general of the United States. But I went; and sure enough, that was it.

When the Bureau of Prohibition was set up in the Treasury Department, some of the earlier agents and investigators were not subject to civil service. It was reported that there had been a good deal of incompetence and corruption. The situation had improved under the administration of Mr. Doran, another Minnesota man who was then Director of the Bureau. But there was still a great deal of dissatisfaction among the dries in Congress, and President Hoover had decided, the Attorney General told me, to have the Bureau transferred to the Department of Justice, under the supervision of the Tax and Prohibition Division.

Prohibition was an explosive subject and the administration was exercising great care in selecting a person to head the division. Perhaps one thing that recommended me was that I was thoroughly dry, politically as well as personally. [67]

I was assured this work would be interesting and that the post would appeal to me as a lawyer, since the division had charge of most of the federal tax litigation. He then assured me that I would be arguing before the Supreme Court as many cases as I wanted, because between taxes and prohibition, that division took as many cases to that court as virtually all the rest of the Government put together.

That was an appealing prospect; I had already argued three or four cases before that court and knew that Supreme Court arguments are the high lights of the lawyer's career.

#### INTERVIEW WITH PRESIDENT HOOVER:

When I indicated that I still was not interested, he asked me not to make up my mind finally until I saw the Chief, as President Hoover was called by his cabinet. I said I did not want to waste the President's time, but I would go on condition that he told the President it would not do any good. Whether he did or not, I do not know.

At any rate, I called on the President the next day and spent about half an hour with him talking about government and law enforcement.

He appeared to be a very shy man, most of the time looked down at his desk, mentioned casually a time or two that he would like to have me join the administration, but did not urge it.

When I stepped into the office next door to see one [68] of his assistants, Walter Newton of Minneapolis, whom I knew, I paused and said: "Walt, you know the President never really asked me to take the job, and he certainly didn't urge me." Walter laughed and said: "That is

the feeling of every man the Chief talks to." The impression was, I think, accounted for by his sincerity and his earnestness.

#### ACCEPTS U.S. APPOINTMENT:

Back home, I thought and thought, and finally decided to accept. I told Governor Christianson of my decision, and he and Willie Norton did everything they could to change my mind. I did not. And I must confess that one of the reasons for my decision was that I would escape having to run for the governorship.

They had not been able to persuade, and I am sure they never could have persuaded, the man who later became the defeated Republican candidate for Governor, not to file, so I felt no compunction about "withdrawing" my earlier promise most reluctantly given.

The Attorney General impressed on me the importance of keeping my selection a deep secret. To make sure it didn't leak in the press, I told the reporter who had the state capital run what was coming. Soon thereafter the Attorney General informed me there had been a leak, and added that the leak was in his own department. He said he was announcing it in Washington that afternoon and that I was free to do [69] likewise.

#### REMOVAL TO WASHINGTON:

We agreed that I would report for duty about the 20th of November [1929]. It was expected that the appointment would be confirmed by the Senate well before that time.

So we prepared to move, expecting each day news of the confirmation. A day or two before we were to leave, we called the Attorney General one evening, and he said to come along, he would appoint me a Special Assistant Attorney until the senate acted, and he was certain the appointment would be confirmed.

So we went. I left in my 1929 Model A Ford sedan with Jack and the two girls. Bob was appearing that evening in a performance of "Penrod and Sam", and he and his mother came by train and we met in Chicago the next morning. The women of the party continued by train and the men by car. We arrived two or three days ahead of our household goods, and Schar celebrated her fifth birthday at the Burlington Hotel with a birthday cake provided by the management.

#### CONFIRMATION DELAY - Senator Schall:

Day passed after day, and no confirmation. Senator Schall was apparently not friendly to the administration. We had been on



opposite sides within the party in Minnesota and obviously he owed me nothing, so he held up the appointment in the Committee on Judiciary. He had said he had never [70] heard my voice or shaken my hand. He had, but only once or twice, but of course he knew all about me.

The Attorney General asked that I call on the Senator. When I answered that I would not ask the Senator for anything, the Attorney General said he was suggesting only that I make the call, since the Senator had not been informed of the appointment in advance and the call would be a face-saving gesture. To avoid further delay,

I went and talked with him. The Senator was altogether courteous and almost friendly. So the commission finally came through and I was sworn in at the Department of Justice, attended by the entire family.



G. Aaron Youngquist sworn in November 22, 1929,  
as Assistant Attorney General of the United States to succeed  
Miss Mabel Walker Willebrandt.  
In the photograph, left to right: Charles B. Sornborger, Assistant Chief Clerk  
of the Department of Justice, who administered the oath;  
Attorney General William D. Mitchell and G. Aaron Youngquist  
Source: Harris & Ewing Collection, Library of Congress.



G. Aaron Youngquist, new Assistant Attorney General, and his youngsters, made shortly after he took the oath of office on November 22, 1929. Left to right: Scharlie Ann, 5, and Margaret, 11 (sitting). Standing: Jack, 9, and Bob, 15. Source: Harris & Ewing Collection, Library of Congress.



### DEPARTMENT OF JUSTICE BUILDING - Laying Cornerstone:

My office was on the top floor of the Flat Iron Building at the corner of Vermont and K. Just before we Republicans retreated from Washington in 1933 the Attorney General laid the cornerstone of the present Department of Justice Building on Constitution Avenue, compared with which our building was a hovel.

### COMPETENT STAFF - Chief- Justice Taft -Justice Stone:

The Attorney General had collected a good crew of assistants. I recall that Mr. Justice Stone, at a dinner in his home attended by three or four of us and our wives, thought the department staff was the best that he had known. And when Seth Richardson and I had concluded our first arguments [71] before the court - my case happened to succeed the other - Chief Justice Taft congratulated the Department, perhaps because each of us had less than half an hour!

John Lord O' Brian, of Buffalo, New York, in the Anti-trust Division; Seth Richardson, of Fargo, North Dakota, the Public Lands Division; Charles B. Rugg, of Worcester, the Court of Claims Division, and Paul Chase, of Vermont, later a Supreme Court Justice of that State, was Mr. Mitchell's Secretary We were a very congenial crew. Charles E. Hughes, Jr. was Solicitor General, but his father's appointment as Chief Justice some months later necessitated his resignation. He was replaced by Tom Thatcher, of New York, a federal district court judge. Claude Branch, of Providence, was the Solicitor General's first assistant, and Erwin Griswold, now Dean of Harvard Law School, was a Junior Assistant. All have been over the years wonderful friends.

My division had about forty lawyers, about three-fourths of them in the Tax Section, which operated under the direction of Sewell Key, who held that position long before me and long after I left. He had grown up in the department, had never tried a case and hardly ever

appeared in court, but he saw to it that our briefs were thoroughly prepared. Harriet Jones was head of the Press Department, later succeeded by Kay Morrison.

The head of the Bureau of Prohibition and of the [72] Department of Justice spent considerable time with representatives of the Department of the Treasury arranging for the transfer. Milnor Whittaker, then United States Attorney at Baltimore, was appointed Director of the Bureau. He was as conscientious in public service as he was forthright in expressing his views. The latter sometimes got me in hot water with the Attorney General when they appeared in the press.

#### NATION-WIDE RADIO TALK:

Shortly after I took office I was asked to speak over the radio on a nation-wide hook-up and tell the people that the Department of Justice would be able to enforce the tax laws but needed their help in the enforcement of the Volstead Act.

Enforcement was confronted with three difficulties: When liquor violations were made the concern of a national office, the state and local police, in large part, quit enforcing their own liquor laws and left it to Uncle Sam. Prohibition was in bad repute because of the character of some of the enforcement agents. Enforcement had been indiscriminating; a man possessing a pint for his own consumption was given too much attention.

The personnel had been considerably improved within the preceding year or two, and that improvement was continuing. More important, we decided to concentrate on the commercial operators, rum runners, by land and by sea, and [73] the bar liquor and blind pigger as well. I believed that the force was by then free from corrupt and dishonest agents and that the enforcement program was based on common sense and a desire to make it effective. Senator Barry told the Attorney General toward the end of the term that this was the only time an honest effort to enforce prohibition had been made.

There was at the time a strong movement for the repeal of the 18th Amendment and constant opposition in the Congress against enforcement efforts by fighting appropriations, and otherwise. I recall that one morning while the appropriation bill was under discussion Representative Lamarta, whom I had never met, called me up to say that in opposing the appropriation he was going to say a lot of things about prohibition enforcement, but he wanted to assure me that it was not personal and he was not attacking me.

#### 10,000-MILE PLANE TRIP:

There were many prosecutions under the Volstead Act and the federal district court calendars were badly congested, but I venture to say that the congestion in some districts was no worse than it is now. The Attorney General assigned me the task of bringing the calendars as nearly up to date as possible and we did a good deal in that direction, much of it by clearing the calendars of dead timber.

The principal effort in that direction was my flying some 10,000 miles in a small army plane to visit some sixteen [74] judicial and prohibition enforcement districts in ten days' time, in the states of Illinois, Wisconsin, Missouri, Nebraska, Wyoming, Colorado, Idaho, Montana, Washington, Oregon, California, Arizona, Louisiana and Mississippi. There were three of us - Lt. Olmsted, the mechanic, and myself. Most of the route was new to the pilot and he laid out his route by drawing a line on a road map from one point to the next. He got lost up in the Rocky Mountains on our way to great Falls, Montana. After circling for an hour or two we sighted the smokestack of the Anaconda Copper Company's smelter and took off from there, arriving at our destination, at twilight with a half hour's supply of gas. But I had a parachute and could bail out, so I didn't worry too much.

#### ENFORCEMENT METHODS:

I should say a word about enforcement methods. We used informers,

of course, and other usual police methods. In a corps of some 2,000 agents (for 150,000,000 people) we had a highly effective group of about 200 special agents who were entrusted with the more important and more difficult investigations. Although the Supreme Court had a few years before held that wire tapping was not illegal, none of the regular agents was allowed to use it at all, and a special agent could use it only after he had exhausted all other possible means of detection, and then only with the written permission of [75] the Director of the Bureau of Prohibition approved in writing by me. True, Mr. Justice Holmes called wire-tapping a dirty business, but we were dealing with dirtier crooks and racketeers, and I had no apologies to make then, not have I now.

If the Congress and the courts in their zeal to make effective the bill of rights continue along the path they have followed for the last several years, they are going to make extremely difficult the enforcement of the law and the administration of government as well. Internal revenue laws gave me much more work and many more headaches than did the prohibition law.

#### CRIMINAL PROSECUTIONS - APPEALS -BRIEFS:

My division had supervision of all criminal prosecutions under the internal revenue laws and of all civil cases except those in the Court of Claims, and in the Board of Tax Appeals (now the Tax Court of the United States). This meant that we supervised all cases in the courts of the ninety odd judicial districts and in the eleven courts of appeals, except some that were carried on by the attorneys in the Treasury Department, and except in New York and San Francisco, where United States Attorneys were given pretty much a free hand. No appeal could be taken to the Court of Appeals without the consent of the Solicitor General, and of course he had control over all proceedings in the Supreme Court.

Recommendations for or against appeal to the Court [76] of Appeals or review by the Supreme Court came to my desk. It was my responsibility to review a summary of the record and law memorandum prepared by my own division and decide what action to recommend to the Solicitor General. That meant a lot of home work as well as office time.

In addition to that, all briefs before the Court of Appeals were prepared by my tax section and reviewed by me, as were also petitions and briefs in the Supreme Court, and they later were passed on to the Solicitor General for the final draft. But the Solicitor General's office never made any substantial change in our draft without conferring with me or my staff; sometimes we disagreed, but not frequently.

The briefs in the Court of Appeals were written by my division and revised by me, although I must confess that toward the end the work got so heavy that I let my briefs go through without reviewing them at all. But the staff was competent, and Key was especially so.

#### COMMENDATION OF JUDGE LEARNED HAND:

Learned Hand told me more than once that my division was the best administered of any of them and that the lawyers sent out to make arguments always did well. One he was particularly fond of, as was every Judge before, whom she argued, was Helen \_\_\_\_\_ from Mississippi. She was a woman of real ability. I made it a point to argue cases in the Court of Claims and in the Court of Appeals for the District of [77] Columbia, and others in most of the ten circuits around the country. We won most of our cases and found that the even numbered circuits did far better for the Government than did the odd.

Of course, the real thrill came in the arguments before the Supreme Court. Although I argued between 65 and 70 cases before that tribunal, I never appeared before that court without a feeling of trepidation - What will they ask me this time that I haven't prepared

for? The court of the early 1930's - the old court as it came to be called - was a court of men really learned in the law. They expected us, the Assistant Attorney General, to make good arguments. If we didn't, the Attorney General heard about it. They just wanted to be sure that we upheld the dignity of the Department. Two of them - McReynolds and Stone - had been Attorneys General, and Van Devanter had been assistant Attorney General. They never read the briefs beforehand, they relied upon counsel to give them the salient facts and the issues and took over much of the argument. Interruption became a part of my life, so much so, that when, on occasion, few or no questions were asked, my argument fell flat - or at least I thought so.

#### RUGG INCIDENT-U. S. Supreme Court:

I recall on one occasion Charlie Rugg and I appeared for the Government in a series of thirteen cases involving same general point of law, which, alternating with counsel for the taxpayers, we argued successively for about three days. [78] Justice Roberts asked Rugg a question. Sometimes questions were asked for enlightenment, sometimes to show that counsel was wrong, and sometimes they turned into a legal argument between court and counsel. I, sitting on the side lines at the moment, could see that the question was of the second category. Rugg, in the heat of battle, took it to be of the third and started to argue, although I tried to catch his eye and set him right. When he had finished, Roberts smiled and said - "That was meant as a friendly question." Rugg turned to me and said in a stage whisper - "Well, Jesus Christ." Anyway, we won.

It is impossible to make an exact computation, but the court agreed with me in about 70% of the cases. That record should be discounted somewhat by the consideration that the Solicitor General filed appeal or petitioned for certiorari only when under the rules of the court it was the proper kind of case for that purpose, whereas private counsel were much less selective and probably brought up many cases in which the Government had the better of the argument. Altogether, it was a grand experience!

### AL CAPONE:

One afternoon the Attorney General said he had an appointment with the President that evening, and asked me to attend with him. When we met, the President spoke of the importance of law enforcement. [79] He pointed out that Al Capone and his gang had committed about every crime in the book and yet neither the, local or State authorities had done anything about it. It would not do to let the people think that any man was bigger than the Government, and as much as he decried the federal government stepping in, he saw no escape from it, so he had decided that all the federal law enforcement agencies should cooperate in doing their damndest to unearth evidence that would convict Capone, and I was charged with coordinating the investigation.

### UNEARTHING CAPONE EVIDENCE:

The United States Attorney at Chicago, George I. Johnson, had already prosecuted one or two of the gang and had sent a number of lesser members to prison for a year and a half on a plea of guilty. I feared he would resent our taking over a job he had already started, and while he shied away from us in the beginning, he was soon cooperating fully. That was due in large part to the fact of Bill Froelick, one of my lawyers who was sent ahead by Mr. Irey.

I called on one or two of our enforcement agencies, the Bureau of Prohibition and the Intelligence Unit in the Treasury Department, headed by Mr. Irey, which was charged with this special mission and worked on it well over a year. I called on the Bureau of Investigation once to put a protective guard on a witness who was in mortal danger, but the Bureau was too busy to help. [80]

Unearthing incriminating evidence was almost an impossible task. Practically the only evidence of the violation of the liquor law we could uncover was the fact that Capone had owned a beer wagon

which hauled beer. Capone was ultimately convicted on that count and sentenced to a year in jail. But the best chance lay in the tax evasion field.

Capone dealt only through his henchmen and never collected or paid out money himself, carried no funds in the banks, and of course kept no books of his own. He filed no financial statements, so there was no way of proving his net worth, so we resorted to a method which has become the favorite means of proving tax evasion by negative rather than affirmative evidence. Of course, we knew and could prove that he was a lavish spender, but that was not enough. The Intelligence Unit was finally able to show that Capone's driver telegraphed money to him at Miami which he got under an assumed name, but there was no proof of its source.

The Intelligence Unit had exhausted virtually every avenue of investigation and every one was getting impatient to have Capone put away. Almost a year had passed. Then one morning one of the special agents happened to look in an unused file in the office in Chicago and by chance picked out of it a black note book with columns of initials and amounts. It developed that this book had been seized at a gambling joint in Cicero a year or two before in a raid by the local constable at the instigation of a preacher whose name was Hoover. The [81] story was that as they entered the place where they found the note book a man came in from a back room in his pajamas, and when the constable asked who he was the man answered that he was Capone from Chicago, which under the circumstances indicated but by no means established tax evasion.

From the records of the Bureau of Internal Revenue there was dug out a written statement filed earlier and signed by the attorney to whom Capone had given a power of attorney in a tax investigation which admitted that in his return for that particular year Capone had failed to include all of his income. I had the gravest doubt concerning the admissibility of this piece of evidence so we pressed on with the investigation.



## CAPONE INDICTED - ARRESTED - GUILTY PLEA OFFERED:

Finally the time came when we had to fish or cut bait. So the case was presented to the grand jury which promptly indicted Al Capone for income tax evasion in half a dozen counts, and prohibition law violations in two or three more.

Capone was arrested and confronted. Shortly before he was to plead to the indictment we were amazed by his offer to plead guilty to one of the major counts and take a prison sentence of a year and a half, as his brother had done. We were delighted and relieved because of the weakness of our case. We were after all, not prosecuting Capone for murder or any other major crime but primarily for tax evasion, which was [82] more often than not punished by a fine without imprisonment.

I was willing that the plea be accepted, with an understanding as to what the punishment should be, but both myself and the United States Attorney thought that as Al was a far more important figure than his brother, he should serve longer term. So Mr. Johnson informed the defense attorney that the Department Of Justice would recommend a sentence of 2½, years on one of the tax evasion counts, and as I recall it, a year in jail on the prohibition count. That was acceptable and the Judge who was to try the case was informed of what the Justice Department would recommend, just as he had been advised in the case against Capone's brother. Of course, we didn't ask the judge outright to say that he would follow the recommendation, but it was taken for granted by all that he would.

Then one of defense counsel made the mistake of remarking to a newspaper man that the boss was going to plead guilty and get two and a half years. When that became public, all hell broke loose, not because it was too mild a punishment for tax evasion but because it didn't punish Capone for the long list of murders and other grievous crimes that everybody knew he was responsible for. Articles appeared in the newspapers and letters poured into the bar and to the Judge.

Johnson and I neither affirmed or denied, but both of us were firmly convinced that the public would be much better [83] served by what was proposed than it would be by our running the risk that a conviction by the jury (of which we had no doubt) would be sustained by the higher courts and thus the worst criminal of the era would go free.

#### GUILTY PLEA WITHDRAWN:

The defendant came in, was arraigned and entered his plea of guilty and was to be sentenced. But it very quickly became apparent from the pre-sentence questions that were put to him by the Judge that he never would get off with the sentence we had recommended. Capone's attorney became alarmed and asked for leave to withdraw the plea of guilty. During the recess Mr. Johnson telephoned me what was happening and predicted that the Judge did not intend to follow our recommendation. Since we all had believed that the Judge would follow our recommendation and Capone had pleaded guilty in reliance upon that understanding, Johnson and I agreed that good faith required that the prosecutor join in the defendant's request for leave to withdraw the plea of guilty. That was done.

#### STATUTE OF LIMITATIONS:

Not very long thereafter the Supreme Court, in a case that I argued, held that the tax offense of which Capone was convicted had to be prosecuted within two years after the commission of the offense, instead of six years, as everybody had assumed. Capone's attorney had raised the issue during the trial but did not present it on his appeal. Now he [84] "sued" out a writ of habeas corpus to secure his client's release. I went to Atlanta and made the argument for the Government before Judge Underwood. He held with us. Even if we had lost, Capone would have had only the benefit of a shortened term of imprisonment. The sentence on the counts that were presented within the time limited by the statute would have kept him in prison for six years anyway.

After that, Capone was transferred to Alcatraz. After several years he became a paranoid and was paroled to die.

The Intelligence Unit in the Treasury Department, operating under Elmer Irey, is entitled to great credit for its skill and persistence in building up the case for the prosecution. The Bureau of Prohibition did the best it could, but it had practically nothing to work on. The Bureau of Investigation, when asked to provide guards for the protection of a Government witness whose life was in danger, was too busy to help!

#### TAX EVASION CASES:

My principal trouble was not with prohibition but in criminal prosecutions in tax cases. Even in those days, many a respectable business man (respectable in all things except not paying taxes), was indicted. Then came the pressure, some but not all from Congress, more from political figures.

In one instance a highly respected House Member, a woman, telephoned me asking that the trial of a constituent [85] be postponed so that he might present to me reasons for dismissing the prosecution. Out of deference to her, I received him and listened to his story. The story was that he should not be prosecuted because the income he had not paid the tax on was money he turned over to the Republican boss of his district, which of course more than offset the matter.

#### BLACKMER CASE:

Another was the Blackmer case which arose out of the famous Teapot Dome oil scandals in the Harding administration. This man was indicted for tax evasion and also for perjury in swearing falsely to his return. He fled the country and took up his abode in France, whose government refused to extradite him on the ground that its extradition treaty with the United States did not cover the case. Several years later he was approached in frank and open fashion by lawyers of high

standing, who suggested that he compromise. It should be explained that under the statute the Secretary of the Treasury and the Attorney General had authority to compromise the criminal as well as the civil phase of tax cases by the defendant paying an agreed-upon amount of money. Where I believed the man to be guilty and the chance of convicting him was reasonably good, I established a rule to compromise by his paying all taxes, penalties and interest and pleading guilty to one major count, usually a felony count, in the indictment, and have sentence pronounced [86] by the court after a statement of the facts by the United States Attorney, but with no recommendation as to sentence.

Blackmer's attorney offered to pay to the United States something more than a million dollars and plead guilty to a misdemeanor count if we would dismiss the perjury count and he had the assurance the court would not sentence him to imprisonment. Whether we could have convicted him on the perjury charge I do not know, and what the Judge would have done if he had pleaded guilty I do not know, but I took the position that in so flagrant and notorious a case it was worth more than the million dollars to let the people know that the Government was not permitting a wealthy man to buy his way out.

It was mentioned before that the Solicitor General had control of all matters before the Supreme Court. But there was one case where the circumstances were such that he thought it improper for him to take part, and when I spoke to the Attorney General he said it was up to me.

#### GIFT TAX CASE:

The Court of Appeals in the Second Circuit had held against the Government in an action to recover a gift tax of something over three million dollars arising out of the donor's relinquishing his reserve right to recover the trust, by means of which the trust had been made. If he had waited six months longer there would have been no tax because the [87] gift statute was repealed and the owner recouped.

Whether the case was of the character that warranted the filing by the Government of petition for review was a border line decision, and that fact was impressed upon me by several eminent counsel for the taxpayer.

I considered the decision of the court below clearly wrong, and since the case could be said to be one of public interest because of the individual background, I filed the petition for a writ of certiorari. The court granted the writ and I argued the case. One of the Justices, who apparently knew something of the background, told me later that I was right in carrying the case up. The Justices are a cloistered set, but in some mysterious way they learn much of what happens in the outside world.

#### U. S. vs. MINNESOTA -Indian lands - Van Devanter - Sutherland:

The United States of America brought an action in the Supreme Court against the State of Minnesota to recover some millions of acres of the public domain previously granted to the Chippewa Indians, that had been granted to the State upon her admission to statehood. The Indians are considered wards of the Government and the suit was brought for their benefit. The case, a most important one, was assigned to one of my colleagues, who spent a great deal of time on it. He was chief counsel, and although I spent some time working with him, my knowledge of the facts and of the law was merely [88] a fringe rather than a full comprehension.

The facts were stipulated. When the case came on for argument, the Attorney General, my colleague and I journeyed to Washington. My colleague opened the argument with the point that the court was without jurisdiction, on the ground that the Constitution prohibited the bringing of an action against a State by an individual, and this was an action by the individual Indians. At that, Mr. Justice Van Devanter, who had been solicitor in the Department of the Interior and was an expert in Indian law, leaned forward and roared: "Do you

mean to tell us that the United States cannot protect its wards by an action in this court?" He appeared so angry that my friend, who had never before made an argument before the Supreme Court, was completely taken back and so frustrated that when the court adjourned a few minutes later he told the Attorney General he couldn't continue the argument and I would have to take over. It was so ordered. I spent most of the night studying the record and the briefs and preparing somewhat of an outline.

Since the question of the status of the Indians had been disposed of on the previous day, I proceeded with the next point, which was that the lands in question were part of the public domain; that only the Congress meaning the House as well as the Senate had the right to dispose of it; that it had been granted to the state by the action of [89] both chambers, and that the claim in behalf \* of the Indians to whom it had been ceded by treaty, was without merit because the treaty had been ratified by the Senate alone, and not concurred in by the House.

At that point Mr. Justice Sutherland, who had recently come on the court from the Chairmanship of the Foreign Relations Committee of the Senate and was well versed in the law of treaties, began a cross examination on the subject, giving one example after another where a similar situation had existed and the treaty was upheld. After floundering about with much concern, thinking I was getting into deep water, Mr. Justice McReynolds, who was considered by the bar to be the crustiest member of the court, came to my rescue by asking in his high pitched voice: "Do you need that point to win your case?" To which I replied with relief and with alacrity, "No and if the court please. I will go on to the next." McReynolds was my friend ever after.

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\* Here the author hand wrote an inset: "before 1929!"

## United States Supreme Court in 1930



*J. C. McReynolds Owen Roberts Charles E. Hughes Willis Van Devanter Louis Brandeis  
Harlan Stone Geo. Sutherland Pierce Butler Cardozo*

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*The United States Supreme Court in 1930*

Harris & Ewing Collection, Library of Congress.

Also, Merlo J. Pusey, 2 *Charles Evans Hughes* (1963) (with signatures).



William Howard Taft (1857-1930) was President, 1909-1913, and Chief Justice from 1921 to 1930.

Source: Harris & Ewing Collection, Library of Congress.

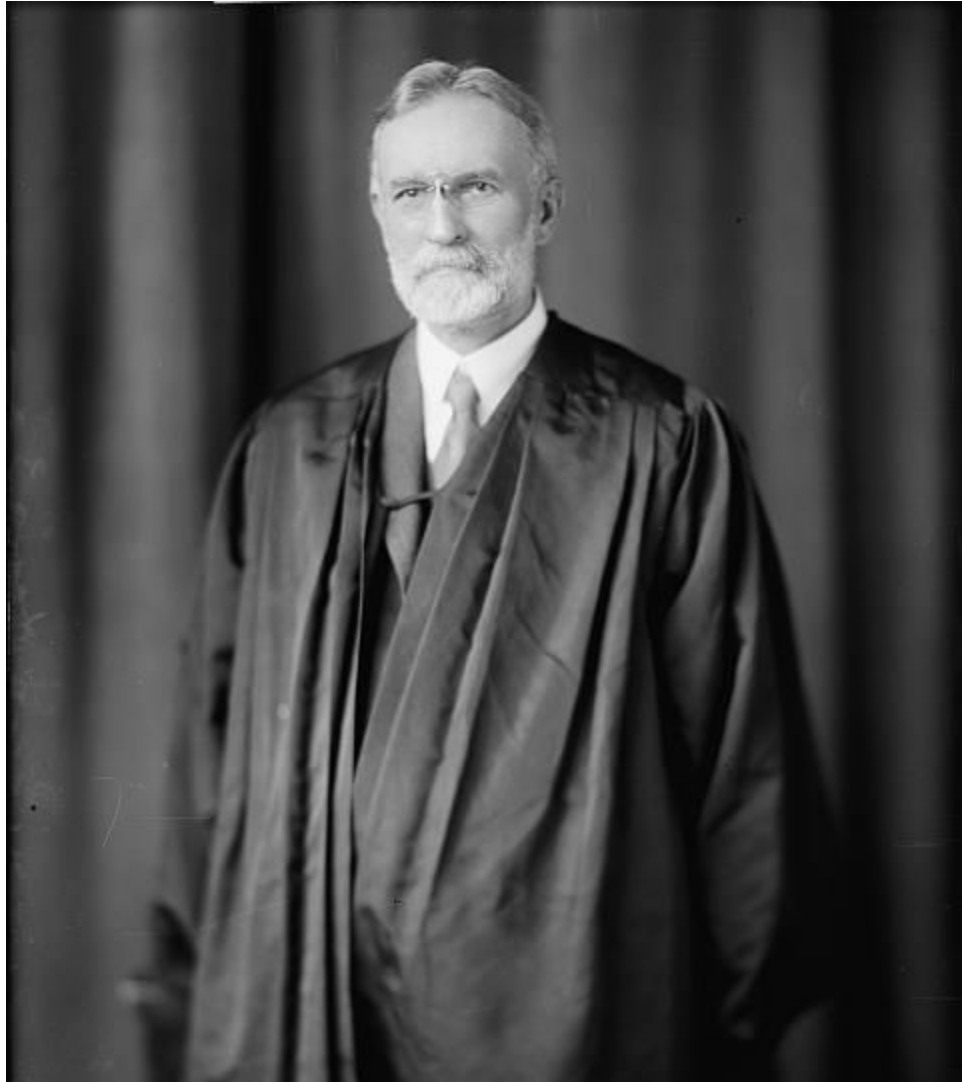




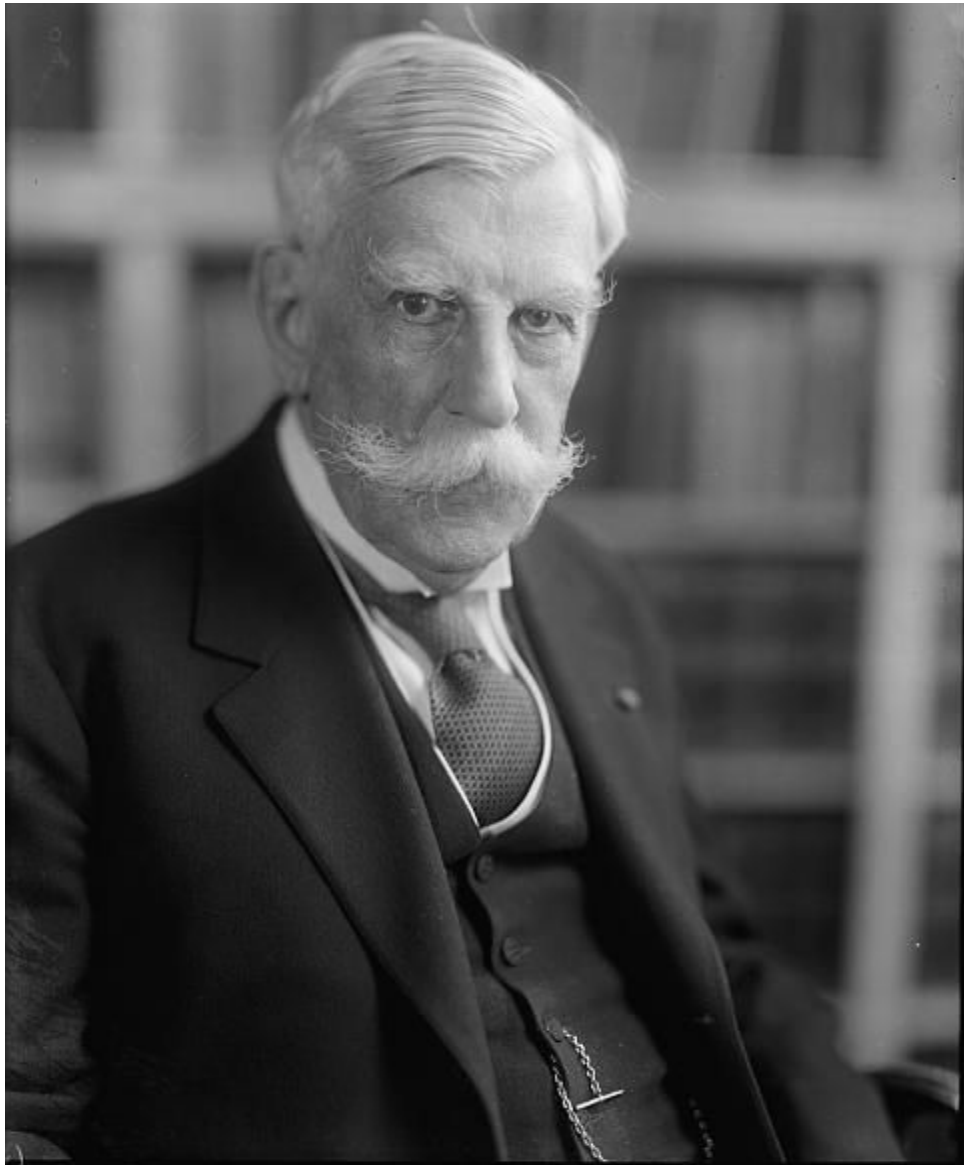
Willis Van Devanter (1859-1941) was Assistant Attorney General, 1897-1903, Judge on the Eighth Circuit Court of Appeals, 1903-1910, and Associate Justice of the Supreme Court from 1910 to 1937.  
Source: Harris & Ewing Collection, Library of Congress.



Louis Brandeis (1856-1941) was Associate Justice from 1916 to 1939.  
Source: Harris & Ewing Collection, Library of Congress.



George A. Sutherland (1862-1942) served as U. S. Congressman and Senator from Utah, and Associate Justice of the Supreme Court from 1922 to 1938.  
Source: Harris & Ewing Collection, Library of Congress.



Oliver Wendell Holmes, Jr. (1841-1935) served as Associate Justice of the United States Supreme Court from 1902 to 1932.

Date of photograph: ca. 1920s.

Source: Harris & Ewing Collection, Library of Congress.



James Clark McReynolds (1862-1946) was Attorney General from 1913 to 1914, when he was nominated and confirmed as Associate Justice of the Supreme Court, serving from 1914 to 1941.

Photograph: (ca. 1924)

Source: National Photo Company, Library of Congress.



Harlan Fiske Stone (1872-1946) was Attorney General, 1924-1925, Associate Justice, 1925-1941, and Chief Justice from 1941 to 1946.  
Source: Harris & Ewing Collection, Library of Congress.



Owen Josephus Roberts (1875-1955) was Associate Justice from 1930 to 1945.  
Source: Harris & Ewing Collection, Library of Congress.

## MINNESOTA v. BANK -Justices Holmes and McReynolds:

The fourth case I argued for the State of Minnesota was Minnesota v. Bank. The question was whether Minnesota could impose an inheritance tax on account of bonds issued by the State of Minnesota and owned by various owners.

The Supreme Court of Minnesota had held for the taxpayer, but in view of a United States Supreme Court decision handed down a few days later, granted a re-hearing and reversed itself. [90] The latter court granted a writ of certiorari to the taxpayer. The Assistant Attorney General who had argued the case in the Supreme Court, was extremely confident that between the decision just referred to and the decision in Blackstone v. Miller, the opinion in which was written by Mr. Justice Holmes sometime ago, we could not but win.

I had a haunting feeling that our case had a flaw and I did my best to find something in the authorities to shore it up or else we would lose.

The argument was more among the Justices, Holmes, Brandeis and Stone on my side and the rest of the court on the other - than it was an argument by me. I couldn't bring myself to go as far in the argument as Justice Holmes thought I should. At one point he admonished me, "Mr. Attorney General, you concede too much."

When the opinion, delivered by Mr. Justice McReynolds was read I had reported in Washington for duty. We lost, with my three friends dissenting. Apparently the case had generated a lot of heat within the court, for McReynolds ended the reading by saying sternly, "And in order that there may be no misunderstanding, the case of Blackstone v. Miller is hereby overruled," attending the words by striking the desk with his open hand with a resounding whack. I felt sorry for Holmes. He sat with his head down, motionless and expressionless, nearing the end of his long service as a Judge, mourning over the demise of [91] one of his pet decisions.



## ATHLETICS:

Despite my having work to do most of my life, athletics always fascinated me. My earliest recollection is hitting a tin can around with a stick, a primitive form of field hockey.

When about seven or eight I acquired somehow an old pair of clamp skates, that did not clamp but had to be tied on with twine. After I was partly grown I skated a good deal, but never played hockey and never did figure skating. During my six years in the country there were no athletics at all except throwing around a home-made ball during school recess. I did make myself a pair of skis out of white oak, about the toughest wood I could have found, bending the tips by steaming in hot water in my father's blacksmith shop, but since I couldn't cut grooves in the bottom surfaces for lack of tools, they slipped from side to side and definitely were not a success.

## PAUL WILLIAMS:

One of the first things I did after having gotten a job in the city was to join the YMCA in its old location above the Dwyer Music Store on 5th Street. One of my first acquaintances there was the boy, Paul Williams, who a few years later became messenger in the office of the Governor, John E. Johnson, and stayed on the job through one administration after the [92] other over a period, of some fifty years.

There I took to running and did a lot of wrestling under George Bartoh, who later taught boxing and had Mike and Tom Gibbons as early pupils.

Basketball, then in its beginning, caught my interest, and I played on the Junior YMCA team and became manager of the senior, and finally a guard on that team. I was a little under 5 ½ feet tall, but in those days the giants had not taken over the game and stature was of less importance. The last, year or two we had an all-Scandinavian team.

During that period I was also a member of the relay team which contested on each Thanksgiving Day with the Minneapolis relay team. My last race was in 1906 while I was attending law school and had very little time for training, with the result that I staggered to the finish of my two miles and passed out.

During the next couple of years I played football with the Dayton Hill Team, perhaps four or five games a year, on Sunday afternoons. The forward pass came during that period, and although I played hard, I didn't seem to have the knack of pass defense.

Then no more athletics until I came to Crookston, when I joined the Crookston Tennis Club. It had perhaps ten or fifteen members and we played a good deal during the long summer evenings. I was only average as a player, but I tried [93] hard, and for my pains skinned my knees and my lips and broke a bone in my big toe. The best player in the lot was about my height and almost literally 5 by 5, but his timing and his accuracy were such that none could hold him. I continued with the tennis at the St. Paul Tennis Club in St. Paul, which was only a couple of blocks from home. Surely I was out of my class, but played only for exercise and quit it when I was forty. Some players play into their sixties or seventies, but since I relied on speedy foot work rather than accuracy or offense, it was not wise for me to continue. For a short time I played at the St. Paul YMCA and the St. Paul Athletic Club, but it was mostly singles, and by the time I left for Washington I was done with that strenuous game.

Golf was a new venture for me about that time, and although I played it on and off for some thirty years, the least said about it the better. I did, however, in my palmier days break 90 once at the Congressional Country Club in Washington, and later repeated twice at the Minikhada Club in Minneapolis, both championship courses. But in the last few years I have been in an unsuccessful struggle to get down to 100 and haven't played an 18-hole round for two or three years. What suits me best now, is to play golf with friends for nine holes.

I almost forgot lacrosse. Around 1904 or 1905 lacrosse was a popular sport in the Northwest. St. Paul had [94] a team and there were three or four others in the area. Jack Lodge, a Canadian and one of St. Paul's players, organized a junior team, of which I was a member. We practiced a lot, but I don't recall that we ever played a game; there were no other junior teams to play against. We played basketball and football and tennis but lacrosse is the most exhausting of all. And believe me, it was rough. During one strenuous session an over enthusiastic teammate swung on me and opened 8 or ten inches of my scalp.

I am not fond of the water and that, in part, accounts for my not learning to swim sooner than I did. For safety's sake, I taught myself to swim while on vacation at Chisago City. On the last day I swam about a hundred yards in my shirt, shoes and bitches; now I cannot swim a hundred feet in my birthday suit.

Sequel to my basketball: In one of the earlier years at Crookston the Faculty challenged the High School team, which had just won a regional championship, but there were only four on the Faculty who played, so I was impressed. Every time the whistle blew I fell to the floor in a state of exhaustion.

But we had one good player and I have been sorry ever since that the High School boys lost. But such is the spirit of competition. After the First World War, when I was well past thirty and still out of condition, I played with the town team - I do not remember whether it was the National Guard or the [95] American Legion. We played Thief River Falls and one or two other teams, but my participation was slight, partly because I knew better but likely because I was not of very much help.

#### BICYCLE TRIP TO STATE FAIR:

While I was working in the creamery I bought a secondhand bicycle by

mail order for \$5.00, but before long I had saved up enough to buy a new one. But before that, I borrowed my sister Hannah's bike — she probably didn't know it — for an unauthorized excursion to the State Fair. I believe that was the year we sent in a 30-pound firkin of butter, which failed to take the blue ribbon only because of the misspelled “pounds” on the package. We had to put the tub to soak over night and in order to get the cover on. The next day we had to cut off most of the edges; the boys went too far. I was left in charge, but since we were neither taking in milk or churning the next day, I pedaled off the 40 miles to the Fair, and when I arrived I not only got the devil, from the boys but suffered severe cramps in my legs from the fact that the bicycle seat was immovable and rested in a position about three inches too low. My bike failed to survive the hard usage I gave it two or three years later while delivering papers in St. Paul.

#### MOTORCYCLE TRIP TO UNCLE'S FARM:

When I returned to St. Paul in 1901 automobiles were almost unknown and the country roads were without gravel or any other surfacing. I believe Mr. Ed Coffee was one of the [96] few men in the town owning a car, and I am not sure that I ever had a ride in it. But two or three years later while working for the Government, I bought from Mr. Harper, my brother's boss, a motorcycle that consisted of a heavy bicycle frame with a small gasoline engine affixed to it in the rear in rather crude fashion. Its principal virtue was lack of weight, which made it easier for me to pedal or push it when the motive machinery got out of order.

I used it to ride a couple of hundred miles to my uncle's farm near Worthington while on vacation. I started from home at daylight and when I got to the bridge crossing the Minnesota River near Shakopee I found about a quarter of a mile of the bridge approach covered with spring flood waters. I spied a farmer milking his cows in a nearby pasture and asked him whether I could get through. He said he thought I could if I stuck to the middle of the road. So I got on my

trusty steed, gave her the gun until the ignition fouled up and then pushed her the rest of the way to dry land. From there on the road consisted mostly of two deep wagon ruts in the gumbo, and several times my conveyance threw me. The last time I found myself on one side of the road and the motorbike on the other, with the muffler pipe broken off. On top of that, I ran out of gas. Learning that I might be able to get some from the blacksmith at Blakeley, which lay down along the river, I pushed the machine through a pasture [97] and lifted it over a couple of barb wire fences to get there, and was able to buy some gasoline that looked like milk, and then pushed the machine up the long hill from the river road to the principal road. With the muffler gone, I sounded like a machine gun. Horses in the pasture pricked up their ears and galloped away, and horses on the road, not being accustomed to anything but horses and bicycles, would have gone completely wild if I hadn't stopped the engine when we met.

At Mankato I had a puncture and took it into some kind of a shop and had it repaired. During the long wait I began talking to a man who was sitting around. When I told him of my experiences he informed me that if I drove through Mankato without a muffler I would be arrested, he being a deputy sheriff. So I pedaled and pushed it to the outskirts of the town and leaned it against a telephone pole and put a connection back in place. After a bit the engine began missing and then I discovered that leaning it against the post had cracked the sprocket block. It ran a bit after being bound with tire tape, and by the time that played out I discovered that instead of taking the road to Madella I had taken the wrong road to Garden City, and a sandy one too deep to pedal on and hard to push through. By the time I got back to the railroad it was dark, the train to Worthington was due in less than an hour, and I bought a ticket and checked my bike as baggage, and with the quarter remaining in the jeans bought my supper. From Worthington I walked two or three [98] miles to my uncle's farm and crawled into the hay mow twenty-four hours after leaving home. (Note): The machine and I went back by rail because I could not find a sprocket block that the threads would fit, so I shipped the machine home.

### FIRST AUTOMOBILE - FORD:

The first automobile I drove was a Ford roadster that I rented for the primary campaign for County Attorney in 1914. After I got the nomination I got a new one at a cost, as I remember it, of \$425.00. One of its uses was to take my girl for a ride in the evening, mostly on the Pembina Trail, a few miles east of Crookston, where the gravel roads were so deep that the car would travel without guidance.

### STRENUOUS TRIP:

Speaking of Pembina Trail, I drove to Thief River Falls one winter morning by way of Red Lake Falls and as I left I used the regularly traveled road, and late in the afternoon I decided to come back by way of the Trail, which lay 10 or 15 miles west and then ran south. I got onto the Trail all right but had not gone very far when I discovered the deep ruts were filled with snow that extended several inches above the surface and was packed hard. Through most of the night I broke the crust by walking a couple of hundred feet up one rut and back the other and innumerable times I had to get down on my back and with my feet kick the clogged snow from under the chassis. At about [99] three in the morning I put the car in the garage, drained the radiator and didn't look at it again until spring.

### ANOTHER STRENUOUS AUTO TRIP:

One more experience on the gumbo roads of Red River Valley. I had driven down to Red Lake to court. A terrific rain fell during the night and when I started out at seven the next morning the jail keeper said he didn't think I could make it. The gumbo was so wet and heavy and adhered to the tires in such quantity that I was not able to drive even down hill in low, gear but had to stop and clean it off. How many mud holes I extricated myself from I do not remember. It was almost dark by the time I reached the Falls, but I went on and on and on. Near the end of the journey, long after midnight, when I did not know whether I

was going toward Crookston or away from it, I met another driver who told me Crookston was just ahead. My relief was so great that I actually wept. Youngsters of today must have no comprehension of what we went through.

#### WARNING TO AUTO DRIVERS - Personal Instance:

I want to sound one warning - just one - about driving: Don't Let Yourself Fall Asleep at the Wheel. I am convinced that the unknown cause of most of the most serious accidents is due to the drivers falling asleep. I have been aware of it more than once and I have learned to drive to the side of the road and rest a bit the moment I feel a bit drowsy. Procrastination [100] may prove fatal. It nearly did for me once.

While driving from the office to the farm late one summer afternoon in a heavy car, unfortunately I disregarded this precaution and the next thing I knew the car was bucking like a wild bronco, jumped across the road, which luckily was clear at the moment, climbed a steep bank on the other side before I regained control and came down still upright in a shallow roadside ditch. The right-hand bumper had struck the abutment of the wooden overhead bridge at just enough of an angle to avoid a head-on crash. I never pass that bridge without a little prayer of thanks to God for saving my life.

(That bridge was the underpass, between Wayzata and Long Lake).

#### RELIGION:

Both of my parents were lifelong members of and regular worshipers in the Lutheran Church. My mother saw to it that we children regularly attended both church services and Sunday School, and of course we were all christened and confirmed.

In those days the Swedish Lutheran Church, which in this country became the Augustana Synod, was a strictly orthodox church - no dancing, no card playing, no unnecessary activities on the Sabbath. The bible was the inspired word of God and was interpreted literally.

We were, to attend strictly to the apostolic creed and [101] the Nicean creed. (I recall a decree from the pulpit in 1905, by which anyone who belonged to a secret Masonic fraternal organization, or whatever it might be, was given the choice of withdrawing from the order or withdrawing from the church.)

We believed in the Immaculate Conception, the bodily resurrection of Christ and his actual ascent to heaven, and that salvation was possible only by unqualified acceptance of the creed. At confirmation we declared we believed in and solemnly promised to adhere to it.

At communion we were reminded that he who took the body and the blood of Christ in that belief would be saved and he that did not would be damned to eternal buffering in hell.

After my confirmation I hesitated more and more to take communion and finally concluded that my participating in it was pure hypocrisy.

In the First Lutheran Church I was a very active member until I left St. Paul in 1909. I attended services, sang in the choir, belonged to young people's societies as treasurer and as teacher in the English department in the Sunday School when it was established in the first decade of the 20th century.

In the latter part of this period I told my mother that I could not with honesty accept all of the dogmas of the church. She was a true Christian and a pious Lutheran, but she was also a woman of good sense and did not reproach me. [102]



In Crookston I joined the little Swedish Lutheran congregation there, but there were so few of Swedish descent that it was soon in process of disintegration.

I then began attending the Congregational Church occasionally, principally because the minister was a particular friend of the family into which I married, and a friend of mine. We were married, by that minister, our older son was christened by him and we had our second son christened by the Lutheran minister.

Scharlie's father was the son of a Presbyterian minister and her mother was an Episcopalian, but they both became Theosophists.

When we went to St. Paul in 1921 we "shopped around" for a church that suited us.

Had I remained in St. Paul the chances are that I would not have changed my church affiliation and would have accommodated my religion and my conscience by treating the sacraments, the dogmas and the Trinity as symbols rather than expressions of faith. Furthermore, the strict orthodoxy of the old Lutheran Church has in many respects given way to more liberal concepts, not only in customs and practices but in the interpretation of the scripture and the meaning of it.

As an example of it, I visited Dr. Reuben Youngdahl's Mt. Olivet Church one Sunday morning last year, and when I told him after the sermon that the definition that he gave of Christianity that morning was quite different from the one given us [103] at the old First. Lutheran Church fifty years ago, his answer was, "It certainly is."

One or two of the Lutheran Church bodies in this country are given still to rigidly orthodox doctrines, but I have a very high regard for the Lutheran denomination as a rugged institution, and particularly those parts of it that derive from the church of the Scandinavian immigrants.

They are sturdy and they are strong bed stones of Protestantism. Just a day or two ago I read that their membership had increased 38% in the last decade. Long may they prosper!

I have heard sermons in Unitarian churches and "societies" that bear little trace of spirituality and less of religion as I know it. Some Unitarians, and the number may well be increasing, are contemptuous and critical of orthodox churches. As is usually the case with extreme liberals, they tend to become intolerant.

#### DR. ELIOT - Unitarian Church:

One Sunday I attended services at the Unitarian Church of which Dr. Frederick Eliot, later head of the National Unitarian body, was the minister. There I found real freedom of choice. The creed of the church, if it is a creed, was the belief in the fatherhood of God and the brotherhood of man. There was no requirement of a statement of faith. Protestant, Roman Catholic, Jew - all were acceptable. Many say that Unitarians are not Christians. If that means that they do not [104] necessarily believe in the divinity of Christ, it is true.

I do not know many Unitarian ministers, but one or two whom I have known seem to me to have no spiritual qualities and do not teach or practice religion in the sense that I understand the term. But Dr. Eliot was not of that type. He was a spiritual man. He was, I think, imbued by the divine spirit. He had consideration for the beliefs of the members of his congregation. He offered the form of worship they referred and held communion services one evening a month for those who believed in it.

The church had a number of persons about our age, but most of the rest of them seemed much older. The membership was small but it grew considerably during the years we were there, and has grown more since. We participated actively. Our two daughters were christened in the Unitarian Church. We were almost late for the

ceremony. We had no car and a friend who was to give us a ride forgot about it until the very last moment. I taught in the Sunday School, but found it quite different from the Lutheran sacrament and catechism and bible history I had been taught. I was a member and for a year chairman of the Board of Trustees. We were completely happy in our church affiliation and I believe we served the Lord as well as ourselves better there than we could have elsewhere.

In Washington we attended All Souls Unitarian Church. [104] The minister, Dr. \_\_\_\_\_, had something of Dr. Eliot's spiritual quality.

DR. DEWEY - Plymouth Congregational Church:

When I returned to Minnesota (the rest of the family came after school had ended), I attended a couple of services in the Unitarian Church conducted by Dr. Dietrich. To me, they were not religious services at all. So I telephoned Dr. Eliot one day, told him of my disappointment and asked his advice. And he, a Unitarian minister, said: "I think I understand. If you go to Dr. Dewey's church, I am sure you will feel at home there."

So we visited and later joined the Plymouth Congregational Church and have always felt at home there. Our children and their children, in turn, have attended the Sunday School. Scharlie has been more or less active in the women's organizations now that the children are grown and she has the time. Our daughters have taught in the Sunday School. I served as Deacon, as Trustee, and now as Moderator.

We do feel at home in our church with our minister, Dr. Conn. Dr. Cowling said, "Some of his sermons are better than others, but I have never heard him give a poor one." He is, in addition, a fair, personable elder and liberal in ecclesiastical matters and a liberal conservative in politics. I do not always agree with him, and he would be less stimulating if I did. I have at times charged him with being [106] really a Unitarian but he has enlightened me only by a symbol.

The Congregational is almost without dogmas, which suits me. I am not wholly certain of it, but it seems to me that its principles are virtually anonymous in the choice of their individual beliefs. That, too, suits me.

As a consequence of this freedom of faith, a lack of discipline makes it more difficult for the individual to find his way in the field of religion and to fashion his faith. He likewise lacks the guidance of doctrine and dogma and must rely on his own conscience to show him the way - and conscience sometimes is a fragile staff.

The principle of freedom of faith is growing over all the world, built up by the same closely integrated Christian conventions throughout the centuries. If one's conscience permitted, it would be far easier to follow the road marked by these landmarks than to find one's own way. A true believer in a more orthodox denomination knows exactly what he believes and is provided with invaluable guides to heaven. And though the way is straight and narrow, he avoids the doubts and the dead ends and morasses, into which the free though fallible conscience of the liberal leads.

#### MY RELIGIOUS BELIEF:

What do I believe? Frankly, I do not know. I am what Judge Watts called himself - a reverent agnostic, in that I can prove nothing to my own satisfaction. But the wonders of [107] the universe that have existed for billions of years and still are advancing must have been brought about by some powerful and omniscient force, and I am content to call it God. Who can say what is reasonable for the human intelligence, the spirit of man? But it is there, and to me it is an incomprehensible thing, too precious to die with the body. Believers in incarnation may be right; at least, there is some justification for it. I cannot believe that some are herded into one group that enjoys eternal bliss and others into another group that suffers eternal damnation. If man is immortal, it could mean to me only that his

disembodied spirit survives somewhere in the universe, but to what end I do not know, unless it is for the conscientious to sit before the great white throne and enjoy the recollection of their good deeds on earth and for the more numerous crowd to suffer remorse for their misdeeds. It would seem to come down to this: The purpose of man on earth is to procreate his kind on earth in order that they may multiply his good works, labor for the physical, intellectual and spiritual improvement of the human race, have compassion for his fellow men and help them toward a better life, create trust and confidence by fair dealing, perhaps to gather enough worldly goods for the security and comfort of his family and himself.

The things to be done are plenty. The incentive for the doing should be, and usually is, happiness and peace of mind; and even he who fails has peace of mind in the knowledge [108] that he tried. That should be reward enough for any man, and the knowledge that he possesses it during his lifetime is more important than the hope that the consciousness of it may survive death and fill his spirit throughout eternity.

A sorry concept of religion! And as my daughter remarked, perhaps it doesn't look so good on paper.

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#### AMERICAN BAR ASSOCIATION:

For many years I was very active in the American Bar Association, principally in the tax law field; first, as a member of the five-man sub-committee on federal taxation and later the section of taxation of the association which I helped organize and of which I was for a number of years an officer. And from time to time I have served on committees of the Minnesota State Bar Association.

## U. S. SUPREME COURT - Rules of Criminal Procedure:

But my principal activity in the field of law, outside the practice of it, has been in drafting rules of procedure. In 19\_\_, the Supreme Court of the United States appointed a committee of eighteen, of whom I was one to draft rules of criminal procedure for its federal courts. The work of the committee continued for a period of several years. We met a number of times in Washington and in New York, and in preparation for the meetings I did an enormous amount of reading of reports, notes and suggestions.

Arthur Vanderbilt, of Newark, New Jersey, then Dean [109] of the Law School of the University of New York, an active practitioner and an excellent lawyer, was Chairman; \_\_\_\_\_ then with the Department of Justice and now Judge of the United States District Court for the District of Columbia, was Secretary; and Professor James J. \_\_\_\_\_ of the University of Indiana, full time Reporter.

About the only members who had had a reasonable amount of experience in the criminal law field were George Madelias, former United States Attorney for the Southern District of New York, and myself.

We tried to protect the rights of the People, as represented by the State as well as the essential rights of those accused of crime. Nearly half of the committee consisted of law professors, several of whom were principally interested in protecting the accused.

The battles were protracted and sometimes heated and agreement often was difficult. More than once a provision was admitted or rejected by the vote of the Chairman. There were, however, no minority reports and the final draft of the rules was accepted by the Supreme Court without change, except for the dilution of some rather radical provision that some of us had not favored. The phase of the work that appealed to me was the final copy of the sub-committee still

consisting of the three members I mentioned and myself. The battle between two of its members were almost as heated as some that occurred in the main committee, but with Madelias' [110] help I was usually able to pacify them. We dressed up the draft in good shape and often made changes or substitutions when we found it necessary.

Our work was accepted by the Committee without dissent. That the advisory committee performed its work well is indicated by the fact that the Rules of Criminal Procedure have been accepted with very little criticism. Amendments have been few. They have been praised for their coverage and for their clarity.

#### CHAIRMAN MINNESOTA SUPREME COURT COMMITTEE:

But here at home my most important activity has been as Chairman of the Advisory Committee appointed by the Supreme Court of Minnesota to draft rules for civil procedure for the state courts, other than the probate court. The work began in June of 1947.

The rules for District Courts and Municipal Courts were adopted by the Supreme Court and became effective in 1951. From that time on the Chairman was in frequent correspondence, discussion and study of proposed amendments, and during the past three years the committee has been actively considering proposals and drafting amendments, the final form of which have been adopted by the Supreme Court and will become effective on July 1st.

The initial step was a summary of all existing statutes that related to pleading, practice and procedure [111] in civil cases in the District Courts, very efficiently prepared by Assistant Attorney General Vandenburg. From there on the committee had the assistance for a few months at a time of Ben Plasic and of law clerks of the Supreme Court Justices, who were good enough to assign them to work for the committee.

The Legislature did not appropriate a dime for the work and the only money available to the committee was assigned to us by Chief Justice Loring from L.A.C., which paid only part of the traveling expenses of out-of-town committee members, and for a couple of law students for work drafting rules for the Supreme Court itself, which has been deferred until the Legislature revises the appeals statutes.

#### WEST PUBLISHING COMPANY:

West Publishing Company, at its own very considerable expense, published the first tentative draft of the District Court Rules, with copies of comments and notations, and distributed it to the bench and bar of the state. After the initial rules were adopted, it printed and distributed those. During the process of amendment, it printed the amendments tentatively adopted by the Advisory Committee, and it has now advised the Supreme Court that it will publish the amended rules, forms, appendages and notes in full, all without cost to the State. [112]

Aside from what was done by Vandenburg, Plasic and others, the bulk, of the work necessarily fell to the Chairman. The members of the committee cooperated faithfully, and absences from its many meetings were rare for most of them. They didn't even ask reimbursement of out-of-pocket expense.

We needed to follow rules of civil procedure previously adopted for the federal courts in order to approach uniformity of practice in the courts of the state and of the nation. Departures from the practice in the Minnesota statutes were numerous and many of them were radical, especially to the eyes of the older practitioners. The action of our committee was unanimous on practically all points, although there might have been at times reluctance on the part of some.



## DISCOVERY RULES:

We had an interesting experience when a draft of the original rules for exposition and discovery was submitted at a meeting of 200 or 300 lawyers and some judges before the Advisory Committee made its recommendations to the Supreme Court. Each member of the committee explained an assigned group of rules and spirited discussion almost always ensued.

The Discovery rules enabled the lawyer for either side to obtain depositions of an adverse party and his witnesses by interrogatories directed to the adverse party, in advance of the trial, practically everything that the adverse party knew about the case, thus removing, in large part the element [113] of surprise at the trial.

When that particular discussion had been pretty well exhausted, the leader of the opposition, a prominent lawyer and former Associate Justice of the Supreme Court, offered a motion that the particular rule under discussion be disapproved. I informed him that the purpose of the meeting was to explain to the lawyers what the rules meant and the reasons for proposing them, that the duty of the Advisory Committee to the Supreme Court was to propose the best set of rules that they, in the exercise of their best judgment, could devise, and that his motion was out of order. When he appealed from the ruling of the chair, I again ruled him out of order, but after glancing over the crowd I decided to run the risk and told him I would nevertheless submit his appeal. The repeal was rejected by a large majority.

Although the Advisory Committee always invited proposals, suggestions and criticisms from the lawyers and the judges, it had not permitted these proponents or opponents to appear before the committee to argue the point. Consequently, there has been criticism, but so far as I know, very minor, that the committee followed very arbitrary methods and paid very little attention to the bar.

The fact is that every suggestion offered or criticism that came to me as Chairman - and I am certain the same is true of the other members - was fully and fairly submitted to the [114] committee for consideration, and that each member of the committee was guided by his own best judgment in accepting or rejecting.

#### BOOK ON MINNESOTA COURT PRACTICE:

After the original rules had become effective, West Publishing Company asked me to author a work on Minnesota Court Practice. I declined, saying I had already given enough of my time for the public good, although it was mostly evening and week-end time. They said a pro rata would be paid, which they estimated at \$2,000.00 or \$3,000.00, because of the restricted circulation of such a work, but I was not interested. They persisted and finally I agreed if my duties were confined principally to the "author's comments", and if they could get Ben Plassick to do the rest of the work, including the initial draft of the comments, I would take it on. He agreed, and I spent, I suppose, a couple of years at it. Ben more than earned the entire prorata, and he got it. The volume was the result of an understanding and has been well received by the profession. Pro bono publico. (For the public, or general, good.)

#### JUDGE HAND'S ADMONITION:

Shortly after leaving the Department of Justice I was visiting with Judge Learned Hand, after arguing a case in the United States Court of Appeals in New York. He wondered whether I would make a connection in New York and admonished me - "Don't come to New York. This is no place for civilized people like you and me to live in. Go back out West where you belong." I answered that if something were offered in New York three times as remunerative as in Minneapolis I would consider it, but that I wanted to go back to Minnesota where my professional capital had been built up and where my friends were.



Judge Billings Learned Hand (1872-1961) served as Judge of the U. S. District Court, New York, 1909-1924, and on the Second Circuit Court of Appeals, 1924-1951.

Date of photograph: December 2, 1924.

Photographer: Bain Collection, Library of Congress

### NEWS LEAK ON WASHINGTON RESIGNATION:

Having that in mind, I told the representative of the St. Paul and Minneapolis papers that I would give them the “works” when I resigned, and I wrote one out very carefully in advance, outlining some of the more important work I had done in the department and giving my new connection. The people whom I met gave me a farewell

dinner, and thinking they were doing me a favor, advised the press services of my resignation and my plans. Late that evening the Minneapolis "Tribune" called me at home asked how come I had not even resigned. My carefully prepared statement was now yesterday's news and worthless. I cannot quite say I was heartbroken, but it would not have been far from the truth. When I called on the Attorney General the next morning he was very cool until I explained to him that the news didn't come from me and that I certainly would tell him before handing in my resignation to the President.

The publicity I got on arriving in Minneapolis was that one of the partners in the firm I was joining had been kid-[116]-napped the day before.

#### MINNEAPOLIS LAW CONNECTION:

I had an offer from a firm in St. Paul and from two in Minneapolis, but I accepted Charlie Fowler's invitation to join his firm. I had some doubt about it because it was known as a political office, but the set-up and the prospects for the future were excellent. Then, too, it produced an immediate and very substantial increase in my income that was very welcome to me and my family after many years of being hard up and in debt. All I had was a wife and four children, some household furniture, a small amount of life insurance, and several thousand dollars of debts.

I had owed what was for me a substantial amount to the Crookston bank that had closed, most of it paid off by borrowing on my life insurance and withdrawing money I had deposited in a savings account at the rate of \$20.00 a month over a period of years to provide a fund for the education of the children. I told the depositors' committee that I would pay the balance of about \$3,000.00 if and when I got it, and within a few months after my return to Minnesota I sent the money to the bank.

One of our stipulations with the law firm was that I would not be asked to do any legislative work, but the reservation was made that I might on occasion be called in when tax bills were in the mill. It turned out that there were [117] at times some important tax bills that required my attention, but my work was limited mostly to preparation of bills and appearances before committees. I refrained from buttonholing the senators and representatives, nor did I entertain them with meat or with drink — in fact, I do not believe I spent as much as \$25.00 for entertainment during any session. But that proved no disadvantage. The things I set out to do got pretty well done. I tried to be fair with the legislators and often helped the opposition at times, and I had the confidence, I believe, of both sides.

#### REPEAL OF MONEYS AND CREDITS TAX:

My last undertaking was to obtain the repeal of the tax on moneys and credits. The tax was on intangibles, only three mills on the dollar, but it was not adequately enforced; it worked against the interest of the taxpayer and in favor of the evader, and it was inconsistent with the graduated income tax, which was first imposed in 1933. I had prepared a bill repealing the tax, but since the Constitution specified certain exemptions, the legislature was without power to exempt more. So they proposed to the legislature a bill which, instead of repealing moneys and credits, permitted an income taxpayer to deduct from his income tax the amount equal to moneys and credits tax he paid. The effect was that the larger cities in which substantially all of the moneys and credits tax revenue was collected would have the benefit of that tax for [118] the local improvement district and county government and the income tax revenue dedicated to the public schools of the state would be diminished by a like amount.

I told them that when the boys over the country found out that the effect of the bill was to take money out of the pockets of the school districts of the state and put it in the pockets of the big cities, the chances of passage would evaporate as rapidly as a snowball in hell. But, I said, I would stand aside while they made their trial.

The first hearing on the bill before the tax committee of the House sounded its death knell, so I had, very much to my surprise, succeeded in putting the repeal bill across. Of course, I was congratulated and I was proud of doing my part in eliminating a tax that was definitely bad for the state as a whole, because it tended to drive capital out of the state.

#### GRADUATED INCOME TAX LITIGATION:

My first important piece of litigation also concerned taxes, that is, the constitutionality of the newly enacted graduated income tax law. I was retained by group of business concerns to conduct the litigation, although both they and I knew that the prospect of winning was not too good. We did win in the District Court but the Supreme Court reversed it. The opinion was written by my former law partner, Charlie Loring. [119]

My only complaint about it was this: In an earlier case the court had held that the legislature was without power to exempt the first \$100.00 of a mortgage debt from the mortgage registration books, which was identical in spirit with the exemption from the income tax of the first \$1,000.00 of income. I argued vigorously that the earlier decision was valid in its entirety, or at least in part, because of the exemption of \$1000.00. The court escaped from the precedent by completely ignoring it.

#### WISCONSIN TAX CASE:

The first years of my work was as counsel in the tax field, both state and federal. One of my earliest efforts was as counsel for the Wisconsin Power Company, in association with John Campbell of Eau Clair, Wisconsin, in a case involving the Wisconsin income tax. The Wisconsin Company of Minnesota operated in Minnesota and the two Dakotas.

Since the Wisconsin law forbade the granting of a utility franchise to a foreign corporation, the operations in that state were carried on through an almost wholly owned Wisconsin subsidiary. The two systems were wholly unconnected.

The Wisconsin Tax Commission sought to treat both corporations as a single taxpayer, by limiting the Minnesota company's operations with the less profitable operations of the Wisconsin company and allocated the income between the two states under a formula which would give Wisconsin far [120] more revenue than the tax on the Wisconsin Company alone produced. The cost to the Minnesota Company, which, by the way, was already paying Minnesota income taxes, would have run it up to enormous amounts over a period of years, especially in view of the tremendous expansion of the Minnesota Company's operations and the marked growth in earnings.

After months of preparation, we spent six weeks in hearings at Madison before the Wisconsin Board of Tax Appeals. The three men who heard the appeal as judges were the same three men who had assessed the tax as administrators. We hardly expected them to reverse themselves. A complete and detailed record was essential to a proper review of the case on appeal.

We then argued the case before the Supreme Court for Dane County, also at Madison. The Judge listened patiently, but after looking at the enormous transcript of testimony and the hundreds of complicated exhibits, he thought of the easy expedient of saying that since the loser would appeal to the state Supreme Court anyway, he saw no need of his taking the time to go through the massive record or of writing a full opinion. So he held against the company and we went to the Supreme Court.

Campbell and I were prepared to argue the facts and the law in extenso, but at the outset the Chief Justice directed us to confine the argument to the points of law. [121]

We felt that the presentation of the facts would be very helpful in convincing the court of the unreasonableness of the Atkinson method employed by the Tax Commission and we were taken back by the court's admonition and had to recast our arguments.

When the opinion, which was in our favor came out, the reason for the court's lack of interest in the facts was clear enough, for it held simply that the Wisconsin statute required each corporation to be taxed as a separate entity and did not permit consolidating one with the other and levying a tax on the combined result.



G. Aaron Youngquist.  
Date of photograph: 1952.  
Source: Minnesota Historical Society



## EXCESS PROFITS TAX:

Some years later I handled another tax case for Northern States, which was to have been tried in St. Paul by a Judge of the United States Tax Court but was transferred to Milwaukee because of a brief illness of myself. It involved a claim for relief from the heavy excess profits tax, under a statute which authorized the elimination of abnormal charges in arriving at the amount of the tax. The details were complicated. A recital of them would be more wearisome than enlightening. Suffice it to say that in the earlier cases, involving almost identical situations, the decisions had been in favor of the Government,

I obtained copies of the records and briefs in those cases and found that our question was less important than were [121] other points presented, and it seemed to me that this question had not been as thoroughly briefed as it should have been.

We tried the case in a single day, and in fact hurried the presentation somewhat to enable the Judge to leave that evening to spend a holiday with his family in Washington. It is sometimes better to condense the facts somewhat than to annoy the Judge.

We had little time for oral argument but relied upon our written briefs. Government counsel was extremely confident of winning. In an opinion reviewed by all fourteen or fifteen judges of the tax court, they distinguished or overruled the earlier decisions and ordered reductions and refunds that aggregated about one and a quarter million dollars. That was our only and our last chance, because no appeal from the court's tax decisions was permitted in that kind of case.

Not very long afterwards I learned to my consternation that a group of Washington tax lawyers had had introduced in the Congress a bill that would retroactively permit appeals to be taken from a decision in that kind of a case from the tax court to the United States Court of Appeals.

I journeyed to Washington and tried, without avail, to persuade my brethren to make a provision that would protect us without harming them. They were pleasant but obdurate. The bill, by the way, had by-passed the House Committee on [122] Ways and Means, where it belonged, and had been referred to the Committee on Judiciary.

Sometime later the Judiciary Committee set a hearing on the bill, and when I entered the hearing room my Washington friends hastened to assure me that my situation would be taken care of, and they did propose to the committee a change in the bill. I had filed my request to be heard, and when my name was called I made my argument, but limited it to my client's interest in the subject.

I knew that the counsel for the Treasury Department would appear in favor of the bill, which he did. My successor in the tax division of the Department of Justice was opposed to it, but it was primarily Treasury business and the rule of comity between departments of government sealed his lips. The bill never did pass.

No other tax situation claimed my watchful attention over a period of eight or ten years. An out-of-state corporation and a regular client asked my opinion on the right of the State of Minnesota to impose an income tax on its interstate operations within that state. The question was a close one and I finally opined that it could, wondering whether I could not be wrong. Several years passed by, and one day a friend of mine said he was recommending me to an unidentified friend of his that he retain me in some pending tax litigation. Shortly after, he reported back to me that his friend's reply [123] was: "Hell, that's the fellow that held against us."

In 1959, the majority of the members of the Supreme Court of the United States, to my great relief, agreed with my opinion.

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This was last written in September, 1959. After having all his teeth extracted the Friday before Labor Day, my husband was miserable for a month. We moved from the farm to town on October 1st. He was ill but would not give up, but went to the hospital the night of October 7th, unconscious with a "staph" virus. Three very bad weeks of suffering and coma followed.

He died at 8:10 P.M. Thursday evening, October 29, 1959.

S.R.Y.

(Biography transcribed by  
Fuller Spruill, 155 Grant St.,  
Denver 3, Colorado,  
from shorthand notes left  
by the author.)

## APPENDIX

Article	Pages
Advertisements for primary and general elections of Polk County Attorney in 1914.....	126-130
Tables listing prosecutions by county attorneys published in the Biennial Reports of the Attorney General to the Governor for the period, 1915-1918.....	131-137
Advertisements for election of Attorney General of Minnesota in 1928.....	138-139
Results of primary and general elections for Attorney General in 1928.....	140
Obituary, Crookston Daily Times, October 30, 1959.....	141-142
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<Y>

Advertisements for primary election on June 16, 1914.


Crookston Daily Times  
May 20, 1914

PAID ADVERTISEMENT  
(To be paid by G. A. Youngquist,  
Crookston, Minn. Amount to be paid  
\$6.00.)



**G. A. YOUNGQUIST**  
For  
**County Attorney**  
**Polk County**  
Will appreciate your support

Warren Sheaf  
(Marshall County)  
June 3, 1914



**G. A. YOUNGQUIST**  
For County Attorney.  
To the Voters of Polk County:  
I am a candidate for nomination  
for the office of County Attorney of  
Polk county, at the primary election  
in June, and ask for your support  
and your vote. I believe that my ex-  
perience of five years in the practice  
of law in the county, qualifies me for  
the office; and, if elected, I will per-  
form its duties honestly and fairly  
and to the very best of my ability,  
and will work for the welfare of the  
county.  
—G. A. Youngquist.

PAID ADVERTISEMENT

To be paid by G. A. Youngquist, Crookston, Minn. Amount to be paid \$6



**G. A. YOUNGQUIST**  
For County Attorney, Polk County

Results of the Primary Election

Charles Martin.....	390
James E. Montague.....	729
G. A. Youngquist.....	995
Eric O. Hagen.....	1212
J. A. Hendricks.....	23

Results of the general election

G. A. Youngquist.....	2,874
Eric O. Hagen.....	2,222

Advertisement for general election  
Crookston Daily Times,  
October 17, 1914

**Paid Advertisement**

(The amount of \$3.20 paid by G. A.  
Youngquist, Crookston, Minn.)



**G. A. YOUNGQUIST**

**For County Attorney  
Polk County**

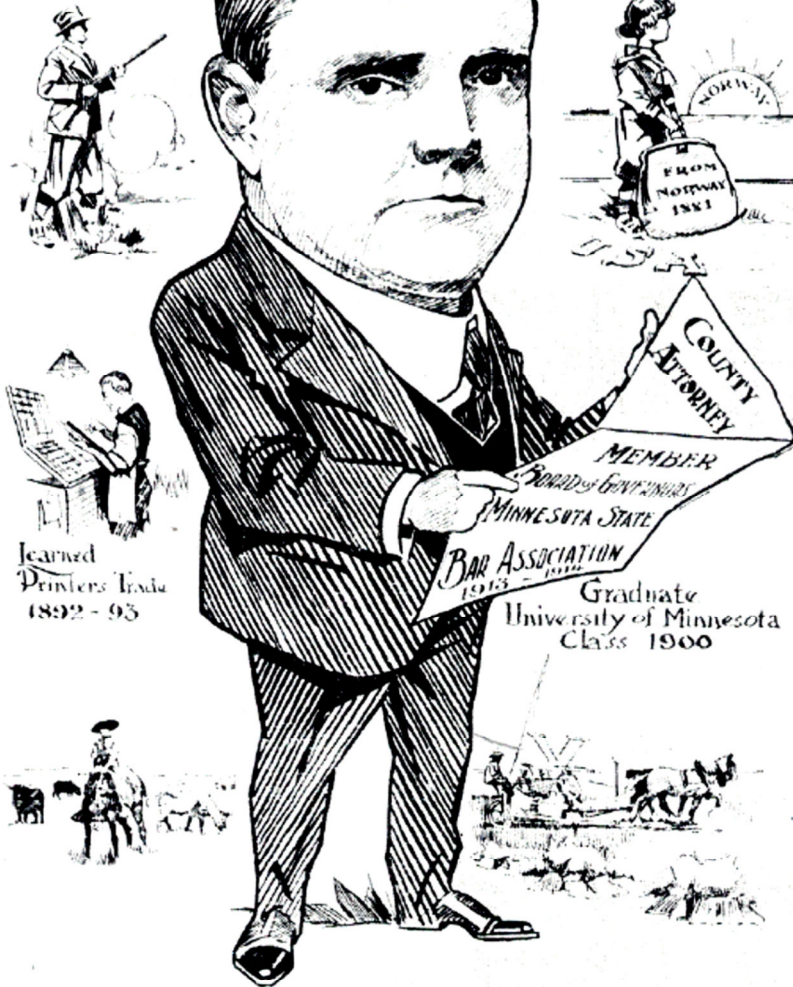


# OUR MEN OF AFFAIRS

Member  
American Bar  
Association

Member American Academy  
of Political and  
Social Science

Member  
National Geographic  
Society



**E. O. HAGEN**  
Candidate for County Attorney

*Crookston Daily Times*  
October 10, 1914, at 4.

Youngquist refers to this "cartoon" in his memoir (page 48). It was one of a series of portraits of businessmen and officials in the community published by the *Daily Times* in the fall of 1914.



# OUR MEN OF AFFAIRS



Five years on a farm

President Class  
1909  
St Paul College of  
Law.  
President Crookston  
Debating Club.  
Member  
Viking Chorus

Stenographer  
five years



President  
Red River Valley  
Scandinavian  
Singers  
Association



Aaron Youngquist  
Arriving in this  
Country 1887

**G. A. YOUNGQUIST**  
Candidate for County Attorney

*Crookston Daily Times,*  
October 10, 1914, at 4.

The following tables list  
prosecutions reported by county attorneys  
published in the  
Biennial Reports of the Attorney General  
to the Governor for the periods ending:

1. December 31, 1916.
2. December 31, 1917.
3. December 31, 1918.

Through these tables, the work of  
Polk County Attorney Youngquist  
can be compared to his counterparts  
throughout the State of Minnesota  
for the years 1915-1918.

TABLE No. II

Offenses Reported by County Attorneys for Years 1915-1916. Showing Counties Separately.

COUNTIES	COUNTY ATTORNEY	In District Court			In Municipal and Justice Courts		
		Convictions	Acquittals	Nolle Prosequi	Convictions	Acquittals	Dismissals
Aitkin	E. H. Krelwitz	2	3	1	61	8	11
Anoka	Will. A. Blanchard	5			68	2	12
Becker	Henry N. Jenson	9	1	2	62	4	9
Beltrami	Graham Torrance	33	3	19	22	5	
Benton	E. W. Swenson	17	3	2	74	4	12
Big Stone	A. B. Kaereher	22	1	2	88		1
Blue Earth	J. W. Schmidt	39	1	14	461	1	27
Brown	Adolph Frederickson	18	1	3	179	3	10
Carlton	J. E. Diesen	28	3	13	204	33	5
Carver	W. F. Odell	6	3	1	84	3	1
Cass	E. L. Rogers	10	12	5	32	2	1
Chippewa	A. E. Kief	8		3	38	4	5
Chisago	A. P. Stolberg	11	2	1	41	1	7
Clay	C. G. Dosland	40	2		153	53	137
Clearwater		3	1		9	1	3
Cook	S. C. Murphy		2	1	11	2	4
Cottonwood	O. J. Finstad	13			64	1	7
Crow Wing	S. F. Alderman	19	19	10	89	27	25
Dakota	P. H. O'Keefe	30	4	14	650	3	68
Dodge	H. J. Edison	7	2	2	33	10	15
Douglas	H. E. Leach	24	1	2	70	3	2
Faribault	Henry J. Frundt	19		2	189	5	13
Fillmore	S. C. Pattridge	36	2		69		
Freeborn	Norman E. Peterson	27		3	140	3	23
Goodhue	Thos. Mohn	25	1	8	112	3	13
Grant	R. J. Stromme	10	1		8		
Hennepin	John M. Rees	747	100	244	13	2	3
Houston	O. K. Dahl				37		2
Hubbard	M. J. Woolley	10			37	3	2
Isanti	Godfrey G. Goodwin	7			16	1	1
Itasca	Ralph A. Stone	41	8	16	195	6	22
Jackson	E. H. Nicholas	23			153	3	8
Kanabec	P. S. Olsen	5	6	3	14	7	12
Kandiyohi	Chas. Johnson	14	3	14	110	9	12
Kittson	R. V. Blethen	9		3	39		4
Koochiching	Franz Jevne	29	2	12	372	5	71
Lac qui Parle	N. F. Soderberg	8		1	43	4	2
Lake	J. Gilbert Jelle	11	4	2	47	1	9
Le Sueur	L. N. Prendergast	19	4	3	134	10	2
Lincoln	Louis P. Johnson	5	1		46	1	3
Lyon	James H. Hall	20	2	2	67		12
Mahnomen	Clayton C. Cooper	9		3	26		24
McLeod	Wm. O. McNelly	10	2	4	98	6	18
Marshall	A. N. Eckstrom	29	1		44		
Martin	E. C. Dean	27	1	1	160	7	9
Meeker	R. H. Dart	6	9	5	67		1
Mille Lacs	Olin C. Myron	17	1	11	27	8	9
Morrison	C. Rosenmeier	45	5	7	206	15	61
Mower	Otto Bandler	23		1	140	1	7
Murray	Ole Swanjord	6	4		26	1	1
Nicollet	Geo. T. Olsen	4	1		89	1	2
Nobles	E. J. Jones	14	2	7	101	3	4
Norman	John M. Hetland	6			12		
Olmsted	George J. Allen	27	1	1	592	8	100
Otter Tail	Anton Thompson	26	5	9	176		26
Pennington	Hans O. Kjomme	30	3	9	35	1	21
Pine	W. S. Ervin	8	3	3	49	6	13
Pipestone	George P. Gurley	10		1	53	2	16
Polk	G. A. Youngquist	138	17	23	81	9	34
Pope	Julius O. Grove	13	2	1	41		17
Ramsey	Richard D. O'Brien	355	64	65	107	6	177
Red Lake	No Report						
Redwood	A. H. Enersen	12	1	3	97	5	11

TABLE No. II—Continued

Offenses Reported by County Attorneys for Years 1915-1916. Showing Counties Separately.

COUNTIES	COUNTY ATTORNEY	In District Court			In Municipal and Justice Courts		
		Convictions	Acquittals	Nolle Prosequi	Convictions	Acquittals	Dismissals
Renville.....	L. D. Barnard.....	31	.....	0	75	5	8
Rice.....	Jas. P. Mahon.....	27	2	1	465	34	50
Rock.....	C. H. Christopherson.....	16	1	3	147	1	7
Roseau.....	M. J. Hegland.....	12	1	3	42	2	1
St. Louis.....	Warren E. Greene.....	212	61	224	74	25	271
Scott.....	George F. Sullivan.....	14	2	1	65	4	3
Sherburne.....	George H. Tyler.....	6	2	3	25	.....	.....
Sibley.....	A. L. Young.....	6	.....	.....	19	1	.....
Stearns.....	Paul Ahles.....	53	3	8	160	13	51
Steele.....	F. A. Alexander.....	16	.....	3	72	6	13
Stevens.....	W. H. Cherry.....	11	.....	2	48	4	10
Swift.....	J. E. Lee.....	9	1	1	48	5	1
Todd.....	Wm. M. Wood.....	20	1	1	289	2	12
Traverse.....	Chas. E. Houston.....	17	.....	3	102	2	11
Wabasha.....	Michael Marx.....	7	1	1	46	.....	1
Wadena.....	J. H. Mark.....	12	1	1	47	.....	1
Waseca.....	Frank G. Kiesler.....	17	4	.....	81	8	23
Washington.....	Reuben G. Thoreen.....	20	2	4	140	16	25
Watsonwan.....	Albert Running.....	24	2	.....	47	.....	5
Wilkin.....	E. H. Elwin.....	13	.....	1	72	5	2
Winona.....	Earl Simpson.....	42	3	1	2,034	49	52
Wright.....	Stephen A. Johnson.....	21	2	3	34	1	8
Yellow Medicine.....	H. P. Bengston.....	10	1	1	37	1	1
Total.....	.....	2,840	410	836	10,738	496	1,683



TABLE No. 2  
Prosecutions Reported by County Attorneys for Year 1917  
Showing Counties Separately

Counties	County Attorney	In District Court			In Municipal and Justice Courts		
		Total Convictions	Acquittals	Nolle Prosequi	Total Convictions	Acquittals	Dismissals
Aitkin	E. H. Krelwitz	5	1		36	4	2
Anoka	W. A. Blanchard	4	0	1	24	9	16
Becker	H. N. Jensen	1			51	1	
Beltrami	G. M. Torrance	29	1	11	25	3	2
Benton	E. W. Swenson	3	1	1	16	0	2
Big Stone	A. B. Kaercher	2			10		
Blue Earth	Jno. W. Schmitt	28	2	5			30
Brown	A. Frederickson	10	4	1	143	2	9
Carlton	J. E. Diesen	6		5	91	3	23
Carver	W. F. Odell	8			50	1	1
Cass	E. L. Rogers	4		5	24	4	4
Chippewa	A. E. Kief	4		2	15	1	4
Chisago	A. P. Stolberg	5			18		2
Clay	C. G. Dosland	2	6				138
Clearwater	W. A. McGlennon	8			2		
Cook	S. C. Murphy	1			11	1	1
Cottonwood	O. J. Finstad	4			25	1	11
Crow Wing	S. F. Alderman	19	3	12	158	9	26
Dakota	P. H. O'Keefe	10	11		250		35
Dodge	H. J. Edison	1			28		8
Douglas	Hugh E. Lach		2		18	2	8
Faribault	Henry J. Frundt	23			70	1	13
Fillmore	S. C. Patridge			1			
Freeborn	W. E. Peterson	13	1		70	4	13
Goodhue	Thomas Mohn	15		2	78		9
Grant	R. J. Stromme				9		
Hennepin	John M. Rees	382	52	125			
Houston	O. K. Dahle	5			3	1	1
Hubbard	M. J. Woolley		1		1		
Isanti	G. G. Goodwin	6		1	22	1	2
Itasca	Ralph A. Stone	4	2		88	13	2
Jackson	E. H. Nicholas	17		2	54		6
Kanabec	P. S. Olsen		2	6	4		4
Kandiyohi	Charles Johnson		1	5	60	3	3
Kittson	R. V. Blethen	1					
Koochiching	Franz Jevne	2		3		21	11
Lac qui Parle	N. F. Soderberg	1		1	18		2
Lake	J. Gilbert Jelle	5		5	36	5	6
LeSueur	L. W. Prendergast	28	3	5	26	6	
Lincoln	L. P. Johnson		2	1	2		1
Lyon	James H. Hall	21			19		21
McLeod	Wm. O. McNelly	8		8	32		6
Mahnomen	C. C. Cooper	2		1	16	1	2
Marshall	A. N. Eckstrom	15	1		41		
Martin	Albert R. Allen	8	1			5	8
Meeker	Raymond H. Dart	2		1	32		
Mille Lacs	Olin C. Myron	3		1	44	1	5
Morrison	C. Rosenmeier	27		3	114	3	12
Mower	Otto Bandler	7			30	1	8
Murray	Ole Swanjaard	9		1	27		
Nicollet	George T. Olson		1	2	22	1	3
Nobles	E. J. Jones		1	0		1	4
Norman	John M. Hetland	3	1		15	1	3
Olmsted	George J. Allen	13	3		239	5	19
Otter Tail	Anton Thompson	6	1	2	108	2	20
Pennington	H. O. Kjomme	6	6	8	18		7
Pine	W. S. Ervin	11			28	1	
Pipestone	G. S. Gurley	15		2	23	1	1
Polk	G. A. Youngquist	93	15	34			3
Pope	Julius O. Grove	3			30	5	6
Ramsey	R. D. O'Brien	210	20	19	83	1	83
Red Lake		No Report					
Redwood	A. H. Enerson	8	2	0	18		4
Renville	L. D. Darnard	12			14	1	3
Rice	Jas. P. McMahon		5		92	15	24
Rock	C. H. Christopherson	1		1	66		6
Roseau	Mike Holm	1	1			1	
St. Louis	Warren E. Greene	244	23	218	106	17	320
Scott	Geo. F. Sullivan	2		1			3
Sherburne	Geo. H. Tyler	1	1		5		3

## BIENNIAL REPORT

TABLE No. 2  
Prosecutions Reported by County Attorneys for Year 1917  
Showing Counties Separately

Counties	County Attorney	In District Court			In Municipal and Justice Courts		
		Total Convictions	Acquittals	Nolle Prosequi	Total Convictions	Acquittals	Dismissals
Sibley.....	A. L. Young.....	7			10		1
Stearns.....	Paul Ahles.....	10	2	10	156	6	12
Steele.....	F. A. Alexander.....	7		3	26	1	8
Stevens.....	Wm. H. Cherry.....				6	3	5
Swift.....	J. A. Lee.....	3			5	6	0
Todd.....	Wm. M. Wood.....	7		5			2
Traverse.....	Chas. E. Houston.....	8	1		45	3	5
Wabasha.....	Michael Marx.....	8	1	3	31		1
Wadena.....	John H. Mark.....				27	1	3
Waseca.....	F. G. Kresler.....	1	2		30	3	4
Washington.....	Reuben G. Thoreen.....	11	1	2	75	8	19
Watsonwan.....	Albert Running.....				28		1
Wilkin.....	E. H. Elwin.....	6			40		
Winona.....	Earl Simpson.....	19	4		934	65	48
Wright.....	S. A. Johnson.....		2			1	2
Yellow Medicine.....	H. P. Bengtson.....	1	1		1		1
Totals.....		1,484	190	537	4,187	256	1,081

## ATTORNEY GENERAL

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TABLE No. 2  
Prosecutions Reported by County Attorneys for Year 1918  
Showing Counties Separately

Counties	County Attorney	In District Court			In Municipal and Justice Courts		
		Total Convictions	Acquittals	Nolle Prosequi	Total Convictions	Acquittals	Dismissals
Aitkin.....	E. H. Krelwitz.....	1		1	34	3	7
Anoka.....	Will A. Blanchard.....				25	2	
Becker.....	H. N. Jensen.....	1			49		
Beltrami.....	G. M. Torrance.....	31	1	10	1		
Benton.....	E. W. Swenson.....	6			53	2	11
Big Stone.....	A. B. Kaercher.....			1	22		2
Blue Earth.....	John W. Schmitt.....				422		24
Brown.....	Ad. Frederickson.....	4		1	240		5
Carlton.....	Julius E. Diesen.....	10	2	10	117	7	7
Carver.....	W. F. Odell.....	2			23	3	
Cass.....	E. L. Rogers.....	10	1	2	8	1	1
Chippewa.....	A. E. Kief.....						3
Chisago.....	Alfred P. Stolberg.....	4	1	1	14	1	2
Clay.....	Christian G. Dosland.....				20		43
Clearwater.....	Wm. A. McGeenon.....			1			
Cook.....	S. C. Murphy.....					1	
Cottonwood.....	O. J. Finstad.....	8		2	63	4	3
Crow Wing.....	S. F. Alderman.....	8	3	14	128	21	30
Dakota.....	P. H. O'Keefe.....	1			2		7
Dodge.....	H. J. Edison.....	2		1	31		6
Douglas.....	Hugh E. Leach.....	2			43		1
Faribault.....	Henry J. Frundt.....	23		4	133	1	19
Fillmore.....	S. C. Patridge.....	1			28		
Freeborn.....	N. E. Peterson.....	10			85	4	11
Goodhue.....	Thomas Mohn.....	8	1	1	28		6
Grant.....	R. J. Stromme.....				8		
Hennepin.....	John M. Rees.....	260	45	150	79	1	48
Houston.....	O. K. Dahle.....		2				3
Hubbard.....	M. J. Wooley.....						
Isanti.....	G. G. Goodwin.....	3		1	1	2	3
Itasca.....	Ralph A. Stone.....	12	1	1	53	3	10
Jackson.....	E. H. Nicholas.....	6			35	2	3
Kanabec.....	P. S. Olson.....		1	1	3	2	
Kandiyohi.....	Charles Johnson.....				41	1	4
Kittson.....	R. V. Bethen.....	1		1	9		
Koochiching.....	Franz Jeyne.....	17		18	114	4	34
Lac qui Parle.....	N. F. Soderberg.....				34		
Lake.....	J. Gilbert Jelle.....		1		55	3	1
Le Sueur.....	L. W. Prendergast.....	1		1	15	5	5
Lincoln.....	L. P. Johnson.....				8		1
Lyon.....	James H. Hall.....	1		1	35	3	2
McLeod.....	Wm. O. McNelly.....	7		2	21		1
Mahnomen.....	C. C. Cooper.....	4			2	2	7
Marshall.....	A. N. Eckstrom.....	8			9		
Martin.....	Albert R. Allen.....	24	4		39	2	16
Meeker.....	Ray H. Dart.....				35		
Mille Lacs.....	Olin C. Myron.....	11		1	14		3
Morrison.....	C. Rosenmier.....	22		3	43	1	1
Mower.....	Otto Bandler.....	6			44	5	2
Murray.....	Ole Swangaard.....	4	1	3	2		
Nicollet.....	George T. Olson.....	2			17		6
Nobles.....	E. J. Jones.....						3
Norman.....	John M. Hetland.....				4		2
Olmsted.....	Geo. J. Allen.....	9	1		163	8	57
Otter Tail.....	Anton Thompson.....		3	3			6
Pennington.....	H. O. Kjomme.....	4		1			2
Pine.....	W. S. Ervin.....	5	1		20	2	4
Pipestone.....		No Report			No Report		
Polk.....	G. A. Youngquist.....	46	4	5	15	1	
Pope.....	Julius O. Grove.....	4			23	1	6
Ramsey.....	Richard D. O'Brien.....	183	20	20	50	7	63
Red Lake.....		No Report			No Report		
Redwood.....	Albert H. Enerson.....	11	1	4	124	2	4
Renville.....	L. D. Barnard.....	5			96	2	6
Rice.....	Jas. P. McMahon.....	3			47	3	13
Rock.....	C. H. Christopherson.....	3					8
Roseau.....	M. J. Hegland.....				10		
St. Louis.....	Warren E. Greene.....	172	23	99	61	3	114
Scott.....	Geo. F. Sullivan.....	2	1	2	10		3
Sherburne.....	Geo. H. Tyler.....				7		



## BIENNIAL REPORT

TABLE No. 2

Prosecutions Reported by County Attorneys for Year 1918  
Showing Counties Separately

Counties	County Attorney	In District Court			In Municipal and Justice Courts		
		Total Convictions	Acquittals	Nolle Prosequi	Total Convictions	Acquittals	Dismissals
Sibley.....	A. L. Young.....	8	2	6	8	1	1
Stearns.....	Paul Ahles.....	12	2	4	161	4	2
Steele.....	F. A. Alexander.....	1		5	48		2
Stevens.....	William H. Cherry...	No Report			No Report		
Swift.....	J. A. Lee.....				3	1	3
Todd.....	Wm. M. Wood.....	11	1	2	36	1	15
Traverse.....	Charles D. Houston..	1			28	1	1
Wabasha.....	Michael Marx.....	1	2	5	21		
Wadena.....	John H. Mark.....	3					
Waseca.....	F. J. Kiesler.....	7			19	3	7
Washington.....	Reuben G. Thoren..	9	1	1	5	8	13
Watsonwan.....	Albert Running.....	12	6	2	8	4	5
Wilkin.....	E. H. Elwin.....				20	1	1
Winona.....	Earl Simpson.....	16			380	21	19
Wright.....	S. A. Johnson.....	9	2	3	31	2	
Yellow Medicine.	H. P. Bengston.....				20		4
Totals.....		1,056	134	400	3,703	164	702



## CAMPAIGN ADVERTISEMENTS FOR ATTORNEY GENERAL IN 1928

During this campaign, Youngquist did not run individual advertisements, relying instead on being listed on the party's ticket for statewide office.

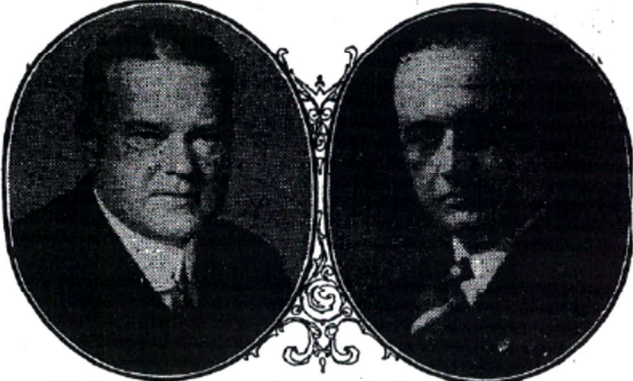
FRIDAY, NOV. 2, 1928.

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Paid Advertisement—Prepared and issued by the Republican State Volunteer Committee, C. L. Conley, 666 Lincoln Avenue, in behalf of the below mentioned candidates, for which advertising rates will be paid.

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# VOTE Straight Republican



## Hoover      Nelson

*President      U.S. Senator*

**On Oct. 15 Mr. Hoover Said:**

"It is impossible to contemplate a successful Republican Administration, unless our States will support not only the National ticket, but also their State and Congressional tickets. The Government of the United States does not lie in the hands of the President. It lies in the hands jointly of the President and Congress, and unless we may have the same party in control of both branches of government, we can have no successful government; and therefore, if you are to give me your support: I do implore you that you shall give it to the Republican candidate for Senator."

### The State Ticket

GOVERNOR	- -	THEODORE CHRISTIANSON
LIEUT. GOV.	- - - -	W. I. NOLAN
SEC'Y OF STATE	- - - -	MIKE HOLM
STATE TREAS.	- - -	JULIUS SCHMAHL
ATTY. GENERAL	- -	G. A. YOUNGQUIST
R. R. WHSE COM.	-	CHRISTIAN J. LAURISCH
ASSOCIATE JUSTICE	-	CLIFFORD L. HILTON

(without party designation, endorsed by Republican candidates.)

### Election Next Tues., Nov. 6th

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Wheaton Gazette, November 2, 1928, at 2.

**PAID ADVERTISEMENT**—Prepared and inserted by Hennepin County Republican Committee, F. A. Dickey, Chairman, for which \$49.00 has been paid.

# Take This to the Polls

## STRAIGHT REPUBLICAN TICKET

### November 6, 1928

Presidential Electors .....	HOOVER-CURTIS	X
U. S. Senator .....	ARTHUR E. NELSON	X
Governor .....	THEODORE CHRISTIANSON	X
Lieutenant Governor .....	W. I. NOLAN	X
Secretary of State .....	MIKE HOLM	X
State Treasurer .....	JULIUS A. SCHMAHL	X
Attorney General .....	G. A. YOUNGQUIST	X
RAILROAD AND WAREHOUSE COMMISSIONER ..	CHRISTIAN J. LAURISCH	X
Congress—5th District .....	WALTER H. NEWTON	X
Congress—10th District ..	GODFREY G. GOODWIN	X

The above is the regular Republican Ticket and voters are urged to vote for each and every Republican candidate listed above.

HENNEPIN COUNTY REPUBLICAN COMMITTEE,  
F. A. DICKEY, Chairman

Minneapolis Journal,  
Sunday, November 4, 1928, at 6

# RESULTS OF ELECTIONS IN 1928

## PRIMARY ELECTION (June 16, 1928)

### Republican

John C. Larson.....	90,404
G. Aaron Youngquist (inc.).....	146,781

## GENERAL ELECTION (November 6, 1928)

G. Aaron Youngquist (inc. & Republican).....	524,151
C. F. Gaarenstrom (Farmer-Labor).....	192,472
George Cahill (Democrat).....	205,681

Source: 1929 Blue Book, at 190-91 & abstract.

# Obituaries

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Crookston Daily Times, October 30, 1959:

## Youngquist, Al Capone Foe Dies

Minneapolis—(AP)—G. Aaron Youngquist, a former Minnesota Attorney General, who helped put Al Capone behind bars, is dead at 73.

Youngquist died Thursday in a hospital here. His death ended one of the states most distinguished legal careers.

Youngquist was an assistant U.S. attorney general when he led the investigation that resulted in Copone's prosecution for income tax fraud after the gangster had built a criminal empire.

In addition to his service in the many in the Minnesota and U.S. attorney general office, Youngquist was a member of a U.S. Supreme Court-appointed advisory committee on rules of criminal procedure

He also was chairman of the Minnesota Supreme Court advisory committee on court rules.

Youngquist was two when he came to this country from Skaraborgs, Sweden, with his parents and 1887. He was graduated from the St. Paul College of Law and moved to Crookston in 1910 to take up law practice

In 1914 he became Polk County attorney and in 1921 assistant attorney general. Youngquist was given the rank of captain of the Minnesota National Guard in 1918 and later received the same rank in the regular Army.

State Attorney General from 1927 to 1929, he was an assistant U.S. attorney general in 1929 and served until 1933. He argued some 70 cases before the U.S. Supreme Court.

Youngquist returned to the Twin Cities after his federal service and became partner of a Minneapolis law firm.

He is survived by his widow, two sons and two daughters. Funeral arrangements are incomplete.

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Minneapolis Morning Tribune, October 30, 1959:

## Youngquist, Former State Official, Dies

G. Aaron Youngquist former Minnesota Attorney General and assistant United States attorney general, died Thursday at Abbott Hospital. He was 73.

The Minnesota attorney, a native of Sweden, argued some 70 cases before United States supreme court.

As assistant attorney general in charge of the tax division, he directed the investigation which led to the prosecution of Al Capone, Chicago gangster, for income tax fraud.

In 1952 Mr. Youngquist named a commander in the Royal order of Vasa, one of the highest honors accorded by the Swedish government.

Senior partner of the Minneapolis firm of Youngquist,, Comaford, Danforth, Fassett and Clarkson, Mr. Youngquist was chairman of the Minnesota supreme court advisory committee on court rules.

He was a member of the advisory committee on rules of criminal procedure appointed by the United States supreme court. He was a contributor to the American Bar Association Journal and the National Tax Magazine.

Mr. Youngquist is born Nov. 4, 1885, in Skaraborgs, Sweden. His parents, Andrew and Margareta Youngquist, brought him to the United States in 1887.

In 1909 he received in L.L.B. degree cum laude from the St. Paul College of Law and the same year was admitted to the state bar.

Mr. Youngquist practiced law at Crockston, Minn., from 1910 to 1921. In 1918 he was named captain in the Minnesota National Guard and later that year accepted the same rank in the regular army.

Mr. Youngquist, a Republican, was county attorney of Polk county from 1914 to 1918, assistant attorney general of Minnesota from 1921 to 1927 and attorney general from 1928 to 1929.

From 1924 to 1929 he was a member of the faculty of the St. Paul College of Law.

Shortly after the Hoover administration took office in 1929, Mr. Youngquist was named assistant United States attorney general. He served until 1933.

Mr. Youngquist lived at 1700 S. Dupont Av., was a member of the Board of Directors of the Minnesota Valley Natural Gas Co., George A Clark and Sons, Inc., First Federal Savings and Loan association and Hennepin County chapter of the Red Cross.

He was a member of the board of trustees of the Minneapolis Society of Fine Arts, a member of the governing committee of the Minneapolis club and moderator the Plymouth Congregational church.

He was past commander of the Lufberry post of the American Legion.

He was a member of Woodhill country club, Skylight club, American Swedish institute, St. Paul–Minneapolis Committee on Foreign Affairs and Economic Roundtable.

Mr. Youngquist was a member of the Hennepin county bar association and American bar association as well as the Minnesota Bar association. He was a member of the American Law Institute.

He also held memberships in American–Scandinavian foundation and the Minnesota Historical Society.

He married Scharlie M. Robertson June 29, 1915.

Survivors include his wife, two sons, Robert, Kensington Md., and John, Menominee Mich., and two daughters, Mrs. John Goetz and Mrs. Dale Wickman, both of Minneapolis.

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Minneapolis Star, October 30, 1959:

### G. Aaron Youngquist, Attorney, Dies at 73

Memorial services for G. Aaron Youngquist, former Minnesota attorney general, who died Thursday at Abbott Hospital will be 4 p.m. Sunday at Plymouth Congregational church.

Mr. Youngquist, 73, at a long legal career in Minnesota following his graduation from the St. Paul College of Law in 1909. He practiced at Crookston from 1910 through 1921, serving as Polk county attorney from 1914 to 1918, when he entered the army as a captain.

He became assistant Minnesota attorney general in 1921, serving until his election as attorney general in 1927. After one term in that office he was appointed United States attorney general, serving until 1933.

It was during that period that he achieved national attention for directing an investigation that led to the prosecution of Chicago gangster Al Capone for income tax fraud.

He was a native of Skaraborgs, Sweden, coming to the United States with his parents in 1887. In 1952 he was named a commander in the Royal Order of Vasa, one of the Swedish government's highest honors.

After leaving the federal attorney general's office he became senior partner of the law firm Youngquist, Comaford, Danforth, Fassett and Clarkson. He was a veteran of some 70 appearances before United States

supreme court and was a member of its advisory committee on rules of criminal procedure.

Mr. Youngquist who lived at 1700 S. Dupont Av., was the director of the Minnesota Valley Natural Gas Co., George A. Clark and Sons Inc., First Federal Savings and Loan Association and the Hennepin chapter of the Red Cross.

He held a variety of cultural and civic organization memberships and was a trustee the Minnesota Society of Fine Arts and a member of the Minneapolis club governing committee. He was a moderator of the Plymouth Congregation church.

He is survived by his wife, two sons, Robert, Kensington, Md., John, Menominee, Mich., and two daughters, Mrs. John Goetz and Mrs. Dale Wikman, both of Minneapolis.

The family prefers memorials to the Society of Fine Arts, the William Mitchell College of Law or the church. ■

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## G. A. YOUNGQUIST, EX-U. S. AIDE, DIES

Assistant Attorney General  
From 1929 to 1933—  
Helped Convict Capone

MINNEAPOLIS, Oct. 30 (AP)—G. Aaron Youngquist, a former United States Assistant Attorney General who helped to put Al Capone behind bars, died yesterday in a hospital. He was 73 years old.

As Assistant Attorney General he led the investigation that resulted in Capone's prosecution for income tax fraud.

### Enforced Prohibition

Mr. Youngquist directed the battle for enforcement of prohibition during nearly all the last four years of the dry era. He was Assistant Attorney General for prohibition and tax law enforcement from November, 1929, to February, 1933. During that time Federal authorities dealt out an average of more than 25,000 jail sentences a year for prohibition violations.

Gustaf Aaron Youngquist was born in Skaraborgs, Lan, Sweden, Nov. 4, 1885. He was brought to the United States by his parents at the age of 2.

After graduation from the St. Paul College of Law, he was admitted to the Minnesota bar in 1909. He was county attorney of Polk County, Minn., from 1914 to 1918 and then became a captain in the Army.

Mr. Youngquist was assistant Attorney General of Minnesota from 1921 to 1927 and Attorney General for the next two years, until he went to Washington. He also taught at St. Paul College of Law from 1924 to 1929.

In November, 1929, Mr. Youngquist took on the task of directing prohibition enforcement. At the end of his first year as Assistant Attorney General in charge of prohibition and tax enforcement, he reported jail sentences had been imposed in 27,709 cases, as against 22,602 the previous year, and that the number of premises padlocked had gone up 47 per cent. from 5,303 to 8,801.



Associated Press

G. Aaron Youngquist when  
he was prosecutor in 1929.

### Went Before High Court

Among the cases he pleaded personally before the United States Supreme Court was the Government's successful defense against an action brought by Capone to have his sentence for income tax fraud quashed on the ground that the indictment violated the statute of limitations.

Mr. Youngquist announced his resignation in February, 1933, to return to private law practice. He was a member of the firm of Youngquist, Furber, Comaford, Danforth & Clarkson in Minneapolis.

He was a member of the advisory committee on rules of criminal procedure, appointed by the United States Supreme Court, and a trustee of the Minneapolis Society of Fine Arts. He was decorated by the Swedish Government with the Order of Vasa.

Mr. Youngquist leaves his wife, Scharlie; two sons, Robertson and John, and two daughters, Mrs. Dales R. Wikman and Mrs. John R. Goetz.

## Acknowledgments and Credits

The source of each photography is cited below the image except that of Senator Schall on page 71. It is from *Men of Minnesota* 39 (1915).

The photocopies of campaign advertisements and obituaries are from the newspaper collection of the Minnesota Historical Society. The Historical Society has carefully preserved the *Autobiography* and other papers of G. Aaron Youngquist. Excerpts from the *Autobiography* were published in 52 *Minnesota History* 195-197 (Spring 1991).

Thanks to Thomson-Reuters/ West Publishing Company for permission to post the copyrighted excerpts from Westlaw citations to General Youngquist's U. S. Supreme Court appearances.

The Appendix was added by the Minnesota Legal History Project.

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Posted MLHP: April 29, 2018.