

JUDGE RALPH J. PARKER

December 17, 1867 -- December 27, 1922

Ralph Parker graduated from the University of Minnesota Law School in 1890. For the next thirty years, he practiced law in the town of Spring Valley in Fillmore County, where he had been raised. Like many attorneys, he became active in public affairs. He served as county attorney from 1903 to 1909. In 1914, he was elected to the Minnesota Legislature, representing Houston and Fillmore Counties, which constituted the First District.¹ He was re-elected in 1916, and chosen Speaker of the House in January 1917. The following profile appeared in the 1917 Legislative Manual:²

HOUSE OF REPRESENTATIVES

The house of representatives consists of 130 members, who are chosen biennially by districts. The speaker is chosen by the members.

SPEAKER,

RALPH J. PARKER.

FIRST DISTRICT.

Ralph J. Parker was born in Mower county, Minnesota, in 1867. Graduated from law department of State University in 1890. Elected county attorney of Fillmore county in 1902 and served three terms. Serving his second term in the House, and was elected speaker at the opening of the 1917 session.



¹ The results of the election on November 3, 1914, were:

Ralph J. Parker.....3,845
S. A. Langum.....2,254

1915 Blue Book, at 550.

² 1917 Blue Book, at 617. The 1916 legislative election results were omitted from the 1917 Blue Book.

He was re-elected in 1918 and again in 1920 to his fourth and final term.³

In 1922, at the behest of the bar of the Tenth Judicial District, Parker ran for the district judgeship, after the incumbent, Judge John F. D. Meighen, announced that he would not seek re-election. On November 7, 1922, Parker defeated William T. Kelsh:

Ralph J. Parker.....16,852
William T. Kelsh.....6,282 ⁴

Kelsh contested the election, claiming that Parker had violated state election laws. While the suit was pending, Parker was hospitalized in Rochester and underwent surgery. On November 17, 1922, Judge Meighen dismissed Kelsh's challenge.⁵ On December 22, Parker took the oath of office in his hospital room. His health continued to deteriorate, and he died two days after Christmas. The *Austin Daily Herald* carried the story on its front page:

AUSTIN DAILY HERALD

Austin, Minnesota

Wednesday, December 27, 1922

JUDGE PARKER DIES EARLY TODAY IN HOSPITAL AT ROCHESTER

³ The results of the election on November 5, 1918, were:

Ralph J. Parker.....4,342
T. H. Bolles.....1,833

1919 Blue Book, at 677.

The results of the election on November 2, 1920, were:

Ralph J. Parker.....7,650
Thomas Duxbury.....3,861

1921 Blue Book, at 529-530.

⁴ 1923 Blue Book, at 454.

⁵ The ruling was published in *the Preston Republican*, Friday, November 17, 1922, at 1. It is posted in the Appendix, at 10-11.

Magistrate Who Was To Take Office As Judge For Tenth District Succumbs After Long Illness

MUST ELECT SUCCESSOR

Question of Appointing Or Electing New Judge Sets Precedent Here

(By Associated Press)

Rochester. Dec. 27. — Ralph J. Parker, elected judge of the tenth judicial district and from many years member of the state legislature from Houston County, died at 9 A. M. today at a hospital here.

Judge Parker had been ill for nearly a year and had been a patient here on several occasions.

Judge Parker was a candidate for the office of district judge at the last election and was opposed by William T. Kelsh. Following the official count of the ballot Mr. Kelsh instituted a contest which was brought before Judge J. F. D. Meighen for hearing December 23.

Judge Meighen dismissed the contest and in his statement declared Mr. Parker had not violated any of the provisions of the state elections laws.

At the time Judge Meighen's decision was reached, Judge Parker was in a hospital here, where he had undergone an operation.

The oath of office was administered to him while on his sick bed in compliance with the law of the state. His widow and daughter were with him when he died.

The death of Judge Parker is a distinct loss to the Tenth judicial district. He had been chosen by the bar associations of Houston, Fillmore, Freeborn and Mower counties to be a candidate at the election for the office of district judge, to succeed Judge J. F. D. Meighen who last spring announced that he would not be a candidate for re-election. The bar associations were unanimous in their choice because of the splendid qualifications of Mr. Parker to fill the place. He was a man of judicial mind, possessing the legal training, keen of intellect and widely read. His death leaves a vacancy that is most unfortunate for it may throw this office into politics with several contestants at a special election. For years the effort has been successfully made in this district to keep this office out of the political arena.

The fact that Judge Parker has taken the oath of office raises a technicality and it maybe that the governor, on the recommendation of the joint bars of the tenth districts may make an appointment. Some of the attorneys hold that Judge Parker dying before he had entered upon the term of office, leaves a vacancy that can only be filled by a special election.

Judge Meighen says that he will not be a candidate under any circumstances as he intends to resume the practice of law at Albert Lea. He will continue to fill the office until a successor is appointed or elected.

On January 5, 1923, Governor Preus settled the issue of whether a special election was necessary by appointing Norman E. Peterson of Albert Lea to fill the vacancy.⁶

To his contemporaries, Ralph Parker was recalled for his geniality, fairness, devotion to community and friendships. These qualities were

⁶ 1923 Blue book, at 610.

noted in the following resolution passed on January 18, 1923, by the Minnesota House of Representatives:

Messrs. Johnson, J. A., Dahle and McNelly introduced the following Resolution regarding Honorable Ralph J. Parker:

Whereas, Death has called a former member of the Minnesota House of Representatives, who also presided as Speaker of the House, Honorable Ralph J. Parker, and

Whereas, A life filled with a fullness of working spirit and faithful service, from early childhood to the full time of allotment, marks the path from cradle to the grave in the life of Ralph J. Parker, whose passing from mortality to immortality occurred on December the twenty-seventh, 1922, at a hospital in Rochester, Minnesota, and

Whereas, In his death the state has lost a faithful servant, and those who knew him a sincere and earnest friend, his whole life being marked by genial friendships, kindly human relations, whole-hearted regard for the principles in which he believed, and an unswerving-devotion to the best interests of the state as he saw them. Ralph J. Parker was born in the township of Frankford, Mower County, Minnesota, on December 17th, 1867. He attended the schools of Spring Valley, when a boy, and later went to Minneapolis, where he entered the University of Minnesota, studied law and was graduated in the class of 1890. After completing his education, Mr. Parker returned to Spring Valley and in 1892 began to practice his profession. In 1903 he was elected County Attorney and served in this capacity until 1909. In 1914, he was elected to the House of Representatives from the Houston-Fillmore District, which position he filled with great credit to himself and his constituents. He was re-elected in 1916 and when the 40th Session of the Minnesota Legislature convened, he was the unanimous choice for Speaker. In this capacity, Mr. Parker made for himself a friend of every member of the House. He was fair and impartial in all his rulings. In

1918 and 1920, he was again re-elected to represent his district. It was during these two sessions that the entire State of Minnesota looked up to Ralph J. Parker as one of the most able men of this body. Last spring when it became known that there would be a vacancy on the District bench, the Bar Association of the Tenth Judicial District gave Parker its unanimous endorsement for the position and he was elected in November by an overwhelming majority. Mr. Parker took the oath and qualified for the office December 22nd, 1922, while on the sick bed.

Therefore, Be it Resolved, That the House of Representatives hereby officially declares its sense of loss in his untimely death; expresses its deep appreciation of his many sturdy and virtuous qualities; and that it extends to his bereaved family its sympathy; and that this resolution, as adopted, be sent to his family in token of our action and as a mark of our esteem and affection for our departed friend and brother; and

Be It Further Resolved, That the Chief Clerk be and is hereby authorized to have an engrossed copy of this resolution and the same sent to the family of the deceased.

Mr. Johnson, J. A., moved the adoption of the resolution.

The Speaker called to the Chair Mr. Johnson, J. A., who presided during the memorial service.

Messrs. Nolan, Christianson, Dahle, Hompe and Girling spoke in eulogy of the life and public services of the late Ralph J. Parker.

The resolution was adopted unanimously by a rising vote of the House.

Mr. Hompe, at 3 o'clock P. M., moved that the House, as a further mark of respect to the memory of the late Ralph J. Parker, now adjourn.

Which motion prevailed, and the Speaker announced

the House adjourned until 2 o'clock P. M., Friday.⁷

On January 22, 1923, the Tenth Judicial District Bar, meeting in the Mower County Courthouse, passed the following resolutions honoring Parker:

RESOLUTIONS OF RESPECT

The Bench and Bar of the Tenth Judicial District, meeting within said District in the Court House of Austin, Minnesota, on this 22nd day of January, 1923, register in these Resolutions their respect and esteem for the late Judge of this District Court — the Honorable Ralph J. Parker of Spring Valley.

An all-knowing Providence, Whose wisdom we do not question, Whose mysterious ways are to us unknown, having removed Judge Parker from this Bench, even before he was able to execute the will of an overwhelming majority of voters of this District;

THEREFORE BE IT RESOLVED, that by these Resolutions we express to his widow and daughter our deep and sincere sympathy in this hour of their bereavement; that we divide with them their sorrow and share with them the heavy burden of their loss.

RESOLVED, that we congratulate the people of this District on having men like Judge Parker, whom they may elevate to places of distinction and posts of responsibility. His life typifies the ideal American — a man of the common people — of high ideals, of steadfast adherence to principles of truth, of honesty, and of justice. We commend to the young men of the District, the character

⁷ Journal of the House of Representatives, Thursday, January 18, 1923, at 125.

of Judge Parker as a type of manhood which they may well emulate — a guide they may well follow. We congratulate ourselves in having been able to be associated with Judge Parker in the practice of our chosen profession; in having been able to know him as a friend and receive the inspiration of his counsel.

RESOLVED FURTHER, that these resolutions be enrolled in the proceedings of this Court; that an engrossed copy be transmitted to the family of Judge Parker and copies be furnished to the newspapers of the District.

Later that year, another tribute was paid to Parker — the revered judge who never served on the bench — at the Minnesota State Bar Association's annual convention:

JUDGE RALPH J. PARKER, late of Spring Valley, Minnesota, was born in the town of Frankfort, Mower County, Minnesota, on December 17, 1867, and died at the Colonial Hospital at Rochester on December 27, 1922. He was the son of W. H. and Hannah Parker, the former a native of New York and the latter of England. His father died in 1888 and his mother now resides in Santa Ana, California.

Mr. Parker attended the country school near the farm where he was born and later attended high school at Spring Valley. He studied law at the University of Minnesota, graduating in the class of 1890. After completing his education he returned to Spring Valley in 1892 and began the practice of law and continued to practice in Spring Valley until the date of his death.

In 1903 he was elected county attorney for Fillmore County and served in that capacity for four successive terms. In 1914 he was elected to the office of representative in the Minnesota state legislature and was re-elected three times, having served in the sessions of 1915, 1917, 1919, and 1921.

He served as speaker of the House in the session of 1917. Mr. Parker met with marked success in his chosen profession. He was naturally of a judicial turn of mind and always cherished an ambition to occupy the office of district judge in his district. He was elected to that office at the general election in the fall of 1922 and qualified only a few days prior to his death. He leaves a wife and one daughter surviving.⁸

⁸ Proceedings of the Minnesota State Bar Association 87-88 (1923).

PRESTON, FILLMORE COUNTY, MINNESOTA, FRIDAY, NOV

Judge Meighen Grants Motion to Dismiss Action Against Judge-elect Parker

District Court convened Monday with Judge J. F. D. Meighen presiding.

The grand jury received their charge and immediately set to work by naming John Galligan of Lanesboro, foreman and Chas. Vanderbie of Bristol, clerk. They finished their labors Tuesday. They returned the following report:

To the Honorable, the District Court of the County of Fillmore, Minnesota:

The Grand Jury duly sworn at the November, 1922 term of said Court, respectfully make the following report:

That pursuant to the charge of said Court, it investigated into the condition of the County Jail and take pleasure in reporting that it was found to be in a clean and sanitary condition and also the premises about said jail.

After listening to a considerable time, to Cush Tibbetts, where in said Tibbetts again requested that certain matters be investigated by said Grand Jury and we having determined that all of said matters have been thoroughly investigated by former Grand Juries of said Fillmore County and said matters all dismissed by said Grand Juries, we therefore refuse to investigate any of said matters.

Dated November 14, 1922.

John Galligan, Foreman.
Chas. Vanderbie, Clerk.

William T. Kelsh, formerly of Coon Creek, Anoka county, but now claiming to be a resident of Preston, appeared before the Court and attempted to show cause why the name of Ralph J. Parker, who was elected Judge of the District Court for the Tenth Judicial District, in the recent election by a majority of more

in January, 1923, and his successor was one of the officers to be chosen by the voters at the General Election held November 7, 1922. At said election the name of Ralph Parker was upon the official ballot in each of the counties in said judicial district as a candidate for said office. The ballots were in all respects fair upon their face and contained nothing indicating any disqualification or ineligibility upon his part. At the election his plurality exceeded ten thousand votes. He was elected by a majority of more than two-thirds of the total vote cast.

Ralph Parker is a member of the house of representatives of Minnesota for the two year term commencing the first Monday in January, 1921, and ending on the first Monday in January, 1923. The emoluments of the office of judge of the district court of said Tenth Judicial District have not been increased in any way during said term and have not been increased at any time since the increase made by Chapter 30 of the Special Session Laws of 1919, which increase was long prior to the commencement of the present term of said Ralph Parker in the house of representatives.

During the term of two years which ended on the first Monday in January, 1921, Ralph Parker was also a member of said house of representatives, but his said term of office in the legislature had expired for more than one year before the General Election of November 7, 1922, at which he was chosen Judge of said District Court of the term commencing the first Monday in January 1923.

the District Court for the Tenth Judicial District, in the recent election by a majority of more than 7000 votes, should be stricken from the list of eligible candidates, declaring void any votes cast for him.

Former District Judge. S. D. Catherwood of Austin, counsel for the defense, moved to dismiss the proceedings and vacate the order to show cause upon the ground that the petition did not state facts giving the Court the jurisdiction or to warrant the relief prayed for or any other relief, said grounds being more particularly stated by the defendants, as follows:—

1. Because the parties defendant in said action are incorrectly and insufficiently named and designated, that is to say:

(a) The motion papers fail to recite whether Mike Holm is secretary of the State of Minnesota or some other state.

(b) The motion papers fail to properly name and designate the County Auditor of Mower County, Minnesota.

(c) The motion papers fail to properly name and designate the County Auditor of Houston County, Minnesota.

(d) The motion papers fail to properly name and designate the County Auditor of Freeborn County, Minnesota.

(e) The motion papers fail to properly name and designate the County Auditor of Fillmore County, Minnesota.

2. Because the action is prematurely brought.

3. Because the plaintiff and contestant is not a legal voter within the Tenth Judicial District.

4. Because the contestant has no special interest in the action.

5. Because it does not show that any fact showing the disqualification of contestee Ralph Parker appears upon the face of the ballot used at the general election in November, 1922.

6. Because the facts alleged do not show that the said Ralph Parker is ineligible to the office of District Judge of the Tenth Judicial District.

The court being fully advised finds as facts:—For more than forty years the counties of Houston, Fillmore, Mower and Freeborn have composed the Tenth Judicial District of Minnesota. During all of that time the office of Judge of said District Court has been an office under the authority of the State of Minnesota. The term of office of the sitting judge will expire on the first Monday

of the term commencing the first Monday in January 1923.

As conclusions of law, the court finds that said motion to dismiss should be granted and that the defendant Ralph Parker and the other defendants are entitled to judgment in all things discharging said orders to show cause.

Let judgment be entered accordingly.

John F. D. Meighen,
Judge of said District Court.

Posted MLHP: May 15, 2012;
decision by Judge Meighen added, February 3, 2018..