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Report of Memorials

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REPORT OF MEMORIALS

EDWARD WALTER BOWEN

With reference to this deceased lawyer, a member of our bar since 1898, your committee cannot do better than to adopt the obituary written by Mr. A. Leslie of Forman, North Dakota a contemporary of the deceased in law and in residence.

"Edward Walter Bowen was born at Montrose, Iowa, on September 14th, 1858, the eldest son of Orwell W. and Hulda Bowen. When a child the family moved to Minnesota and settled on a timber farm near St. Cloud. Here Mr. Bowen grew to manhood, attended the local schools and later graduated from the Normal School at St. Cloud.

"He came to Dakota Territory in 1882 and homesteaded in what is now Bowen Township, Sargent County. Mr. Bowen later came to Forman where he entered the study of law and was admitted to the bar. He was united in marriage to Cora R. Lewis of Cogswell on March 26th, 1891. To this union six children were born: Mrs. Gladys B. Stalter of Forman; Mrs. O. W. Petterson of Forman; Mrs. S. B. Keen of Minneapolis; Geneva Bowen, who preceded her father in death in 1936; Leslie of Hibbing, Minnesota and Walter of Winner, South Dakota. Mrs. Bowen passed away in 1939.

"Mr. Bowen passed away Friday evening, April 17, 1942, at 6:45 following a heart attack. He had been in declining health for several years. He was 83 years, 7 months and 3 days of age at the time of his passing. A brother, Leslie, of Eaton Rapids, Michigan, also survives.

"Mr. Bowen served as State's Attorney of Sargent County for eight years, was a member of the local board of education for a number of years and had been active in civic and political activities throught his entire life.

"He had been a resident of Sargent County for sixty years, had taken an active part in the settlement of southeastern North Dakota and was a member of the first legislative assembly when North Dakota entered statehood in 1889. He also leaves a host of friends and neighbors.

"Blessed be his memory."

HARRY H. COOPER

Death came suddenly to Mr. Cooper; the messenger rapped and he answered. Mr. Cooper was born at Park River on February 23, 1887, the son of the Reverend Henry P. Cooper, one of the pioneer Methodist clergymen of Dakota Territory, and on his mother's side he was a member of one of the early pioneer families of Walsh County. It will be noted that Mr. Cooper was

clearly a North Dakota product, for his education was received here, and his life work was performed here.

Mr. Cooper obtained his education in Grand Forks High School, then entered the University of North Dakota, where he received a B. A. degree. He was a Phi Beta Kappa and enrolled in the Law Department of the University. Here he received his degree of LL. B. and of Doctor of Jurisprudence. Mr. Cooper was admitted to the bar of North Dakota in June, 1914, and immediately thereafter opened his office in Kenmare where he practiced till the day of his death. He was active in civic affairs of Kenmare being City Attorney for many years, member of the Park Board, and the first President of the Kenmare Association of Commerce.

On December 31, 1924, Mr. Cooper was married to Miss Ruth F. Johnson, a sister of his sister's husband, Roy Johnson, belonging to one of the outstanding agricultural families in North Dakota. To this union were born two daughters, Fredrika and Margaret, who, with Mrs. Cooper survive.

Mr. Cooper was an able, successful, and high minded lawyer. While he did not appear in the courts of the State as frequently as some other members of the profession, nevertheless his influence was that of the true lawyer who counsels and advises for the improvement of personal and litigious conditions. He will be sorely missed in the Kenmare community where he spent his active life.

JOHN A. DINGELDEIN

Mr. Dingeldein was born on a farm near Waukesha, Wisconsin, on May 15, 1885, and died at Litchville, November 7, 1941. He never married — the law being his mistress. Mr. Dingeldein was educated in the public schools of Waukesha and then entered Marquette University for collegiate and law training. He graduated from that institution in 1911, and was admitted to the Bar of Wisconsin that same year. In 1916 Mr. Dingeldein came to North Dakota, settling in Litchville. He was admitted to the bar of this State, July 3, 1916, and in September he opened his law office in Litchville and continued his practice there until the day of his death.

His civic activities embraced active work in the Congregational Church, active work on the Village Council for several terms, being president of the council for two terms, and active work in the local bar association.

Possibly the best evidence we have as to the life and influence of an individual, is the judgment of those with whom he had associated for years. In this respect, one of his fellow men and active competitor and antagonist says of Mr. Dingeldein — "He was a man of strong convictions and strict and honest in dealing with his fellow men. An honor to the fraternity."

WALTER L. DIVET

Mr. W. L. Divet was born in 1884, married in 1912, died in 1942, leaving a wife and three daughters. This specifies the three most important dates in his life as it summarizes generally the life of all of us.

On March 29, 1942, Mr. Divet was stricken with a heart attack, was hurried to the Saint Francis Hospital in Wahpeton and died a few hours later. At the time of his death he was City Attorney of Wahpeton; for eighteen years he had been State's Attorney of Richland County and for two terms he had been Assistant State's Attorney.

Mr. Divet's preparation for his professional life of twenty-three years was quite extensive. For eight years he was court reporter for Judge Frank Allen and later was employed in the law office of the late United States Senator, W. E. Purcell—in his day one of the leading lawyers of the state. In October, 1919, Mr. Divet was admitted to the Bar upon examination and ever since was engaged in the legal profession and related interests and enterprises. He was a member of the A. O. U. W. fraternal society and a member of the Congregational church.

Mr. Divet was born at Great Bend, Minnesota, June 19, 1884, and on August 17, 1912, was married to Miss Ida Hanson of Minneapolis, who with his three daughters, Mrs. Ben Matzek and Miss Dorothy, both of Bristol, Tennessee, and Miss Patricia of Wahpeton, survive him. He is also survived by two granddaughters, one of whom was born on the day of his death.

ARTHUR W. FOWLER

On May 26, 1942, death removed Arthur W. Fowler from his active business and legislative work, and thus terminated a legislative career of some fourteen years spent in the House of Representatives and in the Senate of this State.

Mr. Fowler was born at Sheldon, North Dakota, September 8, 1882. There he attended the public schools and then entered the North Dakota Agriculture College, graduating therefrom in 1901. Immediately thereafter he entered the law department of the University of Minnesota, graduating therefrom in 1904 with the degree of LL. B. On the 22nd of September of the same year he was admitted to the Bar of this State and ever since was connected with the civic and political life of North Dakota.

Although a lawyer by training, a great deal of his activity was devoted to business, commercial and financial. For the first four years he practiced law and for the next eight years was State's Attorney of Cass County, closing this official life in 1918. Thereafter he devoted himself largely to financial work and from 1921 to the day of his death he was Vice President of the Dakota National Bank of Fargo.

In the fall of 1926 Mr. Fowler was elected to represent the 9th legislative district in the House of Representatives of the State, where he served one term, and in the fall of 1928 he was elected to the Senate and continued to represent that district in the State Senate until the time of his death.

On June 5, 1907, Mr. Fowler and Miss Mabel Labbitt, of Detroit Lakes, Minnesota, were united in marriage. To this union were born three children—William A., now with John Hancock Life Insurance Company of Chicago; Lieutenant Richard L., in the air service of the United States Army; and Eileen (Mrs. Robert L. Bardwell) of Fargo, North Dakota.

Mr. Fowler was active in lodge work, being a member of all of the Masonic bodies of Fargo, together with the Shrine, the B. P. O. E. and the A. O. U. W.

Mr. Fowler was actively engaged in the work of the Episcopal Church of North Dakota and was associated in the work of that church in Fargo. His sudden death was unexpected though he had been under the doctor's care for some time. The funeral services were conducted in Fargo and the body laid to rest in Riverside Cemetery of that city. This ended the earthly career of a fine lawyer, business man, and citizen.

RICHARD HARTWELL JOHNSON

Mr. Johnson was one of the oldest lawyers in the State of North Dakota. Mr. Johnson was born in Eastford, Connecticut, February 18, 1855. His parents, Samuel Augustus Johnson and Mary B. Johnson nee Carpenter, were New Englanders for many generations and of English descent. His early education was obtained in the public schools of St. Charles, Minnesota, with pre-college training at the University of Minnesota, and later he entered the University of Minnesota, receiving therefrom, the degree of B. S. in 1882. He then entered the law department of Michigan University and was graduated therefrom in 1884 with the degree of LL. B. While at Ann Arbor he became acquainted with Frank H. Register from Delaware, a graduate from LaFayette in 1881, and of the law department of the University of Michigan in the law class of 1883. Consequently, upon graduation Mr. Johnson came west and formed a partnership with Mr. Register in the city of Bismarck, which relationship continued for five years. The law profession of this State will still remember Mr. Register, though he died in 1929.

Apparently the active practice of law was not sufficient to engage all of Mr. Johnson's activities and so in 1889 he left for the coming city of Dickinson to take the position of cashier of the Stark County Bank, and remained in Dickinson until the day of his death, August 28, 1942.

During his entire career in Dickinson Mr. Johnson was more actively engaged in banking and similar business enter-

prises than with the law profession. This continued until the year 1938, and thereafter he was content to look after his own private interests.

In 1890 Mr. Johnson and Mary Velvina Poole were married and to this union were born three sons and two daughters — Mr. W. K. Johnson, President of the Dickinson City Council, Mr. Richard Watt Johnson, Mayor of the City of Beach, and Mr. Hartwell P. Johnson of Dickinson; Mrs. Beth J. Soules of Dickinson and Mrs. Margery McCutchan of LaOroya, Peru, South America. Mrs. Johnson died in November, 1940; but his five children and ten grandchildren survive. Mr. Johnson was a real pioneer. During his college days he took advantage of the land laws of the United States to file upon a pre-emption and a tree claim in Stutsman County, so pioneer life was familiar to him.

As a young man his father's family had moved to Minnesota and from there in 1875, he with two other boys went down the Mississippi River and up the Ohio. From some place along the Ohio they walked part of the way, in 1876, to attend the Centennial fair in Philadelphia. It was here he came to a full realization of his limited education and decided that in some way he would get a full college training. There were no student loans or NYA grants in those days; a man paid for what he got, and generally got what he paid for.

In the religious world he was affiliated with the Episcopal Church. He belonged to the Masonic Order and to the B. P. O. E., always being active in every association with which he was connected. At one time he was a delegate to the National Republican Convention. For some time he held the position of Mayor of the City of Dickinson and contributed his full share to the development of that enterprising city. It will take the people of Dickinson many a long day to become accustomed to the absence of this veteran lawyer and banker, Mr. Richard Hartwell Johnson.

CLARENCE BELDEN LITTLE

Mr. C. B. Little of Bismarck died in a Saint Paul hospital on Thursday, September 25, 1941.

No accurate history of the city of Bismarck could be written without assigning large space to Colonel Little. He was born at Pembroke, New Hampshire, November 18, 1857; on his father's side a member of an old and established family of colonial days and through his mother he was a descendent of the famous John Knox of Scotland. He obtained his early education in the rural schools of New Hampshire and then entered Dartmouth College, receiving the A. B. degree from that institution in 1881. Shortly after he entered the Harvard Law School, and after preliminary work in law offices in Concord, New Hampshire, and in Cambridge, Massachusetts, he was admitted to the Bar in 1883.

Almost immediately after his admission to the Bar Colonel Little followed Horace Greeley's advice and in 1883, after a preliminary survey of several western possibilities, he settled at Bismarck, and became a potent force in that city from then until the time of his death.

In 1884 Colonel Little was elected judge of the probate court of Burleigh County and held that position until the fall of 1889 when he was elected to the Senate of the State, on the admission to Statehood. As State Senator, Colonel Little served up to and including the session of 1907, or for a period of twenty years. During this long period of service he was chairman of the judiciary committee of the Senate and occupied a commanding position in its deliberations. A lifetime Republican, he was chairman of the Republican State Committee in 1904, and in 1916 was a delegate at large to the Republican National Convention.

During the Territorial days Colonel Little took an active part in the organization of the Territorial militia and was for three years inspector general with the rank of colonel.

Although a lawyer by profession, Colonel Little's chief interests were financial. In the early days he was associated with the Mellon interests but thereafter became a competitor. In 1884 he was elected a director of the Capital National Bank, became President of that institution in 1886, and remained as its head until 1895, when he obtained a controlling interest of the First National Bank and upon a merger of the two institutions he became President of the First National Bank, a position which he maintained until the time of his death.

Colonel Little was associated in the organization of the Provident Life Insurance Company and became the president of that institution. In civic and social life Mr. Little was active. For years he was President of the State Historical Society, and of the Bismarck Public Library Board; but the educational work in which he took his greatest pride was his relationship to his alma mater. For many years before his death he was a trustee of Dartmouth College and it was one of his especial prides that he never missed a meeting of the board of trustees.

He was interested in cultural things, his major interest being in music, and in his fine home in Bismarck he had installed a pipe organ, the melodies of which so often were a source of entertainment to his friends, as well as his own constant uplift. For years he was interested in the business work of the Presbyterian Church, being a generous contributor. Fraternally he belonged to the Masonic and the Elks organization; his special fraternal interests being in the Order of the Temple. Owing to his extensive business interests, he was required to make trips to the various financial centers and thus he became a member of the University, Somerset and Country clubs in the Twin Cities, of the Union club of Boston and the Hollywood Country club of California.

Shortly after settling in Bismarck Mr. Little was married to Caroline G. Little at Boston. To this union were born two children—a son, George P. Little of Los Angeles, California, and Mrs. Viroque Bradley of Bismarck. Mrs. Little died in 1933 and five years thereafter Mr. Little married Mrs. Irene L. Shepard of Bismarck, who survives him.

PETER M. MATTSON

In the death of Mr. Mattson, the State has lost a real pioneer. Born in Sweden May 30, 1861, he came with his parents to Minnesota in 1879 and then in 1883 began his permanent residence in Eddy County. Thus at twenty-one years of age he was established in that part of the Territory now known as North Dakota. True to the custom of that day he took advantage of the offer of the United States in "securing a claim" and filed on land in 1884. Later he had his parents remove from Minnesota to the same community.

In 1886 Mr. Mattson and Kjersti Peterson were married at White Rock, Minnesota. To this union five children were born, three of whom, together with the widow, survive—Mrs. Evalyn M. Naylor of Pasadena, California; Dr. Roger H. Mattson of McVille, and Edgar P. Mattson, attorney at law of New Rockford.

Like many another foreign born citizen, Mr. Mattson was a strong advocate of general education. On his own behalf he undertook the study of law, first in a law office and then entered the Law Department of the University of Minnesota, and was admitted to the Bar in the year 1895. Upon admission to the Bar he opened an office in New Rockford, and successively occupied the offices of Clerk of Court, State's Attorney and County Judge.

Not content with the practice of the law, Mr. Mattson established the Eddy County Provost in 1901 and operated that paper for seventeen years.

Mr. Mattson's interests were as wide as the community itself. His interest in the development of agriculture, in the adaptation of advanced methods, in the scientific management of the soil, and better than this, his friendly interest in the people, endeared him to everyone. In July of this year he was seized with pneumonia and died at New Rockford on July 14.

In his early years Mr. Mattson was baptized and confirmed in the Swedish Lutheran Church and during all of his lifetime was a consistent member of that organization. He was buried in the family lot of Prairie Home Cemetery at New Rockford and hundreds of families regretted his death.

BERNARD NICHOLAS MELAND

Mr. Meland was born at Larimore, October 15, 1898. Here he attended school and then entered the University of North Dakota where he remained for four years. His fraternity there was

Beta Theta Phi. In early life he was confirmed in the Lutheran Church.

At the outbreak of the World War, though under age for registration, he enlisted in the army and was sent to Jefferson Barracks, Missouri, to the Base Hospital number 131. He was overseas from October 13, 1918, until June 2, 1919, and on the 12th of June he was discharged at Camp Dodge, Iowa. An interesting phase of his service is found in the fact that shortly before he enlisted, his brother, a year younger and also a student at the University, enlisted and served in the medical department of the army and was discharged at Camp Dodge about a month after his brother, both being classified as Private 1st Class. This patriotic fervor did not end there, for two of his brothers are enlisted in the present conflict.

After resuming private life, Mr. Meland entered the law department of the University of Minnesota and studied there for three years. He was admitted to the Bar on July 13, 1928. Later Mr. Meland removed to Williston and while he was not always engaged in active practice, he was engaged in all kinds of civic work. For the past few years he was secretary of the Williston Chamber of Commerce; secretary of the North Dakota Reclamation Association; Past Commander of the Williston American Legion Post, a member of the V. F. W. and of the Forty-and-Eight; Immediate Past Exalted Ruler of the B. P. O. E.

For some time past he had been ailing, and on April 15, he entered the veteran's hospital in Fargo where he remained until the day of his death, September 9, 1942.

Mr. Meland never married and is survived by his mother, who lives in Larimore, and three brothers—Melvin J. of Bend, Oregon, Joseph of Kramer, and Martin of Larimore, and one sister, Mrs. Olaf Ostenso of Kandiyohi, Minnesota.

ADOLPH T. NELSON

On July 16, 1942, Mr. Adolph T. Nelson, former State's Attorney of Grant County, died at Carson and was buried at Grove City, Minnesota, on July 19.

Mr. Nelson was born at Grove City, Minnesota, November 23, 1874, of Swedish parentage. He received his grade education at Grove City, and his high school education at Litchfield, Minnesota. He then entered the University of Minnesota in the college department, studied law and was admitted to the bar of that State in 1898.

On November 16, 1898, he was married to Miss Alice A. Larson of Litchfield, Minnesota, and the young couple immediately established their home at Grove City where Mr. Nelson was practicing law. For two years they remained at Grove City and then opened a law office at Maynard, where he remained in practice

for two years, and then returned to Grove City to assist his father in the management of grain business.

In 1911 Mr. Nelson had occasion to come to Carson, North Dakota, to look after some legal matters on behalf of Mr. E. R. Peterson and on this trip he was persuaded to remain in Carson. He sent for Mrs. Nelson and from that time to the day of his death he was a resident of Carson. Mr. Nelson was elected State's Attorney for Grant County in the fall of 1921 and served one term. Later he was appointed to that office and served from May, 1929, to January, 1931. Later he served for some years as City Attorney of Carson, and served in other civic capacities. He was a member of the Swedish Lutheran Church and interested in its work.

For several years prior to his death he was afflicted with nephritis which became chronic, but he continued his practice until April 15, of this year, when on account of illness, he was confined to his bed from that time until the day of his death. He was survived by his widow, his mother, a sister and a nephew.

During the thirty or so years he lived in Carson, Mr. Nelson established a reputation for wise counsel, especially in business matters. For years he was local counsel for the Milwaukee road, and other public service corporations. He was adviser for local organizations, and his death is mourned by the community.

HONORABLE R. A. NESTOS

The earthly career of former Governor Nestos came to a close in Minot on July 15, 1942, and thus concluded a drama which in general outline is typically American. Born April 12, 1877, at Voss, Norway, in a mountainous region seventy miles inland from Bergen, Ragnvald Anderson Nestos was reared on a small farm and in a home where the father and mother by thrift, hard work, religious instruction and a passion for education, instilled into a family of ten the principles of right living.

His father was a lay preacher, as well as farmer, with the gift of effective public speaking and the mother was a devout Christian. Here in a home where family devotions were held twice a day, the boy was instructed in Bible history and in the catechism of his church.

The public school facilities were meager. Hard physical work, in beautiful surroundings and under the charm of the lakes and fiords and mountains of Norway, gave zest to his endeavors and the young man reached what would be termed the fifth grade in school.

During these formative years he had learned something of the Eldorado-America. In this same village had been born in 1843, another poor Norwegian boy who had been brought to America in 1849; served in the federal army during the Civil War,

rose to be Governor of his State and for twenty-eight years represented Minnesota in the United States Senate. Doubtless the growing Nestos had heard of the success of Knute Nelson and quite probably this knowledge as well as the information "that in America one could get an education by working his way through school" was the main reason why, at the age of sixteen and alone, he came to Buxton, North Dakota, to work on his uncle's farm—the uncle having sent him money for his passage-fare.

He landed in Buxton in 1893, with just eighty-five cents to his credit. In addition to the work on the farm he attended school in Buxton, and progressed so far that he was accredited a teacher in the common schools where he taught for three terms. He then entered the State Normal School at Mayville, and completed a course in education in 1900. In the meantime he had taken advantage of the generous offer of the United States government to obtain a quarter section of public land in Pierce County, and "proved up" in the fall of 1900. He then enrolled as a student in the University of Wisconsin and was graduated therefrom in 1902. He entered the State Law School. Here he took a prominent part in debating and became a member of the Delta Sigma Rho fraternity; was graduated therefrom in 1904, and in June of that year was admitted to the Bar. The day dreams on the slopes of Norway's mountains had come true—he was in America and he was what the world called educated. Thus the immigrant boy was prepared for a career of public service which ended only with the day of his death.

Upon his admission to the bar, Mr. Nestos became associated with the Honorable C. A. Johnson, a lawyer in Minot, who was active and prominent in politics and of the same general political views as Mr. Nestos.

In 1911 Mr. Nestos was elected a member of the Legislature from the 26th District and being interested in the question of taxation he served as chairman of the house committee on that subject. During this short service he sponsored the law creating the State Tax Commission, at the same time not being oblivious to the wishes and desires of his constituents as he was active in obtaining the first appropriation for the newly established State Normal School at Minot.

In 1912 he was elected State's Attorney of Ward County and reelected in 1914. During all these years Mr. Nestos was active in the practice of law. Upon the removal of Mr. Johnson to California Mr. Nestos formed a partnership with Dorr H. Carroll, the firm being known as Nestos & Carroll. In 1916 O. B. Herigstad joined the firm, now to be known as Nestos, Carroll & Herigstad. Upon the election of Mr. Nestos as Governor the firm was known as Nestos, Herigstad & Stenersen; V. E. Stenersen having joined the firm and upon the death of the latter the firm again became known as Nestos & Herigstad.

The members of this association are fully acquainted with the rather hectic political conditions of North Dakota and espe-

cially those that culminated with the period beginning 1916. In 1920 there was formed what was known as the I. V. A. Association and at the statewide meeting of this association held in Minot Mr. Nestos was a candidate for the gubernatorial endorsement; but the prize went to a more prominent I. V. A. of that day, Mr. William Langer. Governor Frazier was reelected but the political upheaval continued. In 1921 Mr. Nestos was the candidate of those who furthered the recall election and in the ensuing campaign the boy who, at the age of sixteen, had come alone and penniless from Norway was elected Governor of the State of North Dakota. He was reelected and thus served for three years as Governor of the State. His interests in economy may have contributed, to some extent, to his defeat in 1924; but in succeeding years he was a prominent and imposing candidate for the United States Senate.

Mr. Nestos, in politics, was a life-long Republican of the conservative school. In 1932 he represented his party at the national convention in Chicago and was a member of the committee of sixteen who drafted the national platform.

The defeat of 1924 largely ended a public career but it was the beginning of a semi-public career. Mr. Nestos attained a high reputation as a chautauqua lecturer, making as many as eighty appearances in one year under the auspices of the Redpath Organization.

Mr. Nestos was active in the removal of illiteracy and was appointed by President Hoover a member of the National Illiteracy Board, where he served for some time. Being interested in international relations, Mr. Nestos, as a college student representative of the United States, was sent to Geneva, Switzerland, to study the workings of the League of Nations.

As a citizen of Minot Mr. Nestos was interested in civic affairs. For years he was on the Library Commission, was the first secretary of the Library Board and became President of the State Library Association. He had a special interest in youth. For many years he was widely known in the Boy Scout movement. After becoming a member of the Great Plains Area Council, he was elected a member of the national board. Here he did such notable work as to gain national attention and shortly before his death was called to Minneapolis to receive the Silver Buffalo Award in Scouting.

During this varied and active career Mr. Nestos never lost faith or interest in the church of his fathers. For twelve years he served as a member of the board of education of the Norwegian Lutheran Church of America and automatically retired after completing his second term. He was active in the mission work of the church in North Dakota and was especially influential in the local church in Minot.

His lodge activities were centered in the A. O. U. W. Lodge of Minot and in the Sons of Norway. In professional life he was

a member of the Ward County Bar Association, the State Bar Association, and the American Bar Association. In civic activities he was a member of the Rotary Club.

Active though he was in American life, he had the love of the exile for his native land. He made several return visits especially as long as his mother lived. On one occasion he had the opportunity of being received in audience by the King of Norway and became acquainted with the young Crown Prince. When this Crown Prince made his visit to the United States in 1939, Mr. Nestos was general chairman of the arrangements made for his reception; and among his treasured mementos were the framed pictures given to him by Prince Olaf and by Princess Martha, each bearing the Royal Seal and the autographs of the Crown Prince and the Crown Princess.

Mr. Nestos never married. In this country the immediate relatives surviving are a brother, Dr. Peter Nestos, of Bristol, Connecticut, and a sister, Mrs. Elmer Thorson, of Alexander, North Dakota. Two sisters and a brother reside in Norway, the aged mother having passed away some years ago at the old home at Voss, Norway. The funeral services were held in the United Lutheran Church at Minot and the body was buried in Rosehill Cemetery in Minot.

From the mountains of Norway to the governorship of North Dakota; from a penniless and youthful immigrant to a man of national and international fame; from a boy eking out an education under primitive conditions, to a man who was a leader in church, in civic life, and in state and national affairs, is the saga of Ragnvald Anderson Nestos.

WINFIELD RAYMOND SCHELL

Judge W. R. Schell of Beach received a sudden and peremptory summons to the other world on September 4, 1942. He was assisting in the threshing operations on a farm southwest of Beach. Apparently in good health, he was driving a truck. When his turn came to drive to the combine it was noticed that he was sitting leaning on the steering wheel. Failing to answer the call to drive, investigation was made and it was found that he was dead—a victim of a heart attack.

"Taft," as he was commonly called, was born at Norwalk, Wisconsin, on November 11, 1898. His parents were of German extraction. They came to the western part of the State in the early days and took up a homestead in the Saddle Butte community. Judge Schell had obtained some of his primary education in the Norwalk, Wisconsin, public schools and studied for two years in the La Crosse State Teacher's College. He took his pre-legal work at the University of Montana and thereafter entered the law school of the University of North Dakota and was graduated therefrom in 1928. There he was elected a member of the Coif and was admitted to the Bar of this State on July 13, 1928.

Judge Schell practiced law at Beach and at New England and from the years 1928 to 1932 was State's Attorney of Golden Valley County. In 1933 he was appointed District Judge of the 6th Judicial District to succeed the late Judge Thomas H. Pugh. For several years thereafter he was field man for the Bank of North Dakota in the western part of the State.

This year he was a candidate for State's Attorney of the county, and, while looking after farming interests, was called to Billings County by the County Commissioners who desired to obtain his services as State's Attorney for the county.

In 1931, Mr. Schell and Miss Jessie Crawford of Dickinson were married and to this union were born two children, a daughter, now eight years of age and a son now four years.

His parents, Mr. and Mrs. John G. Schell long time pioneers of Golden Valley County, preceded him in death. He is survived by his widow and children, a sister, Mrs. Alger Meek of Wibaux, Montana, a brother, John Schell of Powell, Wyoming, and a brother, Russell Schell now serving in the Armed Forces of the United States.

The funeral services were held from the Methodist Church of Beach and burial was had on September 8, 1942, in the cemetery at Wibaux, Montana, under the auspices of the Masonic Lodge of which he had been a member for many years.

Judge Schell was agreeable, affable, friendly and dependable. He will be sorely missed in the community where he served as State's Attorney and as District Judge.

MARTIN A. SCRAMSTAD

Mr. Martin A. Scramstad of Wyndmere, died unexpectedly, April 15, 1942. Though in somewhat poor health for sometime, it was not until the day previous to his death that he took a turn for the worse, and was taken by an ambulance to the St. Mary's Hospital in Wahpeton.

Mr. Scramstad was born at Underwood, Minnesota, September 25, 1878. His early education was obtained in the schools of Underwood and of Fergus Falls. In the latter city he attended the Park Region College for some time and in 1900 was graduated from the University of North Dakota Law School. He was admitted to the bar in June, 1903, and immediately opened a law office in Wyndmere, and there remained in the practice of law until the time of his death.

Mr. Scramstad was active in the civic work of the community and for twelve years was a member of the village board of trustees and the school board. He was active in politics in his county and was Republican committeeman for his county at the time of his death. He was active in the work of the Lutheran

Church and was a member of the Masonic Order and of the I. O. O. F.

Mr. Scramstad was married February 27, 1902, to Miss Ida Marie Bondelid, who with a son Donald of Minneapolis and a daughter Camille of Underwood, Minnesota, survive. He is survived by a brother Gustav of Underwood, Minnesota, and August of Minneapolis and two sisters in Minneapolis—Miss Emma Scramstad and Mrs. Hugo Amo.

The community will miss Mr. Scramstad as he always took an active part in all movements to better the community and was widely and favorable known. This last statement is the practically unanimous opinion of all who knew him.

FRANZ ELOUGH SHUBECK

Mr. Shubeck was born near Centerville, South Dakota, May 30, 1875. He attended the local schools in his neighborhood and for some time taught in the rural schools of South Dakota. His father died when he was about fourteen years of age, and his mother when he was seventeen years old. For sometime he was employed with the army engineering department on the Missouri River some forty-five to fifty years ago.

On or about 1898 he came to North Dakota and filed on a homestead near the city of Steele, teaching a rural school in the vicinity of his home. Thereafter he attended the University of Minnesota for some years and entered the law school of the University of North Dakota, graduating with the class of 1907 and on June 8, 1907, he was admitted to the bar of the State. Shortly after his admission to the Bar Mr. Shubeck moved to Ashley and became associated with the Honorable John H. Wishek Senior, in the law practice. Later he opened up an office of his own and continued to practice law in Ashley until the day of his death, April 13, 1942. Mr. Shubeck served as State's Attorney of McIntosh County from 1921 to 1924 inclusive, 1927 to 1930 inclusive, and was again elected in 1940, being State's Attorney at the time of his death. During his career in Ashley he also served as city attorney of Ashley.

Mr. Shubeck was active in local affairs, was a member of the Better Ashley Association, the Fair Association, the North Dakota Taxpayers Association and during the year 1939 was President of the Bar Association of the 3rd Judicial District. In fraternal matters he was a member of the I. O. O. F. and in his religious associations he was at one time a member of the American Norwegian Lutheran Church.

Mr. Shubeck never married and he was the last of his immediate family, a brother and a sister having preceded him in death. The only immediate survivors he had are four nieces and a nephew, all residents of South Dakota with the exception of Mrs. Edward Paulson of Albert, Minnesota. The funeral took place

from the Lutheran Church of Ashley and the body was laid to rest in the cemetery east of Ashley.

ED SINKLER

We make apology for referring to this deceased lawyer as Ed Sinkler. We have known him for decades and have never heard him otherwise addressed; but his Christian name was Edward followed by the initial R. Thus, in giving a short biography we describe him as Edward R. Sinkler.

Mr. Sinkler was born at Waupun, Wisconsin, May 3, 1870, of Swedish and Norwegian parentage. The family came to what is now Walsh County in 1880, and settled on a farm there. Even at this early age his forensic abilities were recognized. Many an old-timer will remember that in the country schools in the last decades of the nineteenth century lyceums and literary societies were common during the winter months. And so at the age of fourteen, Mr. Sinkler was taking part in the weekly debates held during the winter months.

The family home was some few miles west of Grafton, along the banks of the Park river. As Grafton furnished the nearest high school, Mr. Sinkler entered that school after completing the grade work. He taught country school for some time, all of the time intending to enter some University. In 1888-89 Mr. Sinkler was a student in the University of North Dakota.

Later he entered St. Olaf's College at Northfield, Minnesota, and there took a leading part in the athletics, and general college affairs, and was manager of the college paper. There he organized a "mock congress" which was conducted according to the rules of the national house of representatives. His first purpose was to study for the ministry but thereafter changed his mind and decided to enter an allied profession. Consequently he entered Northwestern University and there received his degree in law in 1896.

In college, Mr. Sinkler was devoted to baseball, he was catcher for the St. Olaf team, later gained reputation as a pitcher, and he was with that team when it won the Minnesota College Championship; as a matter of fact, he earned part of his way through college and the law school by playing on semi-pro teams. Upon his return from college Mr. Sinkler opened a law office in Grafton, being admitted to the bar in 1896. For thirteen years he practiced law in Grafton and year by year his reputation as a trial lawyer expanded. While practicing in Grafton he served for four years as State's Attorney of Walsh County, from the 1st of January, 1903, until the close of the year 1906.

In 1908 the western part of the State beckoned him and he opened his law office in Minot where he practiced law until the day of his death; being many years associated with Mr. George O. Brekke, under the firm name of Sinkler & Brekke.

No one familiar with the subject could discuss the leading practitioners in the courts of the State during the last three decades without thinking of Mr. Sinkler as one of the most prominent. He tried cases before North Dakota juries in practically every county of the State. He was connected with statewide proceedings such as the impeachment of Judge Cowan; the investigation of the Bank of North Dakota in 1920; the removal proceedings against the capitol commissioners in 1931; the proceedings against Governor Langer in federal courts in 1934 and other cases of similiar statewide notice.

In 1908 Mr. Sinkler was a candidate for Congress on the Republican ticket. During the campaign he promulgated his own platform of principles and it is a remarkable commentary on the whirligig of time that practically every one of the eighteen federal principles he set forth therein, have become the accepted doctrine of present day national objectives.

For several years he maintained a summer home at Lake Senosee in Saskatchewan. July 8, 1942, he had gone to his summer cottage to have things in readiness for his vacation. At 2 p. m. of that day he complained of feeling ill. Hasty remedies were administered, affording temporary relief, but an hour later he again had a heart attack and died that evening. He is survived by his widow, three daughters, Miss Valborg and Miss Lorraine Sinkler of Chicago, and Mrs. P. W. Wheeler of Cumberland, Pennsylvania, and a sister, Mrs. Hattie Anderson of Shaunavon, Saskatchewan. Mr. Sinkler was a member of the State Bar and the Ward County Bar Associations. He was a member of the Minot Country Club, and of the B. P. O. E. and of the Sons of Norway Lodge. The funeral services were held in the First Lutheran Church of Minot on July 11, and the body was interred in the cemetery of the First Lutheran Church.

Your committee deems it proper to make some reference to lawyers who had made their mark in this State but afterwards went to other fields of labor. Where such a one has rendered real service to our State it is fitting that this bar association should acknowledge our indebtedness to him. Consequently, we have included in this report a short sketch of Mr. Willis F. Doherty, Mr. Rheinhart J. Kamplin and the Honorable William H. Standish, former Attorney General of North Dakota.

WILLIS F. DOHERTY

Mr. Doherty was born in Inverness, in the Province of Quebec, on May 23, 1883. When he was a year old his parents removed to Cortland in the State of New York. Here Mr. Doherty grew to manhood and then came to North Dakota where he taught school near Clyde; afterwards working for a telephone company before entering law school.

In 1909 Mr. Doherty was admitted to the bar of this State and for a short time was in the offices of Messers. Gary & Gray and of Mr. M. R. Keith, at Kenmare. In 1910 he removed to Minot and practiced in that city until 1917 when he removed to Minneapolis and practiced there until he retired in 1938. However, he was still interested in law and at the time of his death he was in New Orleans working on some matters in connection with the Dr. Smith—University and Bank case. He died in New Orleans, April 18, 1942, and was buried in Lakewood, Minneapolis, Minnesota.

Mr. Doherty was a member of the Scottish Rite and of several clubs in Minneapolis. He is survived by his wife and two sons from his first marriage, their mother being the daughter of former Congressman Helgeson.

RHEINHART J. KAMPLIN

Mr. Kamplin was born in Grand Forks on August 17, 1889. He was reared in that city, attended the public schools there and afterwards entered the University of North Dakota in 1908. He enrolled in the Law Department of the University and was graduated from the University with the degree of B. A. and LL. B.

On June 22, 1914, he was admitted to the bar of this State and immediately thereafter opened an office in Crosby, North Dakota, as a member of the firm of Smith & Kamplin. He practiced law until he was inducted into the army in the World War at Crosby in June 1918. He was sent to the Artillery Officer's Training School in Kentucky and was discharged from service at Camp Zachary Taylor, November 8, 1918, having reached the grade of Sergeant.

Upon discharge he resumed his practice of law and in 1920 was candidate for Attorney General on the Democratic ticket. He came to Bismarck in 1921 and from that time until 1933 he served as Assistant Attorney General with special attention given to land titles. He then removed to Chicago where he became counsel for the Standard Oil Company. He remained in Chicago until the day of his death.

Mr. Kamplin was united in marriage to Miss Lillian Wehlitz of Steele, North Dakota, and to this union were born two children—Ramona, born in Bismarck, and Raymond Joseph, born in Chicago. He is survived by his widow and children, his widowed mother, a brother Adolph, who served overseas in the World War, and two sisters—Mrs. Arthur Knutson of Glencoe, Minnesota, and Mrs. Emma Gessner of Ellendale this State.

Mr. Kamplin was a member of the Masonic Order and of the Lutheran Church. Mr. Kamplin was active in the work of the American Legion and in the year 1930 was elected and thereafter served as State Commander. He died August 10, 1942, and was buried in Chicago.

HONORABLE WILLIAM H. STANDISH

Our investigation leads us to believe that for some unknown reason the Bar Association has overlooked entering on its records a short sketch of the Honorable William H. Standish, a former Attorney General of this State; and so your committee takes the liberty of inserting a belated recognition of the services of a fine, honorable gentleman, the memory of whom is still fresh in the minds of many members of this association. For much of this information your committee is indebted to Mr. L. J. Wehe of Bismarck, who was intimately acquainted with Mr. Standish from about the time he came to Bartlett, North Dakota, until the day of his death.

William H. Standish was born in Canandaigua, New York, on March 15, 1843. It was his proud boast that he was a direct descendant of Captain Miles Standish of Pilgrim Father and Mayflower fame, and that he had distinguished New England ancestry on both sides of the house. He died at Reed Springs, Missouri, on February 20, 1923.

Mr. Standish was a Civil War veteran having served with Company K, 153rd Volunteer Infantry of Ohio. For many years he was a member of the G. A. R. and at one time was Past Commander of the Willis A. Gorman Post No. 6, at Grand Forks.

Mr. Standish's college and legal education was obtained in the States of Ohio and New York and at the close of the Civil War he opened a law office at Cincinnati, Ohio, becoming a member of the leading law firms there. In 1868 he was married to Miss Anna W. Bainbridge of Philadelphia and one child was born to them. Mrs. Standish died at Lakota in 1885.

After practicing law in Cincinnati for two years or so Mr. Standish moved to Chicago, Illinois, and continued practice in that city until the time his health failed him and he was advised to seek a drier climate for himself and his wife. During his sojourn in Chicago he was associated with one of the attorneys in the famous Chicago Lake Front Land Case.

Upon the advice of physicians, General Standish and family came to Dakota Territory and located at Bartlett in 1883, at the time that this town was the end of the St. Paul, Minneapolis and Manitoba Railroad, now the Great Northern. Here he remained for two years and then removed to Lakota, where he practiced law and opened the Lakota Hotel. Mrs. Standish died in 1885 and later Mr. Standish married Miss Ada M. Seward of Utica, New York, a niece of William H. Seward, Secretary of State during President Lincoln's administration. To this union was born one child who died in childhood.

Mr. Standish was interested in education and opened one of the first schools in Ramsey County in the fall of 1884 and through the winter of 1885 he taught school in his law office for the benefit of the children in his town and the neighborhood, and

such well-known men in North Dakota as Congressman P. D. Norton and Attorney L. J. Wehe, together with some eighteen or twenty other children of the community, were pupils in this school.

Up to the fall of 1892 Mr. Stanish had been a consistent Republican in politics but upon his coming to Dakota he became interested in the Farmers Alliance movement and the Populist Party. Mr. Standish had been elected as State's Attorney of Nelson County and in the fall of 1892 was nominated on the fusion state ticket as Attorney General of this State, being elected that fall and serving one term. Upon his retirement from office Mr. Standish removed to Grand Forks and opened an office for the practice of law, remaining there for ten years; and it was during this period Mr. Wehe was a student in his law office in Grand Forks during the years 1900 to 1902.

Mr. Standish had become acquainted with Mr. L. B. Richardson of Grand Forks who was interested in property in the Ozark Mountain region and upon purchasing Richardson's interest in the property Mr. Standish removed from Grand Forks to Reed Springs, Missouri, where he remained until the day of his death.

During his entire career as a lawyer Mr. Standish was so thoroughly imbued with the doctrine of equitable principles that it governed his whole professional career. Those of us who knew him well, remember the kindly, scholarly, high minded gentleman who, through the early years of the State exerted a powerful influence in civic affairs. His strong opposition to the railroads, elevators, the grain terminal market monopoly, made him a powerful factor in the Populist Party. But his public interests were not confined to North Dakota. He drafted several bills which were introduced in Congress dealing with the conservation of natural resources of the United States and one of his pet measures was an attempt to have the United States Government establish public saw mills for the furnishing of cheaper lumber to settlers on the public lands of the United States.

Mr. Standish was interested in education, in the temperance movement and in all movements which he considered were for the social improvement of the community. As Attorney General he was conscientious in the discharge of his duties and indefatigable in his determination to protect public interests against all movements which he deemed hurtful to social and political progress. He is survived by his son, William B. Standish and family of Reed Springs, Missouri.

Your committee, being profoundly impressed with the work of our deceased brethren in the law, and knowing to some extent, the difficulties which each had to face in accomplishing his life's work, and noting the ability with which each made use of the talents committed to his care under the environment in which he lived, and his devotion to the constants of life as revealed through

history, has become more and more certain that wrong disappears, good survives; and being certain that the record of trials endured and difficulties overcome can be of great value to the rising generation as inspiration for the exercise of industry and integrity, do hereby present the following resolutions:

That this association acknowledge the services which these departed lawyers rendered to their community and to their State:

That we recommend a review of the guiding principles of their lives to the youth of the land as a stimulus for right living and the courageous facing of difficulties;

That we tender to the family of each of these lawyers our sincere sympathy because of the loss which the family has sustained, and express to them our appreciation of the work of our fellow laborers;

That a copy of these resolutions be mailed to representatives of each family as acknowledgement of the debt we owe the decedent and as a record of the official action of this association.

A. G. BURR
GEORGE S. REGISTER
GEORGE M. PRICE
C. B. DAVIS
PAUL BOEHM
Committee

In Memoriam
