

Michael E. Ames

(1822-1862)

In their semi-official profiles of prominent residents of Minnesota, Warren Upham and Rose Barteau Dunlap listed the important dates in the life of Michael E. Ames:

AMES, MICHAEL E., lawyer, b. in Vermont in 1822; d. in St. Paul in 1861. He settled in Stillwater, Minn., in 1849; removed to St. Paul in 1853; was a member of the state constitutional convention, 1857. ¹

After statehood, he formed a firm that had a past and future supreme court justice. Moses Sherburne, who served on the Territorial Supreme Court from 1853 to 1857, associated in a firm with Ames that employed Greenleaf Clark, who would serve on the state supreme court in 1881-1882. In a profile of Clark published in 1900, the history of this short-lived firm was recounted:

In the fall of 1858 [Clark] came to St. Paul, Minnesota, where he has since resided, and engaged as a clerk in the law office of Michael E. Ames. After a brief term of service in that capacity he entered into partnership with Mr. Ames and ex-Judge Moses Sherburne, under the style of Ames, Sherburne & Clark. The firm was dissolved in 1860...²

A closer look reveals Ames as a man who was unflappable, deliberate, “cool,” and so unfailingly courteous that he exasperated his opponents across the aisle.

¹ Warren Upham & Rose Barteau Dunlap, *Minnesota Biographies, 1655-1912* 12 (St. Paul: Minnesota Historical Society, 1912)(Volume 14 of the *Collections of the Minnesota Historical Society*).

² Charles E. Flandrau, *Encyclopedia of Biography of Minnesota* 142,143 (1900).

Thomas M. Newson, a newspaperman, who enjoyed repeating anecdotes about the subjects of his *Pen Pictures*, published in 1886, devoted two pages to this epitome of self-control:

MICHAEL E. AMES – PECULARITIES

Mr. Ames was the Chesterfield of the Minnesota bar, for that matter one might say he was the Chesterfield of the whole Northwest. He was born in Vermont about 1822, received an ordinary common school education, was induced to commence the study of law by a suit he had over some tin boxes, removed in early life to Wisconsin and practiced his profession there, then drifted in 1849 to Stillwater, where, I think, he was for a time in business with Judge Nelson; came to ST. PAUL in 1853, and the firm finally became Ames, Van Etten & Officer. He was a delegate to the Constitutional Convention in 1857.

Mr. Ames was a man of fine legal attainments and was unquestionably the coolest and most polite lawyer at the bar. He was tall, well-dressed, having all the appearance of a gentleman, and his irresistibly pleasant manners won him friends. He had his faults, as all men of his genial nature have, but he was nevertheless an able advocate, and cool enough in a lawsuit to freeze out even a Minnesota cold winter. Nervous and fidgety lawyers used to get out of all manner of patience with Ames because he was always so self-possessed.

“THAT D – REFRIGERATOR” – “HE SAID NOTHING”

Once Gov. Gorman had a case with him, and he became so indignant at his smiling and collected manner, that he burst out with the exclamation– “Look at that d–d refrigerator!” At the same time scowling at him in a most terrific manner as only Gorman could scowl. Ames

meekly replied— “My friend seems to be a little disturbed,” and that made Gorman madder than before.

A suit had been instituted against Curran of the old World’s Fair store, in which Vetal Guerin was somewhat mixed up. Brisbin was on one side of the case and Ames on the other.

“Well, what did Vetal Guerin say?” asked Ames of the witness.

“I object,” said Brisbin. “Well, all right; we’ll argue this point,” said Ames, and so the two lawyers went at it, and continued their arguments from ten in the morning until two in the afternoon, when Judge Palmer decided that the question was admissible, and “Bris” subsided.

“Well,” asked Ames in a drawling tone, “what-did-the-witness-say ?”

“Vetal Guerin, you mean ?”

“Yes.”

“Oh, he didn’t say anything.” Brisbin roared, the court smiled, and Ames remarked, politely bowing—“A very obliging witness,” and went on with the case as though nothing had happened.

A PLEASANT LITTLE EPISODE — BRISBIN VS AMES — PERSONAL.

Ames had in hand a case of a citizen of one of the adjoining towns, when all of a sudden his client withdrew the suit and put it into the hands of another law firm. When the man came upon the witness stand to testify, Ames inquired of him what a certain neighbor had said to him (the witness) about the matter under dispute, which question he declined to answer, and on

being forced to do so by the order of the Judge, he said:

“Well, he told me to have nothing to do with that d—rascal of a fellow, Ames, and that’s why I took my case out of his hands.” After the uproar in court attending this incident had partially subsided, Ames turned to the Judge and in his most polite and insinuating and persuasive manner, remarked — “May it please your honor, a very pleasant little episode!”

Mr. Brisbin had sued a client for services rendered, and as he was a witness he employed Ames to conduct the case; amount at issue \$300. When the suit came to trial Ames was on hand and opened the matter thus—“Mr. Brisbin will please take the stand,” and then addressing the Judge—“May it please your honor, I shall move to amend this complaint by substituting \$1,000 instead of \$300.”

“But,” said Brisbin, “I can’t swear to that, Mr. Ames.” Ames looked at him for a moment scornfully, and then in the blandest manner remarked—“Mr. Brisbin will please step aside; I never allow a witness to interfere in my cases.” “Bris” began to expostulate, but it was no use; Ames’ dignity had been offended, and he refused to go on with the case.

Mr. Ames had a peculiar voice resembling somewhat a woman’s. He was always gentlemanly, always social, always kind, never held any political office, and died in the vigor of manhood. He fell down stairs in coming out of his office in the old brick building which stood on the corner of Third and Minnesota streets, and soon after joined “the innumerable throng” which had gone before.

“Life’s fitful fever o’re, he sleeps well.”³

In 1908, Frank Moore, another newspaperman, published his reminiscences, one of which involved Ames.

Among the many brilliant members of the legal fraternity in St. Paul in early days no one possessed a more enviable reputation than the Hon. Michael E. Ames. He was the very personification of punctiliousness and always displayed sublime imperturbability in exigencies of great moment. One dreary winter night his sleeping apartment in uptown was discovered to be on fire, and in a short time the fire ladders appeared in front of his quarters and commenced operations. As soon as Mr. Ames discovered the nature of the disturbance he arose from his bed, opened the window, and with outstretched arms and in a supplicating manner, as if addressing a jury in an important case, exclaimed: “Gentlemen, if you will be kind enough to desist from operations until I arrange my toilet, I will be down.” The learned counsel escaped with his toilet properly adjusted, but his apartments were soon incinerated.⁴

³ Thomas McLean Newson, *Pen Pictures of St. Paul, Minnesota, and Biographical Sketches of Old Settlers: From the Earliest Settlement of the City, Up to and Including the Year, 1857* 412-4 (St. Paul: 1886)(republished by Bibliobazaar in 2010).

Various dates are given for Ames’ death. That given by J. Fletcher Williams—January 4, 1862—is probably accurate. J. Fletcher Williams, *A History of the City of Saint Paul to 1875* 409 (St. Paul: Minnesota Historical Society, 1983) (published first in 1876 under the title, *A History of the City of Saint Paul, and the County of Ramsey, Minnesota*). Compare Hiram F. Stevens, *A History of the Bench and Bar of Minnesota* 242 (Minneapolis & St. Paul: Legal Publishing and Engraving Co., 1904)(“Michael E. Ames, a somewhat noted criminal lawyer, located in Stillwater in 1851; remaining, however, but a few years. He removed to St. Paul, where he succeeded in building up a large practice. He died in 1860.”).

⁴ Frank Moore, *Reminiscences of Pioneer Days in St. Paul* 44 (St. Paul: Daily Pioneer Press, 1908)(the book is subtitled “A Collection of Articles Written for and published in the Daily Pioneer Press.”).

Michael Ames practiced law in Minnesota about a dozen years, yet he was recalled by these writers decades after his death at the age of forty. What we have of him are only a few colorful anecdotes. Still, this is more than we have of thousands of other lawyers who practiced in the state in the nineteenth and twentieth centuries. Though a few were the subject of bar memorials, most have been forgotten, leaving not even a trace. ■

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