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Report of Memorials

North Dakota State Bar Association

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REPORT OF MEMORIALS

HONORABLE EDWARD S. ALLEN

Edward Stanley Allen was born in Branchville, N. J., July 16, 1859, the third son of Dr. John Linn and Charlotte Bell Allen. He received his early education in Sussex County and graduated from Newark High School in 1879. He then studied law under the supervision of his elder brother, William Linn Allen, at Newark and in November, 1882, was admitted to the Bar.

Judge Allen practiced for three years in Newark and in 1885 came to Bismarck, where he immediately won recognition as an outstanding jurist. He practiced in Bismarck continuously until 1905, when he returned to Newark and practiced law there until April, 1917, returning to Bismarck at that time.

On July 16, 1884, Judge Allen and Miss Alice Hulsluzer of Mauch Chunk, Pennsylvania, were married at Branchville, N. J. Two children were born to this union — Frances Bell, who died in her twentieth year, and William Linn Allen, a veteran of the World War, having served with the United States aviation corps in France, and who is now living in Denver.

In 1910, at Newark, Judge Allen was united in marriage with Mrs. Helen Cook Kitchell, who died in 1912. To this union a daughter, Charlotte Bell, now in Denver, was born.

Judge Allen took a prominent part in public life. He was the first clerk of the District Court of Burleigh County in the new state. For a number of years he was deputy clerk of the United States District Court. From 1898 to 1901 he was United States Commissioner. During the same period he was also assistant United States attorney for North Dakota, attorney for the City of Bismarck, and state's attorney of Burleigh County. Later he served six terms as state's attorney. For two terms he was a member of the city council and he served one term as mayor. He was police magistrate from 1929 to the time of his death. During the World War Judge Allen assisted in the work of the selective draft board.

Probably the most spectacular event in his professional career was his defense of the famous Marquis de Mores of Medora who was charged with murder in the hectic days of the Badlands. His close association with this colorful character was a rich mine of anecdotes based on the events of the early 80's.

Judge Allen had been a member of the New Jersey Bar Association, the North Dakota Bar Association, the Minnesota Bar Association, and the American Bar Association.

He was a lifelong member of the Presbyterian Church, was a Mason, a life member of the Elks lodge, and a member of the Knights of Pythias.

In March, 1938, Judge Allen became ill and was taken to the hospital, where he remained until October 21, 1938, when he died of pneumonia and uremia.

WILLIAM MARTIN ANDERSON

William Martin Anderson died April, 22, 1939, of heart attack. Although he had suffered from this affliction for some time, his condition was not considered very serious and the day before his death he was at his office as usual.

Mr. Anderson was born in Winneshiek County, Iowa, on May 25, 1869. His early schooling was obtained in that state and he attended the law school of the University of Minnesota, graduating therefrom in 1894. He was admitted to the Bar in Iowa the same year and began the practice of law at Ossian. He came to North Dakota in 1898 and was admitted to the Bar here in 1899.

Mr. Anderson was state's attorney of Ramsey County for eight years, and during his entire career, both as an official and as a practicing lawyer, he maintained a high standard of ethics and conduct. He was a member of the District and the State Bar Associations and active in the work of the A. O. U. W. lodge.

In 1899 Mr. Anderson and Miss Mary Cahill were married, and to the union was born one child, now Mrs. Chas. E. Blodgett of Walnut Creek, California. Mrs. Anderson died in 1919, and on December 14, 1926, Mr. Anderson married Aldah Buchanan Manlet, who is living in Devils Lake at the present time.

Besides his widow and his daughter Mr. Anderson is survived by three grandchildren, four brothers, and a sister, all of whom, with the exception of the widow, are nonresidents of the state. All who knew Mr. Anderson—and his range of acquaintance was very wide—admired him for his friendly, genial qualities, and the people of the City of Devils Lake and the County of Ramsey recognized they had lost a good citizen and a strong man when William Martin Anderson was taken.

H. A. HANSON

H. A. Hanson of Bowbells died on June 29, 1939. He was taken seriously ill on the evening of the 27th of June and underwent a serious operation, but his condition was such that he could not survive. In his death Burke County lost a man who for twelve years had been state's attorney and who had been a strong, helpful influence in the city and the county.

Mr. Hanson was born October 8, 1882, in the City of New York. His parents had come to America from Norway about six months prior thereto. When he was about six months old they moved to Fergus Falls, Minnesota, where Mr. Hanson grew to manhood. He graduated from the high school of Fergus Falls, and during his work there was active in debate, oratory and athletics, receiving the Minneapolis Journal first honor gold medal as being the outstanding debater and orator.

Upon graduation he entered the University of Minnesota and graduating from the law school in 1906, after a few months'

office practice in Minnesota he came to this state, was admitted to the Bar of this state in 1908 on examination, and began his practice of law at Rolla. While there he was married to Elizabeth Pushor of Marion, North Dakota. In April, 1909, he moved to Anamoose where he remained until 1910, at which time he came to Powers Lake in Burke County. There he opened an office for the practice of law and remained until he removed to Bowbells, the county seat, having been elected state's attorney in the fall of 1912. He maintained his home in Bowbells from that time to the day of his death.

Mr. Hanson was one of a family of six boys and two girls, but none of his brothers or sisters live in this state. His immediate family consists of his wife, three sons, and one daughter. His son, Gordon H., attended Jamestown College in North Dakota and was afterwards admitted to the Bar of North Dakota in 1932 and became state's attorney for the term of 1935-36. He is now a resident of Longview, Washington, where his brother, Rodney, lives. Another son, Norman, and a daughter, Marjorie, live at home in Bowbells.

Mr. Hanson was buried from the Methodist Church of Bowbells on July 2, 1939. He was a splendid, high-minded gentleman and exerted a fine influence throughout Burke County and wherever he was known. In the account of his death the local paper stated:

"Attorney H. A. Hanson was one of God's own noblemen. He was something more than a highly respected citizen of Bowbells and Burke County. To have known him, as this writer did, was to have loved him. A man of high ideals, loyal and devoted to his God, country and family, he endeared himself to everyone fortunate to gain his acquaintance."

Neighbors generally known an individual as he is.

CHARLES O. HECKLE

Charles Orville Heckle, a well-known lawyer in the southeastern part of the state, died in Lisbon on the 1st of March, 1939. He was born at Burr Oak, Iowa, November 8, 1865, and received his education there, completing the high school course.

He came to the Territory of Dakota in July of 1886, locating near Fort Ransom. Here and in the surrounding territory he taught school for the period of seven years and served four years as deputy county treasurer of the county.

In 1898 Mr. Heckle entered Highland Park College in Des Moines for the study of law and graduated with the class of 1901. March 25, 1902, he was admitted to the Bar of this state and established his practice at Lisbon, North Dakota, where he remained to the day of his death.

Mr. Heckle was a member of the Masonic Order, the I. O. O. F., and the Knights of Pythias and was active in each

body. He represented his legislative district in the state senate during the legislative sessions of 1913, 1915, and 1917, and was noted for his active work against the liquor traffic. In his home community he was regarded as a sound lawyer and had a host of friends. His activities were versatile for in addition to being a lawyer, a teacher, and a legislator, he engaged in real estate activities, was a banker, conducted large farming interests, and at one time had been a pharmacist.

Mr. Heckle is survived by a sister, Mrs. W. H. Lamb of Wenatchee, Washington, and a brother, William H. Heckle, of Venice, California.

The funeral services were in charge of the Masonic Lodge of Lisbon and at that time the people of that community paid their respects to a man whom they had honored and whom they respected.

FRED M. HECTOR

Fred M. Hector, president of the Fargo National Bank, died in Fargo on June 25, 1939. He was a native son, being born in Fargo, November 23, 1885. He attended the Fargo High School for two years and then graduated from Phillips Exeter Academy in New Hampshire, from Harvard University, and from Harvard Law School.

While Mr. Hector was admitted to the Bar of this state and continued his license to practice, his principal interests were financial. Upon his graduation from college he became associated with his father in the management of the Fargo National Bank and for years was cashier and vice president of that institution. On the death of his father in 1938 he became president of the institution.

His interests were many and varied. He was a loyal supporter of the State Agricultural College, was intensely interested in young men seeking higher education, and devoted a great deal of time to the Campfire Girl movement. For two terms he was a member of the board of education of the City of Fargo and served as a member of the public library board.

Mr. Hector was a member of the Episcopal Church and of the various Masonic bodies. In 1914 Mr. Hector was married to Miss Margaret Sewall of Bath, Me. Five children were born to this union and the widow and children survive.

In the death of Mr. Hector the City of Fargo and the state have lost a man who had abiding faith in the future of this state. As the Fargo Forum said, "He took great pride in its civic and industrial development and worked in many ways to forward the community welfare."

He died in the prime of life, leaving an honored name and a reputation for industry and integrity.

HON. JOHN L. JOHNSTON

John L. Johnston of Fessenden, North Dakota, died May 9, 1939, after an illness of a few hours. That afternoon he had been inspecting his farm near Hurdsfield and became ill late that afternoon, dying in the evening.

Mr. Johnston was born on a farm near Amery, Wisconsin, on July 22, 1883. When but a year or two old he was stricken with infantile paralysis which left him a cripple for the remainder of his life. His early education was obtained in Wisconsin and he graduated from the high school of New Richmond of that state. About 1903 he entered the University of Minnesota, graduating therefrom in 1907.

He began to practice law at Hopkins, Minnesota, and in 1914 came to Harvey in this state where he was associated with Senator Henry J. Bessessen and later with Mr. J. O. Hanchett. In 1922 he was elected Judge of the County Court with increased jurisdiction and held that position until the day of his death.

In 1917 Judge Johnston and Ida May Marschall of Ackley, Iowa, were married, and the young couple began their home life at Harvey. One child, a boy, was born in 1920 but died in infancy. Judge Johnston is survived by his widow and four sisters and one brother, who are nonresidents of this state.

Judge Johnston was a member of the Masonic order and was affiliated with the Christian Science Church. He was a man of strong convictions of right and wrong, good judgment, and of high character. For years he was a member of the Judicial Council of this state and rendered valuable service to the state through that body.

The funeral services were held in the Fessenden auditorium under the auspices of the Masonic order, and interment took place at Ackley, Iowa.

FRANK B. LAMBERT

Frank B. Lambert of Minot died in that city on June 13, 1939. Had he lived until July 23, he would have been sixty-six years of age.

Mr. Lambert was born on a farm near Villard, Minnesota, and remained there until 1894, at which time he removed to South Dakota, and worked on a farm there for some time — that fall moving to Wahpeton, where he obtained work in the law office of McCumber & Bogart, an established firm of that city, the senior member of which for twenty-four years was United States Senator from this state. The work in the office so attracted him that he determined to study law, and in 1896 was admitted to the Bar. He remained as a practicing lawyer in Wahpeton until 1905, when he came to Minot where he resided and maintained his office until his death.

While a resident of Wahpeton Mr. Lambert and Miss Patterson of that city were married in February, 1896. To this union six children were born, only two of whom are residents of this state—the sons, Daniel and Blaine, both of Minot.

In early life Mr. Lambert united with the Methodist Episcopal Church and from that time on was an ardent and helpful member of that church.

In civic life he served one term in the legislature, in 1913, and served as the first president of the Minot Park Board. For some time he was president of the Minot Association of Commerce, and for several years he was a member of the Park Board of that city and was known as the father of the city park system. He devoted time and labor to the development of this park system and has left it as a monument of his civic efforts.

Ever since January, 1937, at which time he suffered a slight stroke, Mr. Lambert was in poor health. In the fore part of June he became seriously ill and was taken to the hospital on June 6, where he died about a week afterwards. Funeral services were conducted from the Methodist Episcopal Church in Minot under the auspices of the pastor and the district superintendent, and burial took place in Rosehill Cemetery.

Mr. Lambert was a lawyer highly respected by all those with whom he came in contact, and we can do no better in commenting thereon than by setting forth the resolutions adopted by those who knew him best, his associates in the profession to which he devoted his life.

“READY FOR TRIAL”

“It is fitting that these paragraphs should carry the foregoing head-line. For over a third of a century F. B. Lambert appeared at the various calls of the calendar of the cases in the courts of Ward County and answered in amazing regularity as to those in which he appeared for a litigant with those words. Now on the 13th day of June, 1939, he has attended the last call and before the Bar of Heaven he has answered the Omnipotent Judge in the case of Humanity v. Lambert, and his answer was as ever: ‘Ready for trial.’ He was prepared. Available to him as witnesses are every lawyer, living and dead, who have in the past thirty-five years practiced the profession at his side, and their testimony bears out the defendant’s answer, and epitomized for brevity and clarity, this evidence shows:

“1. He was faithful to his trust and the ideals of his calling.

“2. He was willing to labor industriously on the cases given to his care.

“3. His presentation of cases was based upon the conception that it was his duty to show courts and juries his clients’ rights in the best possible light consistent with honesty of statement and entirely free from trickery or chicanery.

"4. He shouldered cheerfully the civic duties that fall upon a lawyer's shoulders and without expectation of financial return. As monuments to the performance of such duties efficiently, his witnesses point with pride to the park system of Minot, of which he was called the Father. They point to a term in the legislature from this district and to many other services including the active support of the church of which he was a faithful adherent.

"5. He was fair, just and courteous in the treatment of his colleagues, and his verbal stipulations were kept in letter and spirit. He was an honor to the profession.

"6. He was a good, kind and loving husband and father, and to his widow, his children and his children's children his name is blessed.

"On these facts the defense rests and we, his colleagues in the Ward County Bar Association, offer the Findings and Judgment of the Court:

"IT IS ORDERED AND ADJUDGED: That F. B. Lambert was worthy; that he was faithful; that he is entitled to a place of honor and esteem high in the realm reserved for those thus vouched for.

"Be it resolved that these paragraphs be spread upon the minutes of the association and a copy be sent to Mrs. Lambert and the State Bar Association, and be published in the Minot Daily News and the Ward County Independent."

Respectfully submitted,

MEMORIAL COMMITTEE,
B. H. BRADFORD, Chairman,
E. B. MCCUTCHEON,
H. L. HALVORSON.

JEFFERSON M. MYERS

In the death of Jefferson M. Myers of Grafton the Bar has lost one of the few territorial practitioners who were members of this association last year. His career is one typically American and shows what can be done by industry, integrity, and good judgment to surmount youthful handicaps and hardships.

Mr. Myers was born in Shelby, Ohio, April 6, 1854. His boyhood days were spent in Mansfield, Ohio, where he attended public school, and as a youth he was associated with a law firm in that city, where he studied law. For two years (1871-73) he was a student at Cornell University, but the financial panic of that time destroyed the possibility of further study there. Mr. Myers returned to Mansfield, Ohio, and on October 18, 1876, Miss Mary Alice Foulke of that city and Mr. Myers were married. During all the sixty-two years of married life Mrs. Myers, who survives him, was a help and inspiration to him.

Immediately upon his marriage Mr. Myers opened a law office in Mansfield, Ohio, and remained in practice there until 1883,

when he determined to try his fortunes in the Territory of Dakota, locating first at Bartlett in Ramsey County. He remained in Bartlett but a few months and then moved to Lakota where he opened a law office. In the meantime he became superintendent of schools for that county, and in 1885 he sent to Ohio for his family. He remained in Lakota until about 1888, when he moved to Park River, forming a law partnership with H. A. Libby, then state's attorney of Walsh County and one of the veteran territorial practitioners still with us.

Mr. Myers remained in Park River for some time and in 1892 he removed to Grafton to take charge of the business of the law firm there. In 1893 the partnership was dissolved and Mr. Myers formed a partnership with Mr. E. N. Swiggum, which partnership existed for several years, and upon dissolution the partnership of Gray & Myers was formed, which partnership remained in existence until 1936, when Mr. Myers retired from active practice owing to the state of his health.

Mr. Myers was not of a robust constitution. In 1936 he developed a severe attack of pneumonia and upon recovery he ventured to the street for a short walk and fell, breaking a hip, an accident from which he never fully recovered. For that last year or two of his life he was confined to a wheel chair and remained an invalid until the day of his death August 5, 1938. The funeral services were conducted from his home and he was buried in the Masonic Cemetery of Grafton, the members of the profession of Walsh County being among the active and honorary pallbearers.

Mr. Myers is survived by one son, Joel Myers, a practicing lawyer in Grafton, two daughters—one a resident of Marseilles, Illinois, and the other of Detroit, Michigan—one sister in Oberlin, Ohio, five grandchildren, and one great grandchild. His wife died a week or so after Mr. Myers.

Thus passed to the other world a thoughtful, kindly, industrious, ethical lawyer who left his impress upon every community in which he lived and throughout his entire active life was a help and inspiration to all who knew him.

J. B. WINEMAN

J. B. Wineman, a practicing lawyer in Grand Forks for almost fifty years, died in that city on March 16, 1939. At the time of his death he was assistant state's attorney of the county, president of the Grand Forks County Bar Association, and president of the Grand Forks County Historical Society. His public service reached back into territorial days, and during all of his career in Grand Forks he was a powerful factor in civic life.

Mr. Wineman was born in Chicago, August 9, 1859, and remained in that city until 1878, when he removed to St. Paul. His education was obtained in Chicago. He was a resident of that city at the time of the great fire and could relate many interesting episodes of that disaster. During his career in St. Paul he

was engaged in commercial enterprises and traveled from St. Paul for four years until coming to the city of Grand Forks in 1882. Although then only about twenty-three years of age he opened a mercantile establishment and became prominent in "the younger social set," being one of the founders of the Ancient Order of Bachelors. He was a member of the volunteer fire team at the time, and from this incident dates his great interest in the North Dakota Firemen's Association, of which he was one of the original incorporators and later president.

Mr. Wineman remained in the mercantile business until 1888, at which time he became deputy clerk of the District Court, and in 1891 was admitted to the Bar. He served as an alderman of the city for four years, beginning with the year 1897, and was then elected state's attorney of Grand Forks County, a position which he held at that time for about eight years. In 1910 he was appointed city attorney of Grand Forks and served in that position for six years. In 1922 he was again elected state's attorney, holding that office for three consecutive terms.

Mr. Wineman was a member of the state legislature from Grand Forks County in 1893 and in 1895 and served the city and county in quasi official positions, such as chairman of the Grand Forks County Chapter of the American Red Cross from the time of the World War until 1935.

In fraternal societies his interest was great. He was Past Grand Chancellor of the Knights of Pythias for North Dakota, held numerous positions in the Masonic order, and was a member of Kem Temple of the Mystic Shrine.

Mr. Wineman was a member of the Episcopal Church, and the funeral services, under the auspices of the Masonic Lodge, were conducted by the pastor of his church.

Mr. Wineman had been ailing for some time and had gone to St. Paul for treatment, being a patient in the Miller Hospital for a day or two before his death. The funeral services were held on March 19 and the body was laid away in the Memorial Park Cemetery. Thus passed from public life one of the connecting links with the territorial days.

Mr. Wineman was married September 15, 1887, to Miss Florence E. Walsh, daughter of the well-known George H. Walsh, one of the prominent pioneer settlers of the Red River Valley. Mrs. Wineman died in 1936. His family consisted of one son, Major Ansel Wineman of the United States Army, who died in Honolulu, May 12, 1930. Thus, no member of his immediate family survives. One brother, living in Los Angeles, with four nieces and his daughter-in-law survive, living in this state.

The Grand Forks County Bar Association, at a stated meeting, adopted resolutions of respect, an excerpt therefrom being incorporated in our report. After a biographical sketch, the Bar Association states:

"During the 57 years of his life in this community he was always active and prominent in the business, legal and civic

affairs of the county and state. He belonged to many fraternal orders and had held high positions in each. During the World War and for some years thereafter he gave freely of his time and talents to the work of the Red Cross and rehabilitation of the ex-service men. He, at his own expense and time, has gathered and compiled a great deal of data relative to pioneers and the early settlement of Grand Forks County, and was at the time of his death president of the Grand Forks County Historical Society.

"His was a full, complete and active life, and his passing is felt not only by his relatives but by a host of friends and acquaintances. He was a respected citizen, tenacious and determined in his endeavors, but considerate of the rights and opinions of others. Ever loyal to his friends and firm in his belief in the fundamentals of our Government.

"Now, therefore, be it resolved that this biography and expression of sentiment be made a part of the permanent records of this association, and of the District Court of Grand Forks County, North Dakota, and that true copies thereof be forwarded by the secretary of this organization to his relatives."

In the memories of the members of this association will long linger the recollections of this kindly, friendly, public-spirited citizen.

JOSEPH J. YOUNGBLOOD

Joseph John Youngblood, a pioneer Fessenden attorney, died in a Bismarck hospital October 13, 1938. He had been brought to the hospital on the 22nd of September because of his serious physical condition. An operation was his only hope, but owing to his weakened condition he did not survive.

Mr. Youngblood was born in Dubuque, Iowa, January 15, 1865, of German parentage. His early education was obtained in Iowa in the public schools and Epworth Seminary. He lived in Iowa until 1888 or 1889, when he came to Fargo, North Dakota. During this formative period he taught school in Iowa and Minnesota.

In 1892 he was admitted to the Bar after studying some years in the office of Mr. Taylor Crum, and the following year he opened his office at Fessenden, at the time the railroad reached that territory, and he remained here during all of his state career.

Mr. Youngblood was active in civic life. In 1894 and in 1896 he was elected state's attorney of Wells County. In 1900 he was elected state railroad commissioner and served one term. In 1924, and again in 1926, he was elected state's attorney of Wells County. In 1909 Mr. Youngblood took an extended vacation and toured extensively in Europe, visiting the home of his parents

and other relatives in Germany as well as making a fair study of other countries. His keen mind and talent for observation made this an enjoyable trip for him.

During his practice of law in Fessenden Mr. Youngblood was associated with some of the best known lawyers of the state. Judge Fred Jansonius entered the law office of Mr. Youngblood immediately after his graduation from the law school of the University in 1904 and remained with him until he established his own private practice in Bowdon. Judge P. M. Paulsen, county judge of Cass County, was associated with Mr. Youngblood for some time, and Judge F. F. Whipple, the present county judge of Wells County, was a member of the law firm for several years.

Mr. Youngblood was identified with the development of Wells County. He took up a United States homestead three miles west of Fessenden when he came to North Dakota for the first time, and during all of his career he was engaged in business and farming enterprises, as well as devoting himself to the practice of law.

He was a devout member of the Roman Catholic Church, and the services were held therein on October 17, the body being laid to rest in Hillside Cemetery.

In 1898 Mr. Youngblood married Miss Margaret McGuann and their married life extended over a period of thirty years. One son, Edward A. Youngblood, depot agent at Emerick, one daughter, Corine, (Mrs. Kenneth Clark of Fessenden), and six grandchildren survive.

A brief statement of Mr. Youngblood's career is sufficient to show the estimation in which he was held by those who were most intimately acquainted with him. His integrity was never questioned, his ability was recognized, and his kindly disposition was admired.

In addition, we give short sketches of several who were prominent in this state at one time but who removed to other states and who died there. Because of the services which they rendered while here, we deem it fitting to call attention to their record. Among these are Richard Bennett, George P. Gibson, Richard Goer, Edward P. Kelly, Robert Muir, Asa T. Patterson, and Harry Turner.

RICHARD BENNETT

We offer no apology for giving a sketch of the life of Richard Bennett, a pioneer North Dakota attorney, because of the services which he rendered in our Constitutional convention.

Richard Bennett was born in Renfrew, Ontario, on December 4, 1851, and died in Great Falls, Montana, on December 7, 1936. Mr. Bennett came to Grand Forks, Dakota Territory, in 1878, and began the study of law in the office of George H. Walsh, one of the colorful figures in territorial days. He was a member of

the city council from 1882 to 1888, and in 1886 and 1888 he was elected judge of probate. This office he held until the fall of 1890, and by the terms of the State Constitution the name of the office was changed to that of county judge.

In 1889 Mr. Bennett, with William Budge and Alexander Griggs as colleagues, was elected a member of the Constitutional convention from the 20th District, which comprised a portion of Grand Forks County. In this convention he served as a member of the committees on judicial department, public institutions and buildings, and municipal corporations, of which latter committee he was chairman.

In 1891 Mr. Bennett removed to Montana and in 1903 to Great Falls, Montana, where he practiced law until his retirement in 1928. Here he remained until the time of his death, leaving his widow and a son and a daughter as survivors.

It is interesting to note the committees of the Constitutional convention to which he was assigned. Naturally, as a lawyer, he was assigned to the committee on judicial department; as a resident of Grand Forks, the home of the University, to the committee on public institutions and buildings; and because of his active service on the city council of Grand Forks he was made chairman of the committee on municipal corporations.

Of the fathers of the Constitution, but three survive—Horace M. Clark of New Rockford in this state (almost 89 years of age); former Governor F. B. Fancher of Los Angeles, California, (past 87 years of age); and Edgar W. Camp, now living in Los Angeles, (past 79 years of age).

Few, if any, of the Bar here present knew Mr. Bennett personally, but his record is stamped upon the history of this state.

GEORGE P. GIBSON

The following account of Mr. Gibson has been furnished us through the courtesy of Mr. Hugh McCulloch of Washburn, an intimate acquaintance of the deceased.

George P. Gibson was born in New London, Minnesota, on March 30th, 1874, a son of James and Evaline "Libby" Gibson. His father was a physician and surgeon by profession, and for more than 30 years engaged in his practice at Atwater, Minnesota.

George P. Gibson was graduated from the law school of the University of Minnesota in 1895, and at once located at Langdon, North Dakota. In October of that year he took the State Bar examination and after his admittance to practice, opened an office of his own at Langdon. After two years he went to Milton, North Dakota, where he practiced for a similar length of time where he was active in politics. In 1900, he was appointed clerk of the judiciary committee of the state senate, and filled that position during the sessions of 1900 and 1901. In May of the

latter year, he came to Washburn where he practiced law until November, 1928, when he and his wife moved to Seattle, Washington, where he died on May 6th, 1939, having suffered a stroke on May 3rd.

"From 1903 to 1907, he served as state's attorney of Oliver County, having been appointed to that position by the county commissioners of Oliver County. For 3 years he was president of the board of education in Washburn and gave a great deal of thought and effort to the advancement of the schools of the city. January 1st, 1913, he became county judge of McLean County, which position he held until January 1st, 1921. From January 1st, 1924, to January 1st, 1928, he served as state's attorney of McLean County. He also served as city attorney at Washburn. In 1906, he entered into a law partnership with James T. McCulloch at Washburn, which was dissolved in 1913, upon Mr. Gibson becoming Judge of McLean County.

He was a member of the Masonic Blue Lodge at Milton, North Dakota, and Knights of Pythias at Washburn, and the Independent Order of Foresters at Milton. He was a Republican and a member of the Baptist church. His character, as well as his ability commanded the respect of all who knew him.

HON. RICHARD R. GOER

The facts stated in this sketch of the life of Mr. Richard R. Goer are furnished through the courtesy of Mr. L. J. Wehe of Bismarck, North Dakota, whose report is based upon correspondence with the family of Mr. Goer and also upon his own personal knowledge. This committee is indebted to Mr. Wehe for his interest shown and the courtesy expressed.

Mr. Richard R. Goer was born at Fort Wayne, Indiana, April 4, 1863. In 1876 the family moved to Minnesota and in 1879 to South Dakota, living first at Egan and later at Webster, South Dakota.

Mr. Goer received his early education in Indiana and Minnesota, and while the family was living in Webster, South Dakota, he attended the Agricultural College of that state.

For nine years Mr. Goer followed the profession of teaching, beginning in 1890. During this time he served as principal of the Webster High School and pursued the study of law. In 1898 he was admitted to the Bar of South Dakota and practiced in that state until 1902, when he came to Devils Lake in this state, where he practiced law for twenty-five years. During this period he formed a partnership with Mr. L. D. Gooler under the firm name of Gooler & Goer. This partnership continued for several years, and in 1919 he formed a partnership with Mr. L. J. Wehe under the firm name of Goer & Wehe, practicing first at Devils Lake and later—from 1919 until his removal from the state—in Bismarck, North Dakota.

On the creation of the State Bar Board Governor Frazier appointed Mr. Goer a member of the board for a term of six years, and on organization of the board Mr. Goer became the first president. He held this position from 1919 until 1923, at which time he removed to Whittier, California, where he remained until the time of his death, November 4, 1938. In 1895 Mr. Goer was married to Miss Frances Davidson of Appleton, Minnesota, who, with an adopted daughter and three grandchildren, survives him, the widow living in Whittier, California, and the grandchildren at Maywood, California.

Mr. Goer was a consistent member of the Methodist Episcopal Church, uniting with that body when he was sixteen years of age. He was also a member of the A. F. & A. M. and, with his wife, joined the Eastern Star in 1904. It was under the auspices of this fraternity that the funeral services were conducted.

Mr. Goer was a courteous gentleman, a loyal citizen, and a good official.

EDWARD P. KELLY

The following report of Mr. Edward P. Kelly was furnished us through the courtesy of Judge James Morris, for many years a close associate of Mr. Kelly.

Edward P. Kelly was born of Irish American parentage at Austin, Minnesota, on July 20, 1875. After graduating from the Austin High School, and serving in the Spanish American War, he studied law in the office of Lafayette French, of Austin, a leading attorney of the Southern Minnesota Bar. Mr. Kelly pursued his legal studies further in the Law Department of the University of Michigan in 1901 and 1902. He was admitted to the Bar of Minnesota in 1903. He was later admitted to the Bar of Indian Territory but did not practice there. He came to North Dakota in 1905 and was admitted to the Bar of this state on December 9 of that year. In the meantime he located at Carrington, North Dakota, and continued his legal practice in that city until 1920, when he formed a partnership with James Morris under the firm name of Kelly & Morris. Shortly thereafter he opened a law office in Minneapolis where he soon built up a lucrative practice. The firm of Kelly & Morris was dissolved in 1922. Thereafter Mr. Kelly continued to devote his entire time to his Minnesota practice, and later became the head of the firm of Kelly, Thomas, Morck & Dillon.

In March, 1939, he was seized with a fatal heart attack while in Los Angeles on business and was buried at his old home town of Austin. His widow, Louise Kelly, and several brothers and sisters survive him.

During his residence at Carrington, Edward P. Kelly became known as one of the ablest advocates of the North Dakota Bar. He was beloved by those both within and without the legal fraternity. He never aspired to public office but took a keen inter-

est in public affairs and was active in behalf of men and principles that he believed sound from the standpoint of public welfare. He threw the weight of his ability, personality, and influence into several political campaigns upon the side that he deemed entitled to his support. He was a delegate to the Republican National Convention in 1920 and participated in the nominations of Harding and Coolidge. After moving to Minneapolis he still maintained his interest in and love for the North Dakota Bar. Its members feel keenly his passing as a great loss to the legal profession in the Northwest.

ROBERT W. MUIR

Last December there came to the state an account of the death of Robert W. Muir, general counsel of the Jewel Tea Company, who had died in Chicago on November 30.

Mr. Muir was born October 5, 1883, in Hunter, North Dakota. He received his education in the schools of that city, graduating with the class of 1902. Thereafter he attended the University of Minnesota and in 1910 received the degrees of A. B. and L. L. B. from that institution. While in Minnesota he was active in the University affairs, particularly in athletics, for some time being a member of the athletic board of control. His specialty in athletics was tennis and the old-timers here will remember his success in that sport in North Dakota, being tennis coach at the University of North Dakota and a member of the championship team in doubles of this state for several seasons.

Immediately upon his graduation Mr. Muir returned to Hunter, and during his residence of twelve years became superintendent of schools there, opened a law office, and also was editor of the local paper. In 1922 he became an instructor in the law school of the University of North Dakota and later joined the law faculty at the University of Tennessee. For some time he was a member of the firm of Sathre, Muir & Garberg of Fargo. Later he became connected with the Jewel Tea Company as its special counsel and the following year was made general counsel of the company and elected secretary in 1931. He became first vice president of the National Retail Tea and Coffee Merchants' Association and the National Association of Direct Selling Companies, also a director of the First National Bank of Barrington.

Mr. Muir was a member of the Methodist Episcopal Church, belonged to the Biltmore Country Club, and affiliated with the Masonic order.

His widow, Lulu Bourcy Muir, with two children, survives. His son is a student at the University of Minnesota, and his daughter a student at the University of Wisconsin. One sister remains of his own immediate family, Mrs. Marian Simmons of Minneapolis.

Many University students will recall Mr. Muir, and throughout the state are many old-time friends who rejoiced with him in his success and mourn his death.

ASA T. PATTERSON

Asa T. Patterson, former state's attorney of Burleigh County, was born in Somerton, Ohio, June 23, 1868, and died in Los Angeles February 21, 1938.

We found it difficult to obtain specific information as to his pre-law training. However, Mr. Patterson came to North Dakota about 1893 and was admitted to the Bar on May 9, 1894, on certificate upon motion of Judge Amidon. For some short time he practiced law in Sargent County and then maintained his office in the City of Bismarck. In the fall of 1904 he was elected state's attorney of Burleigh County and served two terms. While in Bismarck Mr. Patterson was actively interested in the civic life of the community and was affiliated with the Masonic Lodge here, being master of the lodge in the year 1900-01.

In 1912 he removed to the state of California and opened an office at Los Angeles where he practiced until a short time before his death. He is survived by his widow, the former Elizabeth Holmes, and one son, Harold H. Patterson.

The funeral was held in Glendale, California, and interment took place in that city.

HENRY R. TURNER

Henry R. Turner, for twenty-four years one of the leading practitioners of Fargo, died in Pocatello, Idaho, on May 21, 1938.

Mr. Turner was born March 28, 1854, at Indiana, Pennsylvania. When twenty-six years of age he moved to Dakota, where he engaged in the practice of law for a period of fifteen years at Lisbon and Britton. He moved to Fargo, North Dakota in 1895 and continued his practice there until the spring of 1919, when he removed to Pocatello and practiced continually until about a year prior to his death.

Mr. Turner's practice was of such a nature as called him to all parts of the state of North Dakota. He thus had a wide personal acquaintance with the members of the Bar during the almost quarter of a century that he was here, and no disparaging word was ever used against his methods, actions, life, or character. District judges throughout the state and the members of the Supreme Court all testify as to his courtesy, urbanity, and ability.

On July 21, 1881, Mr. Turner married Carrie M. Candor of Hamlet, Illinois. During his entire married life they were active workers in all civic movements. Mr. Turner was an active member of the Congregational Church and a life member of the Masonic fraternity, having the distinction of holding the honorary 33rd degree in Scottish Rite Masonry. He was a member of the Elks and active in all fraternal movements.

Mr. Turner is survived by his wife, three daughters, one of whom, Mrs. Charles Dawson, resides in Fargo; one son, residing in Pocatello, and thirteen grandchildren.

In Memoriam
