

MEMORIALS
FOR DECEASED MEMBERS
of the
HENNEPIN COUNTY BAR

Presented at the
HENNEPIN COUNTY BAR ASSOCIATION
MEMORIAL SERVICE

Minneapolis City Council Chambers

Tuesday, May 28, 1968

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Respectfully submitted,

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AN ADDRESS

**By Honorable Harry A. Blackmun, Judge of the
United States Court of Appeals, Eighth Circuit**

This is Memorial Week and your bar association, as it has so many times before, gathers again to honor those members who have left us during the past several months. Throughout our country, this week or, in some states in the South, at different times, memorial occasions like this one are being held. We appropriately pause and pay our earnest respects to those whom we have known and loved and to those whom we may not have known personally but to whom, for one reason or another, we are personally obligated.

The names this year are many:

Maurice S. Breitman; Thomas H. Chariton; Norman Cohen; Raymond H. Fryberger; Angus M. Gunn; Raymond V. Hedelson; Victor John Hermel; Donald F. Hunder; Robert A. Johnson; Arthur C. Johnston; Honorable Wffliam Carl Larson; Charles O. Lundquist; George Vincent McLaughlin; Morris B. Mitchell; Raymond G. Moonan; John D. Nelson; Edward C. Nicholson; Walfrid H. Peterson; Aldo D. Pieri; Charles C. Reif; Charles W. Root; Allen T. Rorem; Henry Rottschaefter; Morton L. Shapiro; Matthew C. Tschida; Philip Tupper and Herbert W. Ward.

Some of these names are familiar to all of us. All are familiar to some of us. These are "brothers at the bar," as the phrase goes. They are familiar figures in the courtrooms upstairs and elsewhere in the state, in the law offices, and in the federal courts.

There are three points I would like to attempt to make on this occasion:

1. The first is the brevity of our existence and of our contact with the law. A century ago England, and perhaps much of the western world, was in the midst of the times we call Victorian. A very great Englishman, who is associated with the period, emerged and penned thoughts which I feel, in my simpleness, continue to have validity today. One familiar couplet symbolizes my first point:

Our little systems have their day;
They have their day and cease to be.

One could read those two lines, standing by themselves, as expressive of the uselessness, the smallness and the ultimate futility of our presence in this world. Yet we know that the author was no cynic and that the long poem in which that couplet appears, although written with a distinct

measure of anguish, was not, and was not meant to be, a song of despair. I would treat those lines today, and here, only as recognizing the shortness of time available to each of us. These departed friends of ours, whose names I have read, have been here such a short time. Their day of vitality among us has ended, in a way, but their association with us remains. The day for the rest of us continues but it moves rapidly and is short. We are small, our systems are little, and while we have a day, it is only a day.

2. My second point is the fastness of the time. This should be obvious. Some of you here appear to be as old as I but I suspect none [2] of us would admit to being ancient. Yet I can readily remember World War I and my father's wall map with the pins marking the daily front line changes; the wild and hopeful celebration on that first Armistice Day in 1918; my peddling the then revolutionary air transportation for Northwest Airways, as it was called, to fellow college students, in return for free rides between Chicago and Saint Paul on the Ford tri-motor with its open grillwork comprising the cockpit floor; Herbert Hoover and Al Smith and the campaign of 1928; the presence of Governor Franklin D. Roosevelt at my college Commencement; Black Friday in October 1932; the Great Depression which the teenager of 1968 just cannot believe ever existed; Floyd B. Olson; Mr. Humphrey's first campaign for the mayoralty of this city Pearl Harbor; and many of the other incidents of four and three and two decades ago. All this has happened in 50 years.

In further and general emphasis of the fastness of the times, one need only consider: the accomplishments in aviation; the dawn of the Space Age; the restlessness in religious thought; changes in church hierarchies; receding colonialism; the activism of students everywhere and not merely in those places where there is less than full freedom of expression or of government; the industrialization of our South; the population explosion; the growing disenchantment with war and yet continued participation in it; the stirrings in Africa and in Asia; the swift advances in science and in medicine; Communism, its advent, its spread, and now its differing faces; the birth and the struggles of the United Nations; the growth and the recognition of the decay and plight of our cities; the change in rural life; and the Negro revolution which we are experiencing.

It was only 14 years ago, in 1954, when I had the unforgettable experience of sitting in the gallery of an operating room in a Rochester hospital and watching intracardiac surgery on an animal the day before the first such procedure on a human was to be performed in that city. This animal work was done there (it was one of a long number of preparatory operations) because the surgeons wanted it conducted under conditions identical with those to prevail for the human subject the next day. And then, on that following day, the tension and excitement and the satisfaction of human surgery successfully performed on the Gibbons-Mayo bypass machine. I

say again that was only 14 years ago. Today, intracardiac surgery is accepted and routine and now has led, apparently (although there were intimations of success 50 years ago), to increasingly successful transplantation of the human heart and of other organs.

What has happened in our own profession in the same 14 years? Look only at the Supreme Court of the United States. 1954 by coincidence happens to be the year of the first *Brown v. Board of Education* case, 347 U.S. 483. If one leafs casually through the ensuing 42 volumes of the official United States Reports, what does he find? He sees that only three of the nine Justices who sat on *Brown* are still active. The others, Justices Reed, Frankfurter, Jackson, Burton, Clark and Minton, have retired or died. And the Court's decisions since that time? We have, among others:

The second *Brown v Board of Education* case, 349 U.S. 294 in 1955. In 1957 we have *Radovich v. National Football League*, 352 U.S. 445, refusing to extend to professional football the antitrust exclusion afforded baseball [in *Federal Baseball Club v. National League*, 259 U.S. 200 (1922), and in *Toolson v. New York Yankees, [3] Inc.*, 346 U.S. 356 (1953)]; *Jeneks v. United States*, 353 U.S. 657, and a defendant's right to certain investigative reports *Mallory v United States*, 354 U. S. 449, and the requirement of Federal Criminal Rule 5(a) that an arrested person be taken before a magistrate without unnecessary delay; and *McGee v. International Life Insurance Co.*, 355 U. S. 220 and the Fourteenth Amendment validity of a state's long-arm statute.

In 1958 came *NAACP v. Alabama*, 357 U.S. 449, and that organization's ability to maintain the secrecy of its membership; and *Cooper v. Aaron*, 358 U.S. 1, the Little Rock school case.

In what I like to think is the short time I have been on the Eighth Circuit we have, in 1960, *FTC v. Travelers Health Ass'n.*, 362 U.S. 293, and the problem of regulation of insurance; *United Steelworkers v. American Mfg. Co.*, 363 U.S. 564, and its companion cases forming the trilogy dealing with compelled labor arbitration; and *Elkins v. United States*, 364 U.S. 206, upsetting the silver platter doctrine. In 1961 came *Monroe v. Pape*, 365 U.S. 167, and *Mapp v. Ohio*, 367 U.S. 643, holding inadmissible in a state trial evidence obtained by a search and seizure violative of the federal Constitution. In 1962 came the first of the reapportionment cases, *Baker v. Carr*, 369 U.S. 186, and *Coppedge v. United States*, 369 U.S. 438, giving a federal convict an appeal as a matter of right and holding that the statutory requirement that an appeal be in good faith before it is entitled to in forma pauperis procedure is satisfied when the defendant seeks review of any issue that is not frivolous. In 1963 came *Townsend v. Sain*, 372 U.S. 293 and the right of a state prisoner to a plenary hearing in federal court; *Gideon v. Wainwright*, 372 U.S. 335, and the right of an indigent defendant

in a state court to have assistance of counsel; *Douglas v. California*, 372 U.S. 853, and his right to counsel on appeal; *Fay v. Nola*, 372 U.S. 391, and the modern approach to habeas corpus; and the prayer decision in *School District v. Schempp*, 374 U.S. 203. In 1964 came *New York Times v. Sullivan*, 376 U.S. 254, and the limitation of defamation actions by public., officials to situations of particularly defined malice; *Malloy v. Hogan*, 378 U.S. 1, and the application to the states of the privilege against self-incrimination; *Aguilar v. Texas*, 378 U.S. 108, and the standard of reasonableness for states in obtaining a search warrant; *Jackson v. Denno*, 378 U.S. 368, and the validity of state procedure in determining voluntariness of a confession; *Escobedo v. Illinois*, 378 U.S. 478; and *Heart of Atlanta Motel, Inc. v. United States*, 379 U.S. 241, and the upholding of the Civil Rights Act of 1964 and its application to places of public accommodation under the Commerce Clause.

In 1965 we have *Textile Workers v. Darlington Mfg. Co.*, 380 U.S. 263, and the propriety of an employer's closing his business, even though the closing is due to anti-union animus; *Griffin v. California*, 380 U.S. 609, and the impropriety of comment on a state defendant's failure to take the stand; *Griswold v. Connecticut*, 381 U.S. 479, the contraceptive case; and *Linkletter v. Walker*, 381 U.S. 618, and its successor decisions relating to the problem of retrospectivity.

In 1966 we have *Graham v. John Deere Co.*, 383 U.S. 1, and *United States v. Adams*, 383 U.S. 39, and the new look at patent law; *Memoirs v. Massachusetts*, 383 U.S. 413, and the other cases it spawned disclosing the Court's internal struggles over obscenity; *Sheppard v. Maxwell*, 384 U.S. 333, and the effect of publicity upon [4] a fair trial; *Miranda v. Arizona*, 384 U.S. 436; *Johnson v. New Jersey*, 384 U.S. 719, and retrospectivity again; and *Schmerber v. California*, 384 U.S. 757, and taking blood samples without consent.

In 1967 came *In re Gault*, 387 U.S. 1, and due process requirements for juvenile court proceedings; *Reitman v. Mulkey*, 387 U.S. 369, and California's Housing Proposition 14; *Curtis Publishing Co. v. Butts*, 388 U.S. 130, and defamation actions by public figures; *United States v. Wade*, 388 U.S. 218, the lineup case; *Gilbert v. California*, 388 U.S. 263, and handwriting exemplars; and *United Mine Workers v. Illinois State Bar Association*, 389 U.S. 217, and the right of a union to employ counsel to represent members on compensation claims.

And now, in 1968, the overruling of the wagering tax cases in *Marchetti v. United States*, 390 U.S. 39, and in *Grosso v. United States*, 390 U.S. 62; *Haynes v. United States*, 390 U.S. 85, and the nullification of the federal gun registration statutes; and *United States v. Third National Bank*, [390] U.S.

[171] [(1968)], with its effect on national bank mergers. Still pending is the fair housing case, *Jones v. Alfred H. Mayer Co.*, [392 U.S. 409 (1968)].

I have mentioned only United States Supreme Court cases of the last 14 years. In addition there are decisions of the state courts and of the lower federal courts. And, also in addition, are such things as the new Federal Rules of Appellate Procedure scheduled to go into effect July 1, 1968, and the new Federal Jury Selection Act, under which every federal court must soon formulate an approved plan.

These are dull and placid times? Has the law rested quietly for 14 years? Hardly. It is a time of churning and activity and fastness of movement. It is a time of concern and of worry, of restlessness and of discontent. But it is a vitally exciting time and one in which lawyers, for the most part, should be pleased to live.

Last month, on Palm Sunday, I stood in the City of Saint Louis, watching a march of more, than 30,000 people in honor of a man who had been murdered, mostly black, but many white, persons of all ages, clergymen of all faiths, nurses, nuns, the well-dressed, the poor, the flower children, the all-American type, marching silently by. Were they there merely to honor the memory of one man who cried aloud for what essentially was no different than an old American dream and who suffered indignity? I prefer to think that it was more than that. I prefer to think that this country is alive to wrong, is a giant that does not sleep in the midst of the outrages of crime, organized or merely rampant, of man's inhumanity, and of dirt and filth, and that this, and so many other things, are representative of a stirring, at long last, to action.

This country of ours, I believe, is still a place of hope and is alive. I see it in that march but I see it, too, in more significant events. I see it in the growing concern for our national posture. I see it in our awareness of the political consequences of 1968. I see it in our possible world guidance position, if we are but equal to its responsibilities. I see it in the type of cases which our unimportant little court reviewed in just on recent session: What is the limit of a newspaper's First Amendment rights? Is corporal punishment or the use of the strap in a state prison in 1968 a violation of the Eighth Amendment? Is a state rule that a defendant has the burden of persuasion on an alibi defense violative of the Fifth Amendment? And other cases of equal or lesser moment. The land and the lawyers are [5] stirring and the times are indeed fast.

3. My third point is a question. With the brevity of our existence, and with the fastness of the times, what is or ought to be the lawyer's position? I hope you will pardon another personal reference. In the City where I now live is a little park called Mayo. At one end of the mall stands a statute of

William Worrail Mayo, the itinerant pioneer physician of a hundred years ago. At the other end, is another statute by James Earle Fraser. This one is of the two Mayo brothers standing in their surgical gowns. Around the amphitheatre which faces that statute are chiseled inscriptions. The first of these reads, "They revered the truth and sought to know it."

What a description for any man to merit! Dr. Will and Dr. Charlie and all physicians, of course, are men of science. That appellation easily fits the scientist who seeks to ascertain the facts of the natural universe. Facts of that kind can be appropriately described as truths and they so rapidly now are unfolding themselves to investigators.

Yet, could not this same appellation, in an appropriate sense, be the province of the lawyer? Certainly, in the preparation and trial of a case, in a jury's deliberation, in appellate review, in the entirety of the decisional process, and in our constant re-examination and development of what we consider to be legal principles, we search for what is, essentially, truth. What are the facts? What is ethically right? What is fair? What deserves the dignity of principle and of precedent? What is morally indicated? All these things at which lawyers work and for which they strive are essentially truths, just as are the natural facts which the scientist and the physician seek to ascertain.

We who are living are, after all, but one segment in the long, long parade of lawyer generations. From the circuit rider, from the itinerant judge, from the territorial day, from the lawyer of 50 years ago, from those of the last decade or, indeed, from those of just yesterday, we have inherited legal tools which we cherish and hold dear. They have given us rights and ethics and procedures and precedents and morality.

And so I would like to regard these departed friends of ours as persons who, too, revered the truth and who sought to know it. Perhaps on this memorial occasion we should regard ourselves as possessed of a responsibility to do the same. Perhaps we should charge ourselves with the obligation to pass on these tools a little more refined and a little brighter and a little better because of our generation's experience. Those whom we honor have had their day. They have participated in the swiftness of the times. And, in their way, they have revered the truth and sought to know it.

My first point rested on a couplet. The same poet, in the same poem, observed:

**Ring out the want, the care, the sin,
The faithless coldness of the times....
Ring out false pride in place of blood,**

**The civic slander and the spite;
Ring in the love of truth and right,
Ring in the common love of good.**

This is not mere sentiment. It is not trite challenge. It is essential, necessary, and inevitable today, if what we cherish as good and worthwhile and appropriate in our professionalism is to survive for those who succeed us.

IN MEMORIAM

MAURICE S. BREITMAN

(January 19, 1912 — January 6, 1968)

Born in Russia on January 19, 1912, Maurice S. Breitman came to this country with his parents at the age of five years, and settled in St. Paul, Minnesota.

He was known by all of his friends and most of his business associates as "Mickey."

Educated in the elementary schools of St. Paul and graduating from St. Paul Humboldt High School, he matriculated at the University of Minnesota in Business Administration, and later became the -youngest Certified Public Accountant ever to be admitted to this exclusive accounting fraternity in the history of this organization in this state.

He later studied law at the William Mitchell College of Law. During his second year at law school, he suffered a heart attack. In spite of this setback, he pressed forward continuing his law studies in the hospital and at home while, convalescing. Through sheer determination, Mickey graduated and sat for the bar with his classmates and passed the bar examination in 1959. His favorite type of work from a legal as well as an accounting aspect was in the field of taxation, and he became one of the recognized experts in this area, and for a time was in one of the better known accounting firms in Minneapolis.

Mickey had the exceptional faculty of reducing the most complex legal or tax problem into the simplest possible manner to enable the average layman to fully comprehend the situation at hand.

Among a host of intellectual attainments was a thorough working knowledge of several languages including Russian, Spanish and Hebrew, and he had an exceptional background in Hebrew Talmudic studies.

He was an astute student of history, and he was considered somewhat of an authority on the Jeffersonian Era.

Mickey's many interests encompassed other fields as well, such as numismatics, and he was an avid collector of rare coins and paper money.

In addition, he was a violinist of considerable talent, and he loved all spectator sporting events, especially baseball and football.

A life-long bachelor, Mickey had quite a “yen” for travel, and had made many trips through nearly all parts of the United States as well as Mexico and Canada.

Maurice S. Breitman passed away at the age of 55 on Saturday, January 6, 1968 as a result of the coronary which struck him in 1957. We will all remember Mickey as not only a skillful attorney at law, but also an outstanding Certified Public Accountant, who at no time during our many years of relationship with him, ever compromised his ideals for convenience or profit.

May he rest in peace.

REUBEN R. SPECTOR

IN MEMORIAM

THOMAS H. CHARLTON

(June 17, 1918 — June 2, 1967)

Thomas H. Chariton was born June 17, 1918 in Minneapolis, Minnesota. He passed away June 2, 1967, two weeks before his 49th birthday. At the time of his death he was associated with the firm of Haugen and Quello of Wayzata, Minnesota where he was in practice as an attorney-CPA.

He graduated from Blake Country Day School in 1937, from Dartmouth College in 1941 and from the Amos Tuck School of Business Administration in 1942. In 1951 he graduated Magna Cum Laude from the Minneapolis-Minnesota College of Law and was admitted to the bar in 1951. That fall he passed the Minnesota CPA examination and started practice as an attorney-CPA.

He was a member of the Minnesota State Bar Association, Hennepin County Bar Association, Certified Public Accountants Association and Cost Accountants Association. He was also a member of the Lafayette Country Club and at one time served on the board as Treasurer. He was a member of the Mound Rotary Club and St. Martins-by-the-Lake Episcopal Church, Minnetonka Beach, Minnesota.

At the time of his death he was serving as the attorney for the Board of Orono School District No. 278. He requested any memorials in his behalf be donated to the Scholarship Fund of the Orono High School. Two graduates in 1968 and two in 1969 will receive grants from this fund to further their education.

He is survived by his widow, Lucille W.; a daughter, Margaret, a student at Gustavus Adolphus College, St. Peter, Minnesota; a daughter, Patricia, a student at Orono High School, Long Lake, Minnesota and one brother, John R. Charlton, Minneapolis, Minnesota.

MARLON O. HAUGEN

IN MEMORIAM

NORMAN COHEN

(April 27, 1926 — November 15, 1967)

Norman Cohen was a gifted man with unusual qualities of warmth, personal magnetism and humor. With this was coupled a quality of natural leadership and serious dedication to his chosen profession, the practice of law.

Norman was born April 27, 1926 in Minneapolis and received his schooling in the Minneapolis public schools. Enlisting in the United States Navy at age 17, he served in the Pacific area during World War II. Upon his return he entered the University of Minnesota, graduated from the Law School in 1950 and was admitted to practice in the same year.

Norman was married on March 12, 1949 to Edith Weinberg. He is survived by his wife, Edith; his four children, Morissa, Marc, Rena and Bruce; his mother, Mrs. Jack Katzman and his sister, Mrs. Maynard Taple.

He first entered the practice of law in 1950, in association with John A. Goldie and Samuel I. Sigal, soon becoming a partner. From 1960 until his death he was a partner in the firm of Sigal, Savelkoul, Cohen & Sween. He represented a number of labor unions, specializing in the practice of labor law and workmen's compensation, but was known also for his ability in other fields of the law. He was recognized as a skillful and tactful negotiator. In this role he helped solve many difficult labor disputes, thereby gaining the admiration and respect not only of his union clients, but also of management representatives with whom he dealt. He frequently broke up a tense situation with a flash of wit and humor, a quality which endeared him to his many friends and colleagues.

Norman Cohen was a member for many years of the Labor-Management Section of the Minnesota State Bar Association, served as its chairman in the year 1966-1967, and at the time of his death was a member of the Executive Council of the Section.

He was one of the founders and an active member of the B'nai Abraham Synagogue in St. Louis Park, serving at different times as a trustee and as chairman of the board of trustees.

In his practice of the law, his civic work and his service to others, Norman was unsparing of himself, his talents and his energy. Norman Cohen was truly loved by his many friends and relatives. His spirit and personality will live in the memory of all who knew him.

SAMUEL I. SIGAL

IN MEMORIAM

RAYMOND H. FRYBERGER

(July 21, 1886 — May 30, 1967)

Raymond H. Fryberger died on May 30, 1967 at Scottsdale, Arizona, where he had resided since his retirement in 1961. Mr. Fryberger was born in Noblesville, Indiana on July 21, 1896. He received his Bachelor of Arts degree from the University of Michigan in 1910 and his LL.B. degree also from the Ann Arbor School in Th12. He was admitted to the Michigan Bar in 1912 and the Minnesota Bar in 1913.

“Fry” commenced the private practice of law in Minneapolis in 1917 and practiced continuously until his retirement in 1961. For many years he was an instructor at one of the predecessors of the William Mitchell College of Law.

An astute trial lawyer with a brilliant mind, he had many victories In his years of trial work.

Mr. Fryberger was a member of the Minneapolis Optimist Club and a past vice president of the Optimist Club International. He is survived by his widow, Klaris, who resides in Scottsdale.

Fry will be long remembered by his many friends, associates and former students as a wonderful individual and an outstanding lawyer and teacher.

JAMES J. TRENCH

IN MEMORIAM

ANGUS M. GUNN

(February 16, 1900 — August 20, 1967)

Angus M. Gunn was born February 16, 1900 at Sandstone, Minnesota. His father died when he was eight years old, but Angus, his mother and his brother, Peter continued to live at Sandstone where Angus completed his grade school and high school education. He entered the University of Minnesota and although often working long hours to earn the cost of his education he graduated from the University of Minnesota Law School in 1924 and promptly began to practice law in Minneapolis.

As a legal practitioner his experience was broad and his knowledge substantial. Originally he practiced in the criminal law field in association with John R. Carey but by the middle 1930's he had broadened his field of practice and from then until 1946 practiced with Roy E. J. Puelston with offices in the Pillsbury Building in Minneapolis under the name of Puelston & Gunn.

In 1946 he became General Counsel for Franklin Manufacturing Company in Minneapolis and continued full time with that company and its successor holding company until about the time of his death. His contribution to the growth and development of this company which he had represented since its original incorporation in 1929 was substantial.

Traveling was one of Angus' hobbies. He visited Scotland (his ancestral land) several times and traveled extensively throughout the United States and in Europe. A trip around the world about a year before his death was a great joy for him.

He was a member of the Royal Arcanum and of the Theodore Peterson Post No. 1 in Minneapolis.

Angus Gunn died on August 20, 1967 after a rather long illness, leaving surviving him his wife, Adeline; his son, Peter and his brother, Peter Gunn of Minneapolis. But his keen mind, his scholarly and intelligent handling of his work, his kind, generous and understanding personality and his conscientious industriousness will long leave their mark on the people who were privileged to know him and the matters with which he was so proudly associated.

ROY E. J. PUELSTON

IN MEMORIAM

RAYMOND V. HEDELSON

(April 29, 1921 — April 2, 1968)

The untimely passing of Raymond V. Hedelson, April 2, 1968 at the age of 46, was a severe shock to a wide circle of friends, colleagues and clients.

Ray was born in Yankton, South Dakota on April 29, 1921, where he lived until graduating from the Yankton High School.

During World War II, Ray earned his Navy Wings and served his country as a carrier based fighter pilot in the South Pacific. He was decorated by the Navy for distinguished service as a flyer.

After the war he received his B A degree from the University of Minnesota and in 1953 his LL.B. from William Mitchell College of Law.

Prior to graduation from law school, Ray and Dorothy were married on June 21, 1952. They had two children, Paul age 11 and Laura age 8. Ray and Dorothy were active members of the Lutheran Church of the Good Shepherd.

Following graduation from law school, Ray began his practice. He was admitted to practice law before the Supreme Court of the United States in April of 1960. A distinct love of the Spanish language, which he spoke fluently, and an appreciation of Spanish culture precipitated an interest in the field of international law, particularly in the Mexico Central America and South America areas. During the past few years, Ray became well known for his work as a corporate and international lawyer.

Ray was an active member, of the Real Property Section of the Minnesota State Bar Association. He was a member of the Corporate Counsel Association, the Minnesota World Trade Club and a frequent contributor of articles published in *The Hennepin Lawyer*. In June of 1966, Ray became a member of the Federation of Inter-American Lawyers.

He loved trap shooting and hunting. Ray was an accomplished tennis player, a sport which he enjoyed with his wife and family.

Ray's many friends will remember him for his humanitarian qualities as well as his wit and enlightened approach to problems of legal and civic concern. It is an honor to pay tribute to Ray who had been a close friend and law partner.

ROBERT WM. RISCHMILLER — JOHN E. WASCHE

IN MEMORIAM

VICTOR JOHN HERMEL

(October 5, 1892 — April 24, 1967)

Victor J. Hermel was a practicing lawyer in Minneapolis for over 40 years, officing for the first few years with the late George Smith in the old New York Life Building. In 1960 he set up an office in his apartment, spending less time at his law practice and at the small manufacturing business he owned and operated and more time at his 60 acre tree farm on the North Shore of Net Lake in Pine County, Minnesota.

Vic was a outdoor man and enjoyed his days in the woods, clearing around the growing pines and spruce trees and planting a thousand or more seedlings each spring. He considered any meal cooked over an open fire a banquet, especially when served with plenty of his favorite beverage—lemonade.

He was a music lover and always attended a few performances during each spring season of the Metropolitan Opera Company. Many winter evenings were spent listening with friends to recordings of classical and light music, especially his favorite works by Wagner and Strauss.

He was a reader. History, philosophy, geology, astronomy—all were of interest to him.

He was a traveler. An interest in a gold mine near Prescott, Arizona involved many trips to the deserts and mountains of that area. He never failed to include a visit to the Grand Canyon, from which he drew tremendous inspiration. His trips to Europe in 1960 and 1963 provided many pleasant memories.

He was a dedicated patriot and a strong believer in constitutional government. He knew the score and could back up his convictions with factual eloquence.

He was proud of his German heritage and helped organize the Minneapolis and St. Paul Chapter of the German-American National Congress, also serving on the board of directors.

He was a thoughtful and loyal friend, a man of integrity and honor—a man of his word. He was also calm, quiet and unassuming but had a sparkling sense of humor. The wear and tear of living showed very little on him, and he maintained his slim figure throughout the years.

He was a man of great faith, believing without doubt in a life after death.

Up to the day of his death he was mentally and physically in prime condition. He lives on in the memory of his many friends who give thanks that he passed from this life without the indignities and pain inflicted on so much of mankind.

HARRY H. PETERSON

IN MEMORIAM

DONALD F. HUNDER

(August 27, 1921— April 20, 1967)

Donald F. Hunder was born August 27, 1921 in Wheaton, Minnesota. At an early age Donald lost his sight as the result of an injury he suffered while playing.

He received his elementary and high school education at the Braille and Sight Saving School, Faribault, Minnesota, from which he graduated in 1940. He continued his education at the University of Minnesota and received his law degree in 1946.

A practicing lawyer in Minneapolis since his admission to the bar, Donald gave selflessly to his family, friends and clients who often were without the funds to pay for his services. No one in need of assistance was turned away.

His compassion and understanding of the problems of the blind and other handicapped persons were apparent in the countless hours and energy he spent in working with organizations and groups engaged in services to the handicapped. He was a member of the Governor's Advisory Committee on Services to the Blind, president of the Braille and Sight Saving School Alumni Association, secretary of the Minnesota Organization of Blind, Inc., and a director of the Blind of Minnesota Credit Union, member of the Citizens Committee of and for the Blind, and on numerous occasions appeared as the representative of these groups before Senate and House committees in the State of Minnesota.

His search for knowledge was endless and surpassed only by his willingness to share this knowledge with those around him.

To those of us who loved and knew him, the words of Adlai Stevenson at the funeral service of a friend could have been said of Donald.

“He enriched and was enriched. . . . Why is it that he was the most successful man many of us will ever know?

“Our answers will differ. For me it was his humility, gentleness, wisdom and wit all in one. And most of all, a great compassionate friendliness.

“I think it will always be April in our memory, of him. It will always be a bright, fresh day full of the infinite variety and the

promise of new life. Perhaps nothing has gone at all—perhaps only the embodiment of the thing, tender, precious to all of us. A friendship that is immortal and doesn't pass along."

Donald died on April 20, 1967, and is survived by his wife, Lucille, of Minneapolis, Minnesota; two brothers, William and Robert, and a niece, Dianne, of Wheaton, Minnesota.

RALPH L. BERMAN

IN MEMORIAM

ROBERT A. JOHNSON

(January 20, 1896 — March 12, 1966)

Robert A. Johnson was born in Willmar, Minnesota on January 20, 1896. There he received his high school education and normal school training, and for two years served as a consolidated school principal.

He then moved to Minneapolis to continue his education in law. He was later appointed to a position in the Probate Clerk's Office by Probate Judge Arthur W. Selover and served later under Judge Manley L. Fosseen. In 1947 when Judge James G. Kehoe was appointed Probate Judge of Hennepin County, Mr. Johnson was appointed by Judge Kehoe to the position of Referee in Probate Court. He continued to serve in such capacity under Judge Melvin J. Peterson until June of 1962 when it became necessary for him to retire because of illness.

Mr. Johnson was admitted to practice law in the State of Minnesota and became a member of the Hennepin County Bar Association.

He prepared himself diligently to become well qualified to perform his duties as Referee and devoted himself faithfully to his work.

He was blessed with a pleasing personality, had a fine sense of humor and a wholesome attitude toward life.

One of his hobbies was singing. He was a member of the First Baptist Church of Minneapolis and for many years he was one of its choir soloists. For over 35 years he was a singing member of the Apollo Club.

He was never married, and among his survivors are his brother, Henry A. Johnson, and his nephew, Warren H. Johnson, who are both members of the Hennepin County Bar Association.

He died after an extended illness, and will be remembered as a conscientious, kind, helpful and friendly public servant.

HENRY A. JOHNSON

IN MEMORIAM

ARTHUR C. JOHNSTON

(October 29, 1906 — July 1, 1967)

Arthur C. Johnston, 6208 St. Johns Avenue, Minneapolis, died July 1, 1967. He was well known by his nickname, "Bob."

Mr. Johnston was born in Little Falls, Minnesota in 1906. He grew up and attended high school in Brainerd, Minnesota. He graduated from the St. Paul College of Law in 1930. He was a member of Delta Theta Phi law fraternity, and lived at the fraternity house during his law school years.

After a few years of association with a law firm, he established his own practice. He practiced successfully by himself for many years at 742 Builders Exchange. He was a well-known and effective trial lawyer in Hennepin County.

Mr. Johnston was active in the Republican Party all his life, first with the Young Republicans and subsequently with the Twelfth Ward and Hennepin County Republican organizations. He was his party's candidate for the Minnesota Legislature in 1938, and he participated extensively in the campaigns of Harold Stassen. He was a Captain in the Minnesota State Guards during World War II.

In addition to his active professional life, Mr. Johnston was active in several businesses. His interests included the development of Canadian oil fields and real estate in the Twin Cities area.

He was a member of Our Lady of Grace Catholic Church, Edina, at the time of his death.

Mr. Johnston's first wife, the former LaVerna Hyden, died in 1957. One of his sons, Terrance, died in 1958. He is survived by a son, David Bryan Johnston, 23, and his widow, the former Marcella Scholtes.

WILLIAM E. MULLIN

IN MEMORIAM

HONORABLE WILLIAM CARL LARSON

(December 7, 1890 — April 22, 1967)

William Carl Larson was born December 7, 1890. His father and mother were born in Sweden. He attended Grant School in the City of Minneapolis and East High School. He then entered the University of Minnesota pursuing the academic course. From there he entered the Northwestern College of Law in the City of Minneapolis and ultimately received his degree.

In June 1918 he was admitted to the bar. The same year and the same month he was admitted to the bar he married Freda Davies. Also at that time he entered the Armed Forces of the United States where he served for a year. After completion of his service in the United States Army he returned to the practice of law and entered the firm of Peterson, Woodward & Larrabee until 1920. In 1920 he was appointed to the position of Assistant County Attorney by his boyhood and life-long friend Floyd B. Olson. He served in that capacity until April 1931 when he was appointed as a Judge of the Municipal Court on the Municipal Bench in the City of Minneapolis by the Honorable Floyd B. Olson, Governor of Minnesota.

In the year 1950 he was elevated to the district bench by Governor Luther W. Youngdahl, where he served diligently until his retirement in December 1961.

He passed away April 22, 1967 after a long illness. His survivors are his widow Freda, one son Richard, four granddaughters and a sister.

He was a member of the Minnesota Bar Association, the American Legion, Zurah Temple of the Shriners and had 40 years of service in the Lions Club. His hobbies were music, reading and fishing. He was an accomplished violinist.

The genius of his originality was exemplified in opinions that he wrote in the determination of important cases while he served in the district court. He had a friendly personality and liked people and will be long remembered by his friends.

JUDGE LEVI M. HALL

IN MEMORIAM

CHARLES O. LUNDQUIST

(October 24, 1878 — April 13, 1968)

Charles O. Lundquist was born in La Crosse, Wisconsin, the son of Johann and Mary Lundquist, on October 24, 1878. He graduated from high school at La Crosse. The family moved to Minneapolis in 1898, where he entered the University of Minnesota Law School. He was a member of the Delta Chi fraternity. Mr. Lundquist graduated from the University of Minnesota Law School in 1903.

He married Virginia Tobin of St. Louis, Missouri in July 1903. He practiced law and went into the real estate business during the 1930's. Throughout his law practice he was a member of the Hennepin County Bar Association. He was a charter member of the Minneapolis Athletic Club and the Timand Club. He was a 50 year member of the Ark Lodge, and a member of the Scottish Rite and the Zurah Temple Shrine of Minneapolis.

Mr. Lundquist attended the First Divine Science Church of Minneapolis. Other extra curricular activities that engaged his attention were membership in the Minneapolis Institute of Arts and the Hennepin County Historical Society. He enjoyed music and attended the Apollo Club and Minneapolis Symphony.

He served as Assistant Attorney General for two years. United States District Judge Gunnar H. Nordbye appointed Mr. Lundquist United States Commissioner on Mr. Lundquist's 70th birthday.

He is survived by two daughters, Mary Jane and Virginia; a son, John and two grandchildren, all of Minneapolis;

His family remember him as a devoted father and his friends remember him as a sincere and dedicated practitioner whose main interest in life was the successful practice of law.

JUDGE JOHN A. WEEKS

IN MEMORIAM

GEORGE VINCENT McLAUGHLIN

(June 14, 1877 — April 16, 1968)

George Vincent McLaughlin was born on June 14, 1877 in Mapleton, Minnesota where he spent his childhood and attended school. Following graduation from high school he attended the University of Minnesota. During his college years he was Editor and Business Manager of the *Minnesota Daily*. He received his law degree from the University of Minnesota in 1902.

Upon admission to the bar in 1902 he commenced the practice of law in Minneapolis from his office in the Lumber Exchange Building, continuing his practice until his retirement in 1955.

In 1904 he was married to Mary Louise Thornton of St. Paul. The McLaughlins lived in the Lake of the Isles district of Minneapolis. He was active in his church and the Knights of Columbus. He was a former Grand Knight of the Minneapolis Council of the Knights of Columbus.

His quiet wit, his gentleness and his sympathetic friendliness will long be remembered by those who knew him.

Mrs. McLaughlin passed away in 1967, and Mr. McLaughlin is survived by his son, Daniel T. McLaughlin; his daughters, Mrs. Helen van den Berg and Mrs. Mary Keegan and nine grandchildren, all of Minneapolis.

KENT C. van den BERG

IN MEMORIAM

MORRIS B. MITCHELL

(August 21, 1890 — February 12, 1968)

Quiet and unassuming, he was singularly discerning in his judgments and effective in his advocacy.

Morris Brock'ee Mitchell, listed in the current edition of Who's Who In America as one of the "notable living men and women of the United States," was born in Louisville, Kentucky, on August 21, 1890, and died in Palo Alto, California, on February 12, 1968.

Admitted to the bar of Minnesota on March 23, 1916 he practiced law in a Minneapolis partnership until he retired in 1965 to live in Palo Alto.

As an incorporator and first secretary of the Hennepin County Bar Association (1919-1924), president of the Minnesota State Bar Association (1931-1932), a delegate to the American Bar Association, and a member of its Board of Governors, he exemplified the maxim, instinctive in him as a sometime scout master and a dedicated member of the bar, that in a democracy such as ours "participation in the rights of citizenship presumes participation in the duties of citizenship."

After graduating from the University of Wisconsin in 1912 and the Harvard Law School in 1915, he served on the Mexican border for two years in the Minnesota National Guard as Sergeant-Major in the First Field Artillery, of which he was one of the organizers, and in World War I as a naval officer.

He, at one time or another, was a director and president of the Minneapolis Athenaeum, a director and vice president of the Minneapolis Family Welfare Association, and of the Minneapolis Family and Children's Service, and until his death an active member of the American Law Institute, the American Judicature Society and the National Lawyers Club of Washington, D.C.

In recognition of his crowning achievement as one of the American Bar committee chairmen who most effectively sought the enactment of legislation raising the salaries of our federal judges to compensatory levels, President Eisenhower presented to him the pen with which the bill was ceremoniously signed on March 2, 1955.

In 1966, the Minnesota State Bar Association, conferring upon him the honor of the title, "Senior Counsellor," could do no less than say of him,

He has set an inspiring example of devotion and fidelity to the duties and obligations of an attorney and counsellor at law, of leadership and unselfish participation in the public affairs of his community, state and nation, and of those commendable personal qualities that characterize those who best exemplify the high ideals of the profession of the Bar as officers of the Courts in the administration of justice.

BERGMANN RICHARDS

IN MEMORIAM

RAYMOND G. MOONAN

(September 9, 1898 — January 1, 1968)

Raymond G. Moonan was born in Waseca, Minnesota on September 9, 1898. He graduated from St. Thomas Academy and served in the United States Army during World War I. Mr. Moonan subsequently graduated from Creighton University, Omaha, Nebraska and after obtaining his LL.B degree was admitted to the practice of law in the states of Nebraska and Minnesota in 1920.

Raymond G. Moonan was then associated in the practice of law with his father, Senator John Moonan, and subsequently entered into a partnership with his late brother, Joseph Moonan, and his brother Paul Moonan, in Waseca, Minnesota. He was married to Florence Sheehy of Montgomery, Minnesota on January 7, 1925.

Raymond G. Moonan was very active in Democratic politics throughout his career, being a delegate to four national conventions and seconding the nomination of Alfred E. Smith for President in 1928.

During his legal career, Mr. Moonan was an admired and respected trial lawyer and was elected a Fellow of the International Academy of Trial Lawyers and was also elected a Fellow of the American Trial Lawyers. He was a member of the Hennepin County and Minnesota State Bar Associations, the American Bar Association, Minneapolis Athletic Club and the Interlachen Country Club.

In recent years he was associated in the practice of law with his son, John R. Moonan; his son-in-law, Robert P. Stich and his nephews, John E. Castor, Patrick W. Fitzgerald and Michael J. Fitzgerald. He was formerly associated in the practice of law with District Judge John Fitzgerald of New Prague, Minnesota.

Ray Moonan was very interested in all types of athletic endeavors and was an avid golfer and reader. Religion was prominent in his life, and he was a member of the Basilica of St. Mary Catholic Church. He gave much of his time and ability to young lawyers and stimulated them to success.

Mr. Moonan is survived by his wife, Florence; his daughters, Mrs. Mitchell A. Jordan and Mrs. Robert T. Stich and son, John R. Moonan. He is also survived by his sisters, Mrs. Harry E. Casbr, Mrs. Dan Sullivan and Mrs. William Fitzgerald.

Throughout his life, Mr. Moonan was deeply religious and active in his church and many people were rewarded and benefited by his life. He never sought for himself, but always strived to help others during his lifetime and helping his fellow man was one of his higher ideals.

JOHN R. MOONAN

IN MEMORIAM

JOHN D. NELSON

(June 14, 1900 — December 5, 1967)

John D. Nelson was born on June 14, 1900, a resident of the Cedar-Riverside area where his father, a Danish immigrant, for many years operated the Nelson Knitting Works, Inc.

John D. Nelson graduated from South High School, Minneapolis, Minnesota. He then attended the University of Minnesota and graduated from Law School in 1924. While in Law School he was a member of Phi Delta Phi Fraternity.

On June 20, 1923 John D. Nelson married Laura M. Sime, a classmate whom he met during his years at South High School.

During his scholastic years he worked in the office of Ernest Malmberg and after graduation continued his association there. A few years thereafter they formed a partnership that continued until Mr. Malmberg's death in 1949.

In addition to conducting a busy practice, he served as Municipal Judge for Edina, Minnesota from 1944 to 1948, resigning at the expiration of his term. During his judicial service he became known among those who appeared before him, whether as parties or attorneys, as a man solidly grounded in the law which he administered with practicality and kindness.

My acquaintance with John D. Nelson began shortly after the death of Ernest Malmberg in 1949 and our association continued until his death. It is a measure of his affability, honesty and integrity that in over 40 years of practice he was associated with -only two lawyers.

He was an ardent fisherman and formed many lasting associations with other judges and lawyers who shared his interest. He also loved to travel and was proud of the fact that, in addition to places outside of the United States, he had toured all the then 48 states.

In the practice of law, he was a person of utmost honesty and discretion. His clients, some of whom he represented for 30 years or more, would be his best witnesses to that fact. Not only did he have many clients who became personal friends, but, in addition, the lawyers whom he met as opponents or friends would concur on one facet of his personality. He was at all times fair and free of animosity.

John D. Nelson was survived by his wife, Laura M. Nelson, and his two children, Robert D. Nelson of Chicago, Illinois, and Mary L. Altland of Anchorage, Alaska, and three grandchildren.

GILBERT E. CARLSON

IN MEMORIAM

EDWARD C. NICHOLSON

(February 7, 1895 — March 5, 1968)

Edward C. Nicholson, although born in Nebraska, was Virtually a life long resident of the City of Minneapolis where he came with his parents at a very early age when his father assumed his position as dean of students at the University of Minnesota.

After graduation from old East High School he entered the University of Minnesota, graduating in 1916 with a degree in accounting. Graduation and the First World War came almost simultaneously and after serving his country with the Army Corps of Engineers he returned to Minneapolis to start his career in accounting.

Always seeking to better himself and to be able to better care for his clients' interests he entered upon the studies and examinations culminating in becoming a Certified Public Accountant in 1940.

The developments and growing complexity of taxation brought an early realization to Mr. Nicholson that the fields of accounting and law were growing into close proximity. His native thirst for knowledge and understanding, coupled with a determination to fully develop his own ability to serve his clients, brought him at the age of 60 to the decision to enter upon the study of law at William Mitchell College of Law. He thoroughly enjoyed the new challenge of his legal studies and particularly relished the relationships with the younger students who soon came to affectionately call him "Judge."

In his 65th year, an age when many men retire, he was admitted to the practice of law in the State of Minnesota and embarked upon a new career, the combined practice of law and accounting, specializing in the complex field of tax law.

Mr. Nicholson delighted in his associations with his many friends in the legal profession and his activities with the Mark Hamilton Post of the American Legion, the Linden Hills Congregational Church and the Boy Scouts.

Mr. Nicholson is survived by his wife, Evelyn; two sons, M. Edward of Minneapolis, and Dale G. of Seattle, Washington; two daughters, Mrs. E. M. Copeland of Minneapolis, and Mrs. Lewis Faub of Panorama City, California; eleven grandchildren and five great grandchildren.

KEITH M. STIDD

IN MEMORIAM

WALFRID H. PETERSON

(April 19, 1904 — May 26, 1967)

Walfrid H. Peterson died on May 26, 1967 at the age of 63. He had enjoyed good health all his life time. His sudden demise was a great shock to his family, associates and friends.

Mr. Peterson was born in Sweden on April 19, 1904 and resided in Minneapolis since coming to the United States at the age of 13. Times were difficult for an immigrant family of eight during those war years, and it was necessary for him to work in order to acquire his education. In spite of such hard times and adversities, Walfrid acquired two college degrees, one a B.A. degree from the University of Minnesota and a LL.B law degree from Minnesota College of Law.

He practiced his profession continuously since 1938, except for a time during World War II when he was a Special Agent for the Federal Bureau of Investigation. At the time of his death he had been associated for over 20 years with the firm of Rendahl, Broberg and Peterson.

Mr. Peterson enjoyed the practice of law, its challenges and opportunities for helping others as well as the prestige of being a member of an honorable profession. He rejected opportunities in other fields of endeavor even though he would have gained financially. He was a long time member of the Hennepin County and Minnesota State Bar Associations.

His outside interests and activities were numerous but music was one of his favorites. At every opportunity he attended concerts, operas and music festivals and for many years, he was an active member of the American-Swedish Male Chorus. However, the one that was really closest to his heart was his association with the American Swedish Institute. He worked untiringly and unselfishly to help build this institution from a meager beginning to a nationally known Swedish Museum. At his death, he was a member of its Board of Trustees, a vice president and its general counsel.

For more than 40 years he was a leader in Swedish fraternal and cultural groups. He was a past president of the Swedish Society and one of the founders of the Swedish Day, Inc. In recognition of his contribution to the betterment of Swedish-American relations, culture and activities, he was awarded the Order of Vasa by the Swedish Government in 1961.

Walfrid married a University classmate, Ruth Westerlund, who survives him, as does his daughter, Mrs. David Hook, Greendale, Wisconsin.

Life was meaningful to him. Walfrid enjoyed people and his pleasant and winning personality earned for him legions of friends. He will long be remembered by them as a person of integrity, outstanding abilities, an able lawyer and as a true friend.

The writer was a law classmate, a law partner and a close friend of Mr. Peterson for these many years. His death was a real personal loss.

FRED W. BROBERG

IN MEMORIAM

ALDO D. PIERI

(January 23, 1923 — June 11, 1967)

Aldo D. Pieri, 44, 3801 - 57th Avenue North, Minneapolis, Minnesota, died very suddenly on June 11, 1967 at his home. Mr. Pieri was born on January 23, 1923 in Minneapolis and lived here all of his life. He graduated from Patrick Henry High School where he was honored as Senior Class President. He served overseas in the infantry in the European theater of combat during World War II. After his army duty, he attended the University of Minnesota where he earned a B.S. degree and his LL.B degree in 1949.

Mr. Pieri began practicing law immediately following his graduation and he married Irene Mortenson in 1954. They have four fine and lovely children: Ann, Jean, James and Lana.

By diligent effort and devotion to his profession and to his clients, Mr. Pieri established himself as an outstanding attorney. In 1961, in association with two other attorneys, he built the Law Center Building on the corner of Park Avenue at 17th Street, Minneapolis, to serve his clients in the best manner known to him. He was a member of state and local bar associations and the Minnesota Association of Trial Attorneys.

Aldo was a "peoples lawyer." No legal matter was too small or unimportant to receive his consideration when he realized the client attached significance to the problem. He died fighting for small causes for little people that make up our world. He was kind, gentle and patient to all.

Mr. Pieri's leisure time was spent with his family. He enjoyed camping and traveling. His chief activity at home was gardening and growing flowers. He loved his recreation and was well respected for his opinions in this area. Mrs. Pieri and the children continue to reside in the family home where there are many memories of a fine man and loving father.

JOHN A. PIERRO

IN MEMORIAM

CHARLES C. REIF

(October 4, 1877 — April 8, 1968)

Charles C. Reif embodied the sensitive and compassionate spirit of a fine and gentle person and expressed an enlightened Christian spirit by his active interest in his church and by the application of ideals of Christian living without compromise to his every day living.

Charles Reif was born in Hamilton, Ohio. He was a graduate of Ohio State University of the class of 1906, receiving an M.E. degree. He entered the United States Patent Office in 1910, rising to the office of Principal Examiner. During this time he attended Georgetown University for his law degree and he studied patent law at George Washington University.

Yielding to a desire for a private practice of patent law, he brought his family to Minneapolis in 1920 and joined the firm of Williamson and Williamson, to which his name was added. Later he practiced with George Braddock as the firm of Reif and Braddock, and more recently as Reif and Gregory. He was one of the founding fathers and a past president of the Minnesota Patent Law Association.

Charles Reif had a very long time interest in boys' welfare through his membership in and active association with the Central Lions Club of Minneapolis for over 30 years. He was a past president and a long time secretary of this club. He was also a past president of the business men's association known as the Junto Club.

Charles Reif had a lifetime interest in fishing and gardening. His daughter, Charlotte, learned her biology dissecting minnows in his fishing boats and she knows from memory the generic names of fish. He has his name engraved three times on the Lions Club fishing trophy.

For many, many years he maintained an active interest in the Men's Garden Club of Minneapolis and the Dahlia Society. To gardening he applied unusual talent and has many prize ribbon awards earned at flower shows. His daughter, Charlotte, continues his interest in flower gardening with equal skill and equally rewarding results. His son, Dr. Charles B., heads the biology department at Wilkes College, Wilkes Barre, Pennsylvania.

Charles Reif had a long and active interest in church. For many years he conducted Sunday school classes. He was a trustee and elder in the Westminster Presbyterian Church of Minneapolis, and was a past president of the Men's Club of this church. He served for many years as trustee and

elder in the First Christian Church of Minneapolis. He organized the Retired Men's Club at this church.

The life record of Charles C. Reif is an exemplary record of enlightened Christian living and his good works as long as remembered make a fine living memorial.

LEO GREGORY

IN MEMORIAM

CHARLES W. ROOT

(October 5, 1899 — January 2, 1968)

Charles W. Root was born October 5, 1899, in Centralia, Illinois, and died in Minneapolis, Minnesota, on January 2, 1968. During those years he engaged in a wide variety of activities and won the respect of all who knew him.

He received his B.A. degree from the University of Michigan in 1928. During and after his university years he organized a jazz band which was well and favorably known throughout the South and the Midwest. Many musicians who later gained fame in the musical field obtained some of their early experiences with his orchestra.

Mr. Root came to Minneapolis in 1931 to attend the University of Minnesota Law School. He was a member of the Law Review Board and after graduation was on the staff of the Legal Aid Society for a number of years. For a number of years he was associated with the late Angus McQueen and Judge Luther Sletten. In 1939 he became associated with Karl H. Covell under the name Covell and Root, which association continued until 1952, at which time he became a partner in the firm of Everett, Thiel and Root, an association which continued until his death.

He was elected as a Representative to the Minnesota Legislature in 1945 and served until 1951, at which time he was elected to the State Senate. He served in the Senate until 1964, when he retired to devote his full time to the practice of law.

As a Legislator Mr. Root was known for his keen mind, his plain and frank manner of speaking, and his sharp wit. He was the author and co-author of much of the mental health legislation which was enacted while he was in the Legislature.

Charlie was an excellent lawyer, a staunch friend, an entertaining companion and an outstanding public servant. He was a credit to his profession.

He is survived by his wife, Mary E. Root; a daughter, Cecelia Johnson and a son, David K Root.

W. F. THIEL

IN MEMORIAM

ALLEN T. ROREM

(December 11, 1888 — March 28, 1968)

Allen T. Rorem was born in Hoffman, Minnesota on December 11, 1888. His parents then moved to Jewel, Iowa in 1892 where his father became the register of deeds. Later Mr. Rorem attended and graduated from high school at Webster City, Iowa in 1907. His parents then, in 1908, moved to St. Paul, Minnesota where Allen T. Rorem began his higher education leading to a long and distinguished legal career.

Mr. Rorem attended the University of Minnesota and, in 1914, graduated from the Minnesota College of Law. He was admitted to the bar in 1914 and in 1964 was honored as one of the 50 year members of the Minnesota State Bar Association.

Mr. Rorem became a partner in Patterson & Rorem and in 1912 became a founder and secretary of the Minneapolis College of Law, a forerunner of the William Mitchell College of Law.

He served as an Assistant County Attorney for Hennepin County from 1930 to 1942 and among other achievements was instrumental in drafting the Minnesota Psychopathic Personality Act. From 1942 to 1967 he was associated with the firm of Callahan & Callahan. While, in later years, he reduced the intensity of his practice, he was in the active practice until his death on March 28, 1968.

Allen T. Rorem was a man of whom his family and his profession can be proud.

CLAY R. MOORE

IN MEMORIAM

HENRY ROTTSCHAEFER

(September 9, 1888 — January 27, 1968)

Henry Rottschaefer, Professor of Law Emeritus of the University of Minnesota, came to the University as a full professor in 1922, leaving a successful tax practice in New York City, and remained for 35 years a bulwark of its law faculty and a distinguished member of the Minnesota bar. He is survived by his widow, Helen; a son, William and a daughter, Mrs. Judith van't Riet.

A naturalized American citizen, Henry was born in Stedum, Groningen Province, the Netherlands. In 1893 he came with his parents to Holland, Michigan where he grew up and attended Hope College, graduating in 1909. He taught economics while studying law at the University of Michigan, earning the J.D. degree and Order of the Coif there in 1915, and an S.J.D. degree from Harvard in 1916 before entering practice. He took time out for 15 month's service in World War I as a Captain in the Motor Transport Corps of the United States Army.

Professor Rottschaefer became a first rate scholar and teacher. A six-page bibliography of his writings lists 121 publications, including 10 books, 24 law review articles, 9 syllabi and 78 book reviews. He was also one of those unique professors and classroom performers whom students always discuss and never forget. "Do you remember when 'Rottie' . . . etc." will be heard as long as his students gather. They loved, respected and learned from him.

But Henry Rottschaefer was much more than just a top-flight tax lawyer, scholar and law teacher. His was truly a life of dedication and service. As draftsman of the Minnesota State Income Tax Law of 1933 and tax adviser to the Minnesota House of Representatives, 1933-1937, he served his state; as special mediation representative of the National War Labor Board and as public member of the Region VI Panel of that Board, 1943-1946, he again served his adopted nation during a world war; as a member of the American Bar Association and its tax committees, as a member of the Minnesota State Bar Association and as a member of the Executive Committee of the Association of American Law School (1933) he served his profession; as a neutral arbitrator in labor-management disputes under collective bargaining contracts he served the business-industrial-labor community; as the University's Faculty Representative in the "Big Ten" Athletic Conference for 23 years (1934-1957), as a member of several All-University Committees and as adviser to several University presidents on various matters he served his University; and as Editor-in-Chief of the

Minnesota Law Review, 1942-1946, and workhorse member or chairman of Law School committees too numerous to mention he served and played a major role in that school's development. In all of these activities he manifested an outstanding capacity for impartiality and objectivity, completely divorcing his personal beliefs from his professional work as teacher, counselor, draftsman, arbitrator and adviser.

Impartiality, integrity, loyalty, humanity, industry, dedication, wisdom, intelligence, orderliness and humor—all of the highest order—these were the qualities of our departed colleague.

PROFESSOR STANLEY V. KINYON

IN MEMORIAM

MORTON L. SHAPIRO

(April 28, 1935 — November 17, 1967)

The void created by Mort Shapiro's death is perhaps the best measure of the man. It is sadly shared by the many people—his family, his friends, his partners, his clients, and his business and professional associates—who were fortunate enough to share part of their lives with him. Mort had a peculiar and rare kind of intellectual, physical and social vigor that infected all who came in contact with him.

Mort was killed in an automobile accident on November 17, 1967.

Born in St. Paul, Minnesota on April 28, 1935, he was the only son of Harry I. and Rosalind Shapiro, who together with his sister, Joan, survive him.

He attended St. Paul Academy where he won the Harvard Trophy an unprecedented two years in a row as the best all around athlete and scholar in the school. To show his appreciation for this award, he went on to college at Yale where in spite of a severe attack of polio he persevered to become an outstanding goalie on the varsity hockey team.

After graduating from Yale he attended the Harvard Law School where he received his LL.B degree in 1960.

Upon leaving law school, he returned to Minnesota but, in characteristic fashion, rather than practicing in St. Paul where he had grown up and where his family still lived, he came to Minneapolis and entered the law firm now known as Dorsey, Marquart, Windhorst, West & Halladay. He quickly demonstrated not only a fine legal mind and the enormous energy that had characterized all his earlier activities, but also a highly developed and unusual desire and ability to assume — even demand — responsibility far beyond that usual for a man of his years. At the time of his death he was a partner in the law firm.

Mort will long be remembered as a special kind of human being— strong — keen — understanding — helpful — gentle — humorous — kind — thoughtful — articulate — all these adjectives help summon the memory of Mort to the minds of those who knew him, but they are inadequate to the task. They fail to suggest the kind of irresistible and contagious vitality that was the essence of this man. We sorely miss him.

PETER DORSEY

IN MEMORIAM

MATTHEW C. TSCHIDA

(June 14, 1902 — November 26, 1967)

Matthew C. Tschida died unexpectedly on November 26, 1967 while vacationing in Hawaii. His untimely death saddened his family and many friends. He was born on June 14, 1902 in Fertile, Minnesota where he lived through his high school years. Moving to Minneapolis he attended the University of Minnesota and received his legal degree from the Minneapolis School of Law. He was admitted to the bar in October 1935.

For most of his legal career he was a sole practitioner. For many years he officed in the Produce Bank Building. His specialty was commercial collections. There are few lawyers who have not had clients squirm under the effectiveness of his specialty. He was a member of the Hennepin County, Minnesota and American Bar Associations.

He served in nearly every capacity and held every layman office in Our Redeemer Lutheran Church. For years he was his church's legal adviser. He was active in many fraternal organizations including Minnehaha Lodge No. 195, Elks, Shrine and Sigma Nu Pi. He was a Red Cap and a 32nd ° Knight Commander of the Court of Honor.

He was an avid reader and an accomplished gardener. He was industrious, personable and possessed an excellent sense of humor. His good naturedness and cheerful smile always lightened the bar association functions he attended. His many personal traits and dedicated loyalty to his friends and associations will be sorrowfully missed.

His wife predeceased him by more than a year. He is survived by a son, a Navy Lieutenant; three grandchildren and a sister.

PETER F. GREINER

IN MEMORIAM

PHILLIP TUPPER

(February 12, 1901 — December 13, 1967)

Long after the edifice we all know as the City-County Court House in Minneapolis, will have been considered a thing of the past, one who practiced law in its corridors for many rewarding years, will still be thought of and fondly remembered. That person is our late, departed brother, Philip Tupper. Not as a Phoenix, but rather as a pixie, will Phil hover above those halls he knew so well.

Phil was born in New York in 1901, spent his early years there, then moved to Minneapolis with his family, at the age of seven years. Having gone through the school system locally, Phil then worked his way through his undergraduate years at the University of Minnesota, then through its Law School to graduating in 1926, by selling newspapers in the streets of the city and at all the sporting events at the University.

Upon his admission to the practice of law, Phil was associated for approximately 30 years with our late brother, Edgar T. Buckley, with whom he had a diverse and productive career. When Ed entered local politics, Phil carried on the combined practice for both partners. Upon Ed's death, Phil stayed in the private practice of law until his death.

Phil and his late wife, Esther, raised four daughters, Harriet, Susan, Myrna and Nancy, none of whom now live locally, but through whom Phil was blessed with 12 grandchildren.

In his latter years, during which he was ravaged by chronic illness, Phil limited himself to probate practice and criminal matters in municipal court, with a few domestic relations matters now and again. He was competent, sincere and devoted to his clients' cause. Rare was the case which Phil handled in which his client had the least cause for criticism of the result which Phil had wrought. Frequent were his championings of the underdog, the unfortunate and the impoverished. Many are the anecdotes about this man which are still related in and about City Hall. Many and true are the friends he left behind.

Phil was devoted to his religion. He attended religious services frequently and was a member of the Kenneseth Israel Synagogue. He found much comfort in the teachings and lessons of the sages of old.

At his death, which occurred after a lengthy illness on December 13, 1967, Phil was survived by his widow, Dina, with whom he had lived at their

home, located at 1313 Queen Avenue North in the City of Minneapolis. With his passing, those who knew him and worked with him, were a little bit poorer because of his death; their steps a little slower and deliberate; their smiles a little less broad. For they had lost not only a brother at the bar; they had lost a mentor and a true friend.

Though Phil is gone, the memories of his individualism linger on. Here is one attorney who, to us who knew him, has never lost his appeal. Here is a man who found joy and comfort in his chosen profession.

EDWARD C. VAVRECK, SR.

IN MEMORIAM

HERBERT W. WARD

(April 24, 1894 — August 19, 1967)

Herbert W. Ward was born in Spooner, Wisconsin. His father was a railroad employee, and Herbert was introduced to a career in railroads at an early age. As a youngster he worked as a call boy for the M. & St. L. Railroad. He later entered the train service with the C. & N. W. Railroad and would proudly recall in moments of reminiscence that he was the youngest conductor working out of Spooner for some years.

Mr. Ward left the train service in 1924 to start a new and highly successful career in railroading which ultimately led to a listing in *Who's Who In America*. This time he advanced through the various positions in the Traffic Department. While Commercial Agent for the C. & N. W. Railroad, Mr. Ward entered night law school at the Minnesota College of Law. He received his degree in 1934.

Mr. Ward returned to the M. & St. L. Railroad in 1935 as General Freight Agent; in 1936 he became Traffic Manager; in 1938 General Traffic Manager and in 1943 Vice President in charge of Traffic. In 1948 he left the M. & St. L. Railroad to become President of the Illinois Terminal Railroad. He retired from this position in 1956.

Mr. Ward was president of the Minneapolis Aquatennial in 1942, was a former president of the Traffic Club of Minneapolis and of the Lafayette Club at Minnetonka Beach; also, a member of the Minneapolis Club, the Minikahda Club and the Minneapolis Athletic Club.

Mr. Ward was an active member in the Christian Science Church. He was a Mason, a member of the Scottish Rite and the Zuhrah Temple Chanters, and a member of the Hennepin County, Minnesota State and American Bar Associations.

For the past six years Mr. and Mrs. Ward have been spending the summers on the North Shore and the winters in Sun City, Arizona. Not only was he successful in business, but he also found the secret of a successful retirement.

Mr. Ward is survived by his wife, Elfreda; two daughters, Mrs. Guy D. (Joyce) Larrabee, Mrs. Alvin C. (Lois) Schendel, and a son, Donald W. Ward. Also surviving are a sister, Mrs. James Barnard, and brothers, John and Arthur Ward.

Although Mr. Ward did not actively engage in the practice of law, his record of achievement would, in all probability, not have been accomplished without his legal background and his many friends and associates in the legal profession.

ALVIN C. SCHENDEL

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Posted MLHP: August 31, 2012.