

## SUPPLEMENT.

The Honorable Andrew G. Chatfield, Judge of the District Court for the Eighth Judicial District, and formerly an Associate Justice of the Supreme Court of the Territory of Minnesota, died at his home, in Belle Plaine, on October 3, 1875. A meeting of the members of the bar of the state, in attendance at the term of the Supreme Court then in session, was held at the capitol on October 8th, and the resolutions then adopted were presented to the court by Hon. Charles E. Flandrau, on October 9th.

In presenting the resolutions, Judge Flandrau addressed the court as follows :

MAY IT PLEASE YOUR HONOR :

The committee of the bar of Minnesota, to whom was intrusted the preparation for a memorial on the death of one of our much esteemed brethren, the late Andrew G. Chatfield, has appointed me to present their report to this court, and move that it be entered upon its record. In performing that duty, I shall only preface the same by saying that the memorial embraces the heartfelt sentiments of the bar and their committee, and that we all rejoice in the fact that after a long and well spent life of usefulness, our brother calmly yielded his spirit into the hand of Him who gave it, breathing out his last sigh upon the bosom of her who had been the partner of his joys and sorrows for nearly forty years, and in the midst of his family and friends.

I now have the honor of presenting the memorial to your honors.

The bar of Minnesota, in convention assembled, at the capitol of the State, to record their sorrow at the loss of one of their members, Andrew G. Chatfield, late Judge of the Eighth Judicial District of this State, declare ;

That in the death of Judge Chatfield the profession has lost one of its most learned, cultivated, honored and distinguished brethren; that the Judiciary of the State has been deprived of an able, just and admirable judge; that the commonwealth loses a citizen whose services, both public and private, have greatly contributed to its present prosperity and advancement; and that society mourns the loss of a distinguished ornament.

Judge Chatfield, nearly a quarter of a century ago, adorned the supreme bench of the Territory of Minnesota. In that early and rude period of our history, his learning and integrity, and firm and impartial administration of the law, did much to mould the judiciary of the present, of which we are so justly proud.

His genial, social characteristics endeared him to all who enjoyed his acquaintance. His generous hospitality will long and gratefully be remembered by the wanderers on the frontier in early days.

Judge Chatfield was too intellectual a man ever to become an accumulator of much wealth. He spent his young life in public services which added more to his fame than to his fortune. His professional labors for many long years were arduous in the extreme and largely devoted to charitable objects; and like many of the zealous members of his profession, his reward was an overtasked mind, which became the active cause of an enfeebled constitution. We can truthfully say of him:

"'Twas thine own genius gave the final blow,  
And helped to plant the wound that laid thee low."

At an advanced age, Judge Chatfield was again called to the bench, and for several years

shed the light of his ripened wisdom upon the judicial affairs of the state; but we were not long to enjoy the benefit of his services; the hand, of the destroyer was upon him, and on the third day of this month, he passed to his final rest, mourned by all who knew him.

He was a man of pronounced political conviction, formed in early life, and adhered to consistently to the end. He was a Christian gentleman, bigoted in nothing, tolerant in everything. He died, as he lived, a true man; true to himself, true to his convictions, and true to his fellow men. He was a modest and unassuming man. His good works were done without ostentation or display; they were felt in the world rather than seen; they were like rills through meadows, "that with a livelier green betray the secret of their silent course."

The words of the Psalmist well and truly characterize our beloved and departed brother: "Mark the perfect man, and behold the upright; for the end of that man is peace."

We point to his career and virtues, as an example to the men of the present day, and to those who are to come after us; and our heart-felt sympathies go out to his much bereaved family.

Hon. Aaron Goodrich, the first Chief Justice of Minnesota, then addressed the court as follows:

MAY IT PLEASE YOUR HONORS :

It has been suggested that it were meet that I, who have known the deceased for so many years, should make some observations on the present occasion. "I come not to speak at Caesar's funeral," but rather by standing in your presence silently to testify my respect for the memory of the dead.

With the personal relations that have characterized my intercourse with him whose loss we now mourn, neither history nor posterity can be largely concerned; suffice it to say, that these were ever pleasant. Possessing a form and features cast in a mould that would have been satisfactory to an Angelo, adorned by a bearing and manners reaching the standard of a Chesterfield, with a mind stored and marshalled by days of toil and nights of study, guided, whether in the forum or upon the bench, by unswerving devotion to his convictions of justice and fidelity, Andrew G. Ghatfield naturally occupied a prominent position in the estimation of his fellow men.

He has finished his course; his work is done; and now, at this mournful and contemplative season of the year, when the primeval forest, crowning the hills which look down on the beautiful plain of his choice, is tinged with " the sear and yellow leaf," and time has set a frosty seal upon his brow, he is gathered to the tomb. And it seemed to me, as I aided neighbors and friends in consigning his remains to the narrow house, most fitting, that the soil upon which he so oft and so lovingly trod while living, should brood over him when dead.<sup>1</sup> Verily,

"The race of man is like the waves of the ocean;  
Like the leaves o f woody Morven,  
They pass away in the rustling blast,  
And other leaves lift their green heads on high."

<sup>1</sup> Judge Goodrich was one of the pall-bearers. The place of burial had been selected by Judge Chatfield. It is near his late residence, and upon grounds owned by him when all in sight was yet an unbroken prairie.

Hon. John L. Macdonald, of Shakopee, then addressed the court as follows :

MAY IT PLEASE THE COURT:

When a few days ago I announced to this court, and the bar of the state, the death of Hon. Andrew G. Chatfield. I performed a most painful duty. With a proper appreciation of the worth and character of the deceased, and the respect due to him and his position in life, this court, upon that announcement, suspended business and adjourned, and the bar of the state, represented by the members then present, met to pay fitting tribute to his public and private virtues.

The result of that meeting is the resolutions now presented to this court; and while I am oppressed with a sense of my inability to do justice to the subject of them, I would do violence to my feelings, and prove false to the memory of one of the kindest and best friends I ever had, did I fail to offer a few words in support of them. Honoring and loving him while living, and revering his memory when dead, I cannot be silent on this occasion.

I first met Judge Chatfield in the year 1855, then in the enjoyment of remarkably robust health for a person of his years. He was then an honored associate justice of the Supreme Court of the Territory of Minnesota, and *ex-officio* judge of the third judicial district. He was associated with Judges Welch and Sherburne, both of whom have preceded him in the passage from earth to eternity. In April, 1857, he retired from that position, having occupied it from April 7, 1853. Upon his retirement, he resumed the practice of his profession, at his home in Belle Plaine, in this state, and through his well known ability as a jurist and advocate, was soon engaged in an extensive practice. It was in the latter part of the same year that I became a student under him, and I remained in his office, as student and attorney, until 1861. I will not detain you by attempting to describe the interest which he took in me, and the fatherly care and solicitude which he manifested towards me, in the prosecution of my studies, until, upon his own motion, I was admitted to the bar, and stood in the ranks, a member of that profession of which he was so bright an ornament. The memory of those many acts of kindness will be cherished in silence as a sacred thing. I need only say that it was his goodness of heart and nobility of character exemplifying itself. Nor did his kindness and friendship terminate with my becoming a member of the legal profession. To the time of his death, he was the same kind and considerate friend and adviser, and I always enjoyed his confidence and esteem. Is it then to be wondered at that I should wish to join with the more eminent members of the profession, in doing honor to this eminent citizen and good man?

He continued in the practice of his profession until 1870, when he was elected judge, of the eighth judicial district, which office he filled and adorned with his dignity of character and urbanity of manner, until death took him from us, leaving our district to mourn the loss of one who was known but to be loved and praised.

With his career, prior to his coming to Minnesota, I am only acquainted through the same sources that you are, but we know that it was an honorable one, and is a part of the history of the Empire State. As the associate of such men as Silas Wright and William H. Seward, he occupies no secondary position to them in the legislative and political history of New York, during the period he was in public life in that state.

During the time that he was not upon the bench in this state, he was the recipient of many marks of confidence from the political party of which he was an honored member. His nomination at different times for the several offices of Chief Justice, Attorney General, and Member of Congress, prove the esteem in which he was held by his political associates, and were honors worthily bestowed. In his political views, as in all other matters, he was earnest in his convictions; yet he was noted for his impartiality and freedom from bias in the discharge of his

official duties.

He was emphatically a gentleman of the old school. He seemed to belong to a race that is of the past, and fast becoming extinct. He was a marked man in any body of men. In personal appearance, as well as in point of ability, he would be singled out as a distinguished exception. Aside from his conceded ability as a jurist, and his statesmanlike qualities, there were few who possessed finer literary tastes, or were more familiar with the standard authors. In his every-day intercourse with his fellow citizens and neighbors, his geniality and frankness, coupled with his unaffected simplicity, endeared him to all. While recognizing his eminent position, the humblest citizen knew that at all times he would be received as cordially as if he were the most distinguished citizen in the land. But pre-eminent above all this was his singular purity of life and character. When we consider the many opportunities which an extensive practice and the political arena offered him to accumulate wealth, did he but resort to practices which, though popular in a measure, he would not indulge in, we can pronounce no grander eulogium upon him and his character, or furnish no more convincing proof of his purity than to state the fact that he died a poor man. I would that it were otherwise, and I would not mention it, but I believe it to be due to his memory that, (in this age and time, when fortunes are so often rapidly accumulated by questionable means,) this suggestive fact be stated, even if in so doing I trespass upon the privacy of his condition and circumstances.

But, your honors, it was in his home life that Judge Chatfield displayed his most endearing qualities. He had to be known there to appreciate him in his character. A loving husband, a kind and indulgent parent, it would be utter folly to attempt to describe the grief and desolation which his death has produced in that once happy home. We leave its inmates to the care of a kind Providence, and pray Him to extend to them that consolation which He alone can give. Especially may He lighten the burden, and smooth the pathway of her who has been the partner of his joys and sorrows for so many years, enabling her to bear up beneath the great weight of her affliction, as she, in her declining years, pursues her journey alone, to meet him who we hope is "not dead, but gone before."

Such, in brief, and as I have endeavored to describe him, was Judge Andrew G. Chatfield, as I knew him, and I knew him intimately and well. As we take leave of him, and drop affection's tear over his memory, let us hope that his life and character may be imitated by those growing up around us. And we who have reached the age of maturity, and even those passing from manhood to old age, can find in his exemplary life many traits of character to emulate.

Hon. L. M. Brown, of Shakopee, then addressed the court, as follows:

MAY IT PLEASE YOUR HONORS:

I should not feel justified in omitting to pay a humble tribute of regret, on the present occasion, to the memory of one with whom I have been so long acquainted and professionally associated. In the month of September, 1855, I made application to the Supreme Court of the Territory of Minnesota, then sitting at what is known as the old court house in this city, for admission to practice as an attorney in the courts of the territory. At that time the bench was occupied by Chief Justice Welch and Associate Justices Sherburne and Chatfield, of the last of whom we now meet to make a memorial. From that time my acquaintance with those men commenced; and it continued until the death of each, Judge Chatfield being the last survivor. The third judicial district comprised (I believe) all that portion of the then Territory of Minnesota lying west of the Mississippi river. To that district Judge Chatfield had been previously assigned. I had, before my admission to the bar, located in Shakopee, in Scott county. My

practice, therefore, was for a considerable time confined to that district, and before Judge Chatfield. From him, therefore, I learned my first lessons in the practice under the code. Perhaps I may be partial to my first teacher, but I must say that I have always regarded him, in many respects, and particularly upon questions of practice, as the best judge before whom it has been my lot to practice. He was possessed of a remarkably clear mind, and oftentimes when he decided questions against me, he was able to explain the matters involved, with such comprehensiveness and clearness that I felt entirely satisfied with his rulings. One thing I think I may say of Judge Chatfield, which will never be truly said of any other judge in the state. He held the office of judge of the supreme court of the late territory for four years. During that time he held the district courts as far north as Hennepin county, and as far south as Winona, (and perhaps farther,) and as far west and southwest as Blue Earth, and tried a large number of cases, involving large amounts of property, and valuable legal and equitable rights, and only one case ever came to the territorial or state supreme court for review, by appeal or writ of error. That one was the case of *Converse v. Burrows*, reported in 2 Minn. 229. The case was tried before Judge Chatfield and a jury in Nicollet county, and a point relating to the measure of damages recoverable upon a breach of contract was ruled upon at the trial, in the charge to the jury. Upon a motion for a new trial, the judge came to the conclusion that he had erred in his charge, and thereupon ordered a new trial of the case. From this order an appeal was taken to the supreme court of the territory, but was not heard until after the state had been admitted into the Union. Upon the organization of the state courts and at the December term, 1858, the appeal was heard, and the order granting a new trial was reversed, a majority of the court, as then constituted, holding that the ruling at the trial had been the correct one.

The case of *United States v. Gideon*, 1 Minn. 292, was tried before Judge Chatfield, and upon objection made by defendant to the sufficiency of the facts stated in the indictment to constitute a public offence, Judge Chatfield expressed great doubt, but finally held the indictment good, for the purposes of the trial, and upon conviction of the defendant, he suspended sentence, and reported the case to the supreme court for review, where the objection was sustained. These two cases are the only ones ever brought up for review in any manner from the third judicial district, during the judicial administration of Judge Chatfield, as a member of the territorial supreme court. These facts, of themselves, it seems, to me, are sufficient to establish for all time his great learning and ability as a judge.

As a lawyer practicing at the bar, he was earnest, diligent and zealous in protecting and serving the interests of his numerous clients. In fact, if Judge Chatfield had any fault as a lawyer, (which I do not aver,) it was that of over-zeal for his clients, and for the protection of their rights and interests. He always, as a judge and a lawyer, proceeded upon the theory that there was a remedy for every wrong, and his mind was ever searching for that construction of the law which would accomplish that end, prevent the wrong, and vindicate the right.

As a citizen, a husband, a father, or an associate, he was, in my judgment, as nearly faultless as any man with whom it has ever been my fortune to be associated in this life I do not believe that in the whole twenty-two years that I have known Judge Chatfield, he has ever knowingly done a wrong to any person, or been guilty of a single dishonest Intent. It is proper, therefore, when such a one disappears from among us, and we are to see his form no more, that a proper memorial be made, not only for the sake of recollections of the living, but as a guide and pattern for those who are to follow. I sincerely regret, together with his brethren at the bar, that so valuable a life should have terminated so soon.

Gen. W. A. Gorman then addressed the court as follows:

It was in March or April, 1853, when, on the appointment of the President, Andrew G. Chatfield and myself came to Minnesota, he to exercise the judicial duties to which he had been assigned, and I as the executive of the territory. It is, therefore, most fitting that I should pay my tribute to his memory. Andrew G. Chatfield was truly a remarkable man, possessing, in my opinion, not a single element subject to unfavorable criticism. He was not, as is often the case with men of superior attainments, and possessing quick, active minds. Rather he had an unusually logical mind, and was also singularly wise and just in all his acts. In fact his was one of those physical and mental formations that needed but the opportunity to have placed him on the very summit of the ladder of fame, alongside with Seward and other great minds, among whom the days of his early active life were passed. When he came to the state, the bar will bear me out, he bore himself as the peer of all. He was just. He had a marked will, which gave him strength. He early selected his residence in a retired spot on the Minnesota river, in its quiet and beautiful surroundings, characteristic of, and in keeping with, his peculiarly quiet, refined mind. He was not rich. Such men seldom are. His life was a continuous lesson for good to the younger generation, and an honor and credit to the profession, the recollection of which will ever shed lustre upon its history in this state. He had a mind above all small, mean things—a mind that revelled in the pure, and discarded all that was calculated to lower and debase. It has pleased the Divine Providence to take him from among us to that home whither we are all tending. His example should not be lost upon us, but it should encourage us to so live as to do honor to his memory, and make us worthy the companionship in the future of Andrew G. Chatfield.

Further remarks were made by F. J. Whitlock, Esq., of Belle Plaine, and Henry Hinds, Esq., of Shakopee.

Chief Justice Gilfillan briefly responded to these addresses, and said that the memorial presented by the bar expressed the feelings of the members of the court; and it was thereupon ordered that the memorial be enrolled in the records of the court, and the court adjourned.