

MEMORIALS

FOR

William A. Allen (d. 1904)

Charles A. Morey (1851-1904)

John M. Sheardown (1831-1905)

Thomas Simpson (1836-1905)

District Court
Third Judicial District
Winona, Minnesota

Winona County Bar Association

May 13, 1905

FOREWORD

The following bar memorials were adopted and delivered at different times. The short memorials for William A. Allen, Charles A. Morey, John M. Sheardown and Thomas Simpson conclude with the resolution that copies be presented to the judge of the District Court of Winona County or that he be requested to order they be made a part of the court records. This wording suggests that they were adopted at a county bar association meeting held in the law offices of one of its members. The longer memorial begins with the usual court salutation—"may it please the court"—indicating that it was delivered in open court, and that the four individual memorial resolutions were offered at that time. On a page of each set of resolutions is the handwritten notation, "Filed May 13th 190[5], John J. Trippe, Clerk of Court."¹

Curiously, the memorials for Allen, Morey and Sheardown contain no biographical information about them. Some data, however, can be found in their entries in Warren Upham and Rose Barteau Dunlap's semi-official compilation of biographies published in 1912:²

ALLEN, WILLIAM A., lawyer, b. in Burlington, Vt.; d. in St. Paul, May 1, 1904. He settled in Winona, Minn.; practiced law, and was municipal judge there; in 1899 became assistant librarian in the state law library, St. Paul.³

MOREY, CHARLES ANSON, lawyer, b. in Vershire, Vt., Aug. 9, 1851; d. in Winona, Minn., Sept. 26, 1904. He came to Minnesota with his parents in 1861; was graduated at the Normal School at Winona, 1872; was admitted to the bar in 1879, and settled in Winona; was

¹ The last digit is missing but, given the dates of deaths of Simpson and Trippe, it must be 1905. Trippe served as clerk of court from January 1899 to February 28, 1906, when he died. For his bar memorial, see "John J. Trippe (1868-1906)" (MLHP, 2013).

² Warren Upham & Rose Barteau Dunlap, *Minnesota Biographies, 1655-1912* (14 Collections of the Minnesota Historical Society, 1912).

³ *Id.* at 10.

president of the Winona Savings Bank, and secretary of the Winona Building and Loan Association; was a member of the State Board of Control, 1901.⁴

SHEARDOWN, J. M., lawyer, b. in New York, Jan. 10, 1831; settled in Winona, Minn., in 1857; was admitted to the bar in 1860; served in the Fifth N. Y. cavalry in the civil war; was clerk of the district court for Winona county, 1877-94.⁵

SIMPSON, THOMAS, lawyer, b. in Yorkshire, England, though of Scotch parentage, May 31, 1836; d. in Winona, Minn., April 26, 1905. He came to the United States with his parents while quite young; studied surveying, and in 1853 took the government contract for running the meridian and parallel lines in the south-east part of Minnesota Territory. In 1856 he settled in Winona; was admitted to the bar in 1858; practiced law, engaged in many important business enterprises, and was during many years president of the State Normal School board. He was one of the organizers, and for seven years president, of the Second National Bank of Winona.⁶

These bar memorials are on deposit at the Minnesota Historical Society. They are complete, though reformatted. The captions of the individual memorials and the court memorial have been added by the MLHP. The original spelling and punctuation have not been changed. The author of the memorial delivered in court is not listed.

The presiding judge in Winona County District Court in May 1905 was Arthur H. Snow.

⁴ Id. at 522.

⁵ Id. at 696. Sheardown's death certificate at the Historical Society records his death as April 20, 1905, in Winona County.

⁶ Id. at 707.

MEMORIAL FOR WILLIAM A. ALLEN

WHEREAS, by Devine Will, William A. Allen was relieved from earthly labors on May first, 1904, and by his death the Winona County Bar Association has lost one of its members and the State of Minnesota a most valuable servant.

NOW, THEREFORE, BE IT RESOLVED, that his death is most deeply regretted by the members of this association, and that it brings to mind his long term of service as Alderman, Judge of the Municipal Court, and a member of the Library Board, and the innumerable acts of kindness and generosity which were ever his, and, that the last five years of his life were spent in St. Paul as Assistant State Librarian, which position he filled with great honor to himself and the entire satisfaction and admiration of the bench and the bar of the State and where his conscientious and indefatigable labors contributed largely to his death, and,

BE IT FURTHER RESOLVED, that the Judge of the District Court of Winona County be requested to direct these resolutions to be spread upon the records of the Court and that a copy be sent to the family of the deceased.

MEMORIAL FOR CHARLES A. MOREY

BE IT RESOLVED by the Winona County Bar Association, that in the death of our brother Charles A. Morey, [it] has been sustained a loss extending far beyond the confines of this association; while the Bar Association has lost an active painstaking member from whose professional counsel, characteristically clear and conservative, so many have profited, we as citizens of this city and state also cherish the remembrance of him as one of the foremost friends and advocates of public education, who was largely

instrumental in bringing the Normal institutions of our State to their present high standard and to whose wise foresight and sound judgment while a member of our city council we largely owe the permanency of many of our public improvements and whose work and influence was a part of the City's progress and,

BE IT FURTHER RESOLVED, that the Judge of the District Court of Winona County be requested to order this resolutions to be spread upon the records of the Court, and that a copy be forwarded to the family of the deceased.

MEMORIAL FOR JOHN A. SHEARDOWN

Whereas, JOHN N. SHEARDOWN, a member of this Association lately departed this life, and

Whereas, the deceased was a pioneer settler of this state, and was for many years clerk of the District Court of Winona County,

Now therefore, be it resolved by the members of the Winona County Bar Association that we deeply regret the death of Mr. Sheardown, and extend to his family our heartfelt sympathy, and

Be it further resolved that a copy of these resolutions be presented to the District Court of Winona county, and a copy forwarded to the family of the deceased.

MEMORIAL FOR THOMAS SIMPSON

Whereas, Honorable THOMAS SIMPSON, a member of this association, lately departed this life, and

Whereas the deceased was a pioneer settler of this state, and the oldest practicing attorney in Winona County,

Now therefore be it resolved by the members of the Winona County Bar Association that we deeply regret the death of Mr. Simpson, and extend to his family our heartfelt sympathy, and

Be it further resolved that a copy of these resolutions be presented to the District Court of Winona county, and a copy forwarded to the family of the deceased.

STATE OF MINNESOTA
COUNTY OF WINONA

DISTRICT COURT
THIRD JUDICIAL DISTRICT

Re: Memorials for W. A. Allen, Charles A. Morey,
J. M. Sheardown and Thomas Simpson.

MAY IT PLEASE THE COURT:

Respect and veneration by the living for the dead comes down to us from antiquity. In his remote day arid, clime Abraham paid four hundred shekels of silver for the cave in Machpelah in which to bury his dead, and we are all familiar with that biblical story of where the angel descended from heaven and rolled away the stone which Joseph had placed upon the sepulcher of the Nazarene.

This sentiment is not only creditable to the living but its effect is elevating and ennobling to all mankind. From its beneficent influence affection plucks a wreath of sweet fragrant flowers, or prepares a simple headstone and places it upon the grave of the lowly and the humble. And from it also comes the memorial eulogy,

the gorgeous pageant, and the splendid mausoleum which the reverence and devotion of a people bestow upon those who are distinguished above their fellows. Without it we would not have the eulogistic gems of Bancroft, Blaine and Day, and many others, which sparkle with the best principle and highest ideal. Neither would we have the Washington monument, Lincoln's tomb, the Leland Stanford, Jr. university and many other similar institutions which will stand as beacon lights to demonstrate to ages yet unborn the high estimate and sincere appreciation of true manly worth, character and devotion. From this sentiment has grown the custom under which we have met here today to give fitting expression to our sorrow and to in some degree commemorate the virtues of our deceased brothers W. A. Allen, C. A. Morey, J. M. Sheardown and Thomas Simpson. I shall not attempt to add anything to what has been so well and appropriately said concerning the life and character of the three former, and what I shall say concerning the life and character of the Honorable Thomas Simpson will be with a feeling of consciousness that there are other members of this bar who are more able to appropriately perform the duty assigned me.

I did not know Mr. Simpson as long as many of you have but it was my good fortune to know him well. He possessed a grace of manner and a thoughtful consideration in word and act, particularly in his intercourse with the younger members of the bar which brought him closer than a friend to some of us.

Viewing briefly, as we must on this occasion, the period of his active life in connection with this bar and the development of the city and county of Winona, we find him first here in 1853 as a young surveyor at the age of nineteen, assisting in making a government survey of a the Territory of Minnesota. At that time Winona county constituted but a precinct of Fillmore county and contained a population of less than eight

hundred, and the deer and antelope roamed the hills about us. Three years later he moved to Winona county, where he lived until his death. At that time the city of Winona was not incorporated, and in the spring of 1857 he assisted in securing the passage of a charter for the incorporation of this city, which was passed by the territorial legislature on March 6, 1857, and at the charter election held a month later he was elected a justice of the peace, being the first justice elected in this city. In 1858 he was admitted to this bar and from that time until his death continued an active member, being president of the Winona County Bar Association at his death and for a long time prior. In 1862 he was appointed as a member of the city council from the first ward to fill a vacancy caused by the resignation of A. F. Hodgins. The next year he was elected to succeed himself as such member and the following year re-elected. In 1864, when the Normal School of this city was closed for want of funds, he was appointed a member of the state Normal Board and that year an appropriation was secured, the school opened and under his supervision and management of about twenty years as resident-director the school grew in importance and influence and today stands at the head of educational institution of its kind in the Northwest. He was also the same year a delegate in the National Republican Convention at Baltimore at which Abraham Lincoln was nominated as a candidate for president for a second term. In 1866 he was elected to the state Senate and his record as a member of the General Assembly is an honorable one, and only last fall he was elected as a presidential elector, and as a member of the elector college took part in the formal declaration of the election of the present distinguished Chief Executive. But it was not alone in his official capacity that he contributed to the growth and development of this city and county, and to the happiness and prosperity of their people. He was an active and enthusiastic member of the Board of Trade of this city. He was the first president elected by that body, and in

building up the commercial and industrial interests and institutions of this city he was prominent and performed a conspicuous part.

Throughout his mature life he was a communicant of the Methodist Episcopal Church, superintendent of the Sunday school of the Central Methodist Church of this city from 1856 to 1892, and I feel justified in saying that in building up the church, the school, the Young Men's Christian Association and similar institutions of this city that no citizen contributed more of his time, his energy and his counsel. He was an active and enthusiastic member of the Winona County Old Settlers Association, and at the time of his death and for a long time prior was president of that organization. His latest work was done in the preparation of an address which he contemplated delivering at a meeting of the Winona County Old Settlers Association which was held here February 22nd, and while preparing it and before it was completed he became faint and exhausted and was taken from his office to his home, where he remained, sustained and soothed by an unfaltering faith until April 26th when he died.

Living as he did, from early manhood, here on the banks of the upper Mississippi, where nature in the distribution of her scenic beauties was prodigal of her choicest gifts, and at a time when labor was the price of an existence, he cultivated an even temperament and acquired a sturdy self-reliance which with his keen perceptions his quick comprehensive grasp of circumstances and conditions, together with a strong determination, distinguished him not only as a member of this bar but as a broad gauged man of affairs. His personal life was clean and his example a stimulating influence in this city and community, while the loving tenderness of his domestic life has made his memory in this respect a sweet savior, where happy homes are recognized as a citadel of civic virtue and the hope of mankind. □

RELATED ARTICLES

“Judge Chatfield’s First Court Session in Winona County” (MLHP, 2009) (published first, 1884).

“Moot Court” (MLHP, 2008) (published first, 1873).

“Judge Mitchell’s Court Calendars: March 13-18 & October 16-20, 1879” (MLHP, 2008).

“Early Courthouses of Winona County” (MLHP, 2011) (published first, 1913).

“Courts and Officers of the Courts of Winona County” (MLHP, 2010) (published first, 1883).

Arthur H. Snow, “Bench and Bar of Winona County” (MLHP, 2010) (published first, 1913).

In addition, several dozen bar memorials by the county bar association will be posted on the MLHP. ■

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