

STATE OF MINNESOTA
COUNTY OF RAMSEY

DISTRICT COURT
SECOND JUDICIAL DISTRICT

At a Special Term of the above Court, in the Court House in the City of St. Paul on Saturday April 4th, 1931, a committee of the Ramsey County Bar Association appointed for that purpose presented the following:

MEMORIAL OF WALLACE BARTON DOUGLAS.

Wallace Barton Douglas was born at Leyden, New York, September 21, 1852. His parents were Asahel M. and Alma E. (Miller) Douglas. The former was of Scotch and the latter of Holland descent. The father was descended from the Clan Douglas in Scotland, his direct ancestors, Sir William Douglas and wife, who was a Miss Ringstad, having migrated from Scotland to New England in 1640. One at least of their descendents served in the Continental Army of the Revolutionary War. Another scion of the family was the well known Stephen A. Douglas of Illinois.

There were three children in the Asahel Douglas family. Cordelia who died in childhood, Wallace Barton and his twin brother, William A. who died several years ago. The family removed from New York to Momence, Illinois in 1886. The father died there three years later; the mother lived for many years thereafter.

Wallace was educated the common schools of New York and Illinois. As a youth he worked as assistant agent of the Railroad Company at Momence. He then attended the Cazenovia Seminary in New York. Returning to his home he obtained employment for another year at the local bank and with the money so earned he entered the law department of the University of Michigan and was graduated therefrom in 1875. He was admitted to the bar and began to practice law in Chicago the same year.

In 1883 he removed to Minnesota and settled at Moorhead where he

continued the practice of his profession. He served there as City Attorney of Moorhead, member of the Board of Education and County Attorney of Clay County. He was elected to the House of Representatives of Minnesota and served in the legislatures of 1895 and 1897. He was elected to the office of Attorney General of Minnesota in the fall of 1898 and was reelected in 1900 and 1902. He resigned this position March 31, 1904 and on the same day was appointed Associate Justice of the Supreme Court by Governor Van Sant and served in that capacity until January 1, 1905. He then retired to private life and practiced his profession in St. Paul.

Judge Douglas was married May 19, 1881, to Miss Ella M. Smith of Illinois and. of the children born to them two are still surviving, Harold B. Douglas of Seattle, Washington and Lila M. Douglas (Towsley) of Colorado, Texas.

The public career of Judge Douglas was a distinguished one. His life is an open book, clean, upright and free from the breath of scandal. His honor and integrity has always remained unquestioned. He was fearless and devoted to the duties of his position. There came before him in his capacity as Attorney General many important questions of public policy, and in dealing with them he did not shrink from taking the stand that he considered for the best interest of the State although he knew that he thereby might incur the determined opposition of a large and powerful group of people who would be interested in forcing him into retirement. No question of policy or personal popularity ever caused him to make a compromise with what he considered an evil to the State.

As a lawyer he reached the goal of his ambition when he became a member of the Supreme Court. His long and varied experience at the bar and in public life, his mental equipment, his broad knowledge of the law, and his preeminent love of justice and fair play marked out his course for a long and useful career in that Court; but that opportunity for useful service was prevented by a political upheaval, and he was retired at the end of the year.

The work done by him however in that period was of a high order. The opinions written by him are models of judicial literature—terse, clear, comprehensive and full of promise of what the author might do in the future.

His private practice covered a large field. Business men and those needing legal assistance, hastened to avail themselves of his service, and he maintained until his death the high standards of practice with which he had begun his work. He was fair and just to his clients, the public and the Court, whose respect and confidence he held in a large measure. He was a tower of strength to those whom he represented.

As an illustration of the lasting impression which he made it might be mentioned that some of the clients whom he counseled in Chicago more than 40 years before still sought his services in St. Paul until the end of his career. Also his former clients in the vicinity of Moorhead frequently came to him in St. Paul.

His family and home life was beautiful. He was simple in his tastes and habits, sociable and friendly by nature; blessed with a life companion of rare charm and character.

Judge Douglas was an ardent lover of nature and of the great out-of-doors. He served for 20 years as a member of the State Forestry board and it was largely through his personal efforts that the beauty spot now known as Itasca Park escaped the Woodman's axe and was set apart and preserved for this and future generations. One of the principal buildings in that park has been named Douglas Lodge in his honor. He was one of the first and strongest advocate of laws to protect the wild life of the State and assisted in drafting the first statute for its protection.

On January 30, 1931, the House of Representatives of Minnesota adopted a resolution of condolence upon his death in which his career was summarized as follows:

“The people of Minnesota called him to many positions of great importance, all of which he filled with singular ability and distinction. In his intercourse with his fellow men he was always kind and friendly and tolerant of the opinions of others. He loved Minnesota and its institutions and contributed largely of his genius and learning for their advancement. His personal charm and kind friendship will long be cherished by those who enjoyed the pleasure of his acquaintance.”

On February 7th, 1931, at a memorial service held for him in the Supreme Court Mr. Justice Royal Stone speaking for the Court said:

“By a lifetime of professional and public service, most of it spent in Minnesota Judge Douglas well earned the tribute you pay him this day. You did not overrate his character when you say concerning him that nothing need he suppressed or withheld * * *. He was fearless and devoted to the duties put upon him by any position held in public or private life. Truly he was a living epistle, the reading of which by all men need never to have been feared by its author.

His professional accomplishments, great, when he became Attorney General, were of course enlarged and embellished by his years of strenuous service in that office. His experience there rounded out and so completed his professional equipment that when he became a member of the Supreme Court he brought with him unusual qualifications for the place.

If anybody is disposed to question that the unfortunate feature of his service on this bench, was its brevity, let him spend even a short time in a studious examination of the opinions of Judge Douglas. He will be struck first by the admirable manner in which they achieve comprehensiveness of consideration with brevity of treatment. He did not resort to that elaboration either of facts or law which so easily become tedious supererogation. But on the other hand, he did

not scant either the facts or law of the case. There was always the most careful consideration not only of the result but also of the manner in which it was reached. He was careful not only to cite the authorities but also to assign the reason for the rule announced.

One needs read but a few of his opinions in order to come to the conclusion that in each case the writer had a very clear notion not only of what he was deciding but why. Complying with the traditional rules of this Court he of course prepared his own syllabi. They are models of brevity and yet comprehensive indicia of the bases of decision. This is a result frequently difficult of achievement but so far as possible Judge Douglas did it in each case. To an unusual degree the headnotes of his decision are accurate and complete digests of the opinions.”

On the 9th of December, 1930, at Ferndale, Washington, where he had gone to recuperate his health in the fullness of years with his faculties unimpaired, he answered the final summons. With Masonic rites he was consigned to the tomb in the City of Moorhead the scene of his early struggles and victories, where he received the sorrowing tribute of a great concourse of people. As we trace his footsteps we marvel that so much could have been accomplished in a single lifetime.

We shall miss him in his kindly sympathies and cheerful example as a friend and in his high ideals and splendid, fearless qualities as an advocate and counselor.

/s/ George W.-----
/s/ Frank E. McAllister
/s/ Leo Kennedy
/s/ Asa G. Briggs

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APPENDIX

In 1897, a compendium of sketches of prominent Minnesotans, collected and edited by Marion D. Shutter and J. S. McLain was published under the title *Progressive Men of Minnesota*. The following is the entry on Wallace Douglas. We may assume that he either wrote or contributed to this profile.

WALLACE B. DOUGLAS.

In 1875 the subject of this sketch graduated from the Ann Arbor law school, and in 1883 he came to Minnesota, locating in Moorhead, Clay county, where he has since resided. He applied himself industriously to the practice of his profession, and in a few years came to be regarded as one of the leading attorneys of the Red River valley. He has had no ambition save that which has had his profession as a center, and his occasional incursions into the field of politics have been entirely incidental to the chief purpose of his life. During the quiet years of his life in Clay county, Mr. Douglas came to be city attorney of Moorhead, which position he held for four years, and county attorney of Clay county, to which last named office he was elected three times. For almost a dozen years he was a member of the Moorhead public school board. In 1894 and again in 1896 he was elected to the legislature as a Republican, and before the Republican state convention of 1896 he was an unsuccessful candidate for nomination to the office of attorney general, developing a strength in that canvass which was highly gratifying to friends and himself. Mr. Douglas' political sun has risen very quickly and in an unclouded day. At the present time he stands with perhaps half a dozen men from various sections of the state as one of the acknowledged leaders of the younger and more progressive element in the Republican party, and the temptation to make politics his principal business is a strong one. But as already stated, he prefers to be best known as an attorney, and will permit nothing to interfere with the career which is opening up so propitiously before him at the bar. Sir William Douglas, who emigrated to America from Scotland in 1660, is the direct ancestor of

Mr. Douglas, who through this baron of the days of the Stuart kings traces his ancestry back to the red and black Douglasses, who played so conspicuous a part in earlier Scotch history. It is believed that Mr. Douglas is Scotch by both of these first American parents; at any rate, Scotch given names have predominated in the American branch of the family, as witness his own name, Wallace. In matters of recreation Mr. Douglas is known as an enthusiastic sportsman, and an expert with the rifle and shot gun. He belongs to that class who believe good habits and good fellowship can go hand in hand. He was born in Leyden, Lewis County, New York, September 21, 1852. His father was A. M. Douglas, a farmer, and his mother, Alma E. Miller. He received a common school education, and attended the law department of Michigan State University, graduating there, as already related, in 1875. It was on a dairy farm, milking cows, that he earned his first dollar. Mr. Douglas' Republican is inherited, and he never has belonged to any other party. As a political speaker he takes high rank, and during the last few campaigns he was in constant demand in the northern sections of the state. Three secret societies claim him as an active member, the Masons. Odd Fellows and Knights of Pythias. In 1881, May 19, Mr. Douglas was married to Ella M. Smith, and the union has been blessed with two children, Harold B. and Lulu L. ■

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