

PROCEEDINGS

In Memory Of

ASSOCIATE JUSTICE INGerval M. OLSEN

AND

ASSOCIATE JUSTICE OSCAR HALLAM

On the morning of January 11, 1946, at ten o'clock, the Court being assembled in the courtroom in the State Capitol, Chief Justice Charles Loring said:

The Court is convened here today for the presentation of memorials to Mr. Justice I. M. Olsen and Mr. Justice Oscar Hallam. This session is at the request of the State Bar Association, and now the Court will recognize the president of that association, Mr. Donald D. Harries.

MR. HARRIES then said:

May it please your Honors;

This Court and the Bar of the State have lost from our ranks two of the foremost exemplars of the ideals of our profession. We are met today to do honor to their memory.

The record of their services to the State is, of course, their best memorial, and it is not easy for us afterward to review that service in the light of the circumstances and events which give it lasting vitality. As Winston Churchill has put it:

"History, with its flickering lamp, stumbles along the trail of the past, trying to reconstruct its scenes, to revive its echoes, and kindle with pale gleams the passion of former days. What is the worth of all this?" And he answers: "The only guide to a man is his conscience; the only shield to his memory is the rectitude and sincerity of his actions. It is very imprudent," he says, "to walk through life without this shield, because we are so often mocked by the failure of our hopes and the upsetting of our calculations; but with this shield, however the fates may play, we march always in the ranks of honor."

In their practice at the Bar and in their judgments rendered from the bench of this Court, Mr. Justice Olsen and Mr. Justice Hallam bore this shield. The Bar of the State of Minnesota is therefore proud to move the Court to receive the tributes which we have prepared to their memory, and for that purpose may I ask the Court to recognize, first, former Chief Justice Samuel B. Wilson of Mankato, who will present the memorial to Mr. Justice Olsen.

MR. HARRIES then said:

May it please the Court:

The chairman of the Committee of the Bar appointed to present the memorial to the late Justice Oscar Hallam is Mr. William H. Oppenheimer of St. Paul, and I ask the Court to recognize him for the purpose of receiving our tribute to Mr. Justice Hallam.

CHIEF JUSTICE LORING then said:
The Court recognizes Mr. Oppenheimer.

ASSOCIATE JUSTICE OSCAR HALLAM

Mr. Oppenheimer then presented the following

MEMORIAL

May it please the Court:

Oscar Hallam was born on a farm October 19, 1865, near Linden, Wisconsin, the son of Joseph and Mary Hallam. In 1892, he married Edith Lott, who died about three years ago. He died at St. Paul, September 23, 1945, leaving surviving his daughter, Cornelia Hallam Miller, three grandchildren, Mrs. Ernest Andberg, Mrs. Robert Lewis, and Stanley F. Miller, Jr., and three great-grandchildren, Ernest White Andberg, Cornelia Andberg, and Polly Lewis.

Oscar Hallam attended the University of Wisconsin, where he was awarded the degree of Bachelor of Arts in 1887 and that of Bachelor of Laws in 1889. Shortly after he graduated, he came to St. Paul and engaged in the practice of the law.

To the public generally, he leaves a record of civic patriotism and public achievement; to the Bar of the State, he leaves a record of unflinching devotion to the ideals of our profession.

He served as District Judge of the Second Judicial District from 1905 to 1912, when he was elected Associate Justice of this Court, a position he occupied for ten years, returning to the active practice of law in St. Paul in 1924. During this latter year, he was a candidate at the primary election for the office of United States Senator.

Despite the demands upon his time occasioned by legal work of high importance, he somehow found time to take an active interest in civic and public affairs. Always interested in the law and the interests of the profession, he served as a member of the faculty of the St. Paul College of Law from 1901 to 1945. He was Dean of the college from 1919 to 1941, and President of the college thereafter until his death in 1945. He was also at various times Vice Chairman of the Section on Legal Education and Chairman of the Section on Criminal Law of the American Bar Association. In 1926, he served as Chairman of the Minnesota Crime Commission. During his term of office as such Chairman, the Commission, largely through his efforts, originated the State Department of Criminal Apprehension and established the full-time Board of Parole, measures which have added materially in the apprehension of criminals and in the administration of the parole system. He also served as President of the Ramsey County Bar Association, was Chairman of the Board of Governors of the Twin City Unit of the Shriners Hospital for Crippled Children, and Chairman of the 4-Minute Men of Minnesota during World War I.

He also served as President for many years of, and was very active in organizing and stimulating interest in, the Navy League of Minnesota. He was Vice-President and later a Director of the St. Paul Council of Camp-fire Girls, retaining until his death an active interest in the work of that organization.

He was a member of the Congregational Church, of the American, Minnesota State, and Ramsey County Bar Associations, of Phi Delta Theta, Phi Beta Kappa, and Delta Theta Phi fraternities, as well as of the Kiwanis Club, Town and Country Club, and St. Paul Athletic Club. From 1933 until the date of his death, he was chief counsel of the Minneapolis-St. Paul Sanitary District, which constructed and manages the sixteen-million-dollar Twin City Sewage Disposal

System.

Oscar Hallam brought to the District Bench the knowledge acquired in a long and active practice of the law. He brought to this Court the experience of a trial lawyer and trial judge. He brought to the Bench qualities that assured an even-handed dispensation of justice, a full knowledge of the law, practical common sense, and sound judgment. First and foremost in his mind at all times was a consciousness of that responsibility that rests upon one who undertakes to decide between his fellow men, an active desire to be fair and just, never to let pride of opinion or prejudice sway him from the path of justice to his fellow men. He welcomed the assistance of, and was always courteous to and patient with, counsel. His work on the Bench disclosed a keen, analytical mind, a profound knowledge of the law, of its place and function in meeting changing social and economic conditions.

As a judge he maintained that high record of justice, integrity, industry, and ability which has and does characterize the trial and appellate bench of this State—a record that constitutes one of the State's most highly prized and valued assets.

Oscar Hallam was not only a distinguished lawyer and jurist, but "was also a public-spirited citizen. The community in which he lived is better because of his life as a lawyer, judge, and citizen. His fellow members of the Bar will recall him as a good lawyer, a sound judge, a useful citizen, and a courteous gentleman. No greater tribute can be paid any man.

WILLIAM H. OPPENHEIMER, Chairman
BRUCE W. SANBORN
RICHARD A. GOLLING

MR. HARRIES then said:

Your Honors, both Mr. Justice Olsen and Mr. Justice Hallam, before ascending to the bench of this Court, were judges of the district courts of the State of Minnesota. The District Court Judges Association is a constituent member of the State Bar Association and is represented here by Judge Albert H. Enersen and Judge Albin S. Pearson, who wish to be heard on behalf of their association.

JUDGE ALBIN S. PEARSON, of the Second Judicial District, then presented the following memorial to Justice Oscar Hallam on behalf of the District Court Judges Association:

May it please the Court:

Judge Moriarty, as president of the District Court Judges Association, has designated two Ramsey county judges, Judge Renseh and myself, to appear on this occasion. We, therefore, on behalf of the Association, now express our concurrence in the memorial which has been so well presented by Mr. Oppenheimer.

CHIEF JUSTICE LORING then said:

If there are any members of the Bar who would like to speak in connection with the memorials of either or both of these judges, the Court will hear them now. If there are none, then, at the request of the Court, Mr. Commissioner Andrew Holt will respond in behalf of the Court.

COMMISSIONER ANDREW HOLT then said:

As to Judge Oscar Hallam, no one except Myron D. Taylor and myself is now alive who

worked with him in the Supreme Court. He was a keen, able judge. He had had the advantage of education, both academic and law, in Madison, Wisconsin, and he had served several years as a district court judge in Ramsey county, and he came well qualified to this Court when elected in 1912. He undoubtedly could have served well in that capacity as long as he lived or his health permitted, but he had political ambitions. That ambition failed, but that did not sour him. He took up the practice of law as unruffled as before, and I wish to say that in all his work on this Bench he was uniformly kind and courteous to his associates but always had a firm conviction of the correctness of his own conclusions in the study of the cases.

I think the memorial of Mr. Oppenheimer fully corresponds with the opinion of the Court, and we assent and concur in that memorial.

CHIEF JUSTICE LORING then said:

These proceedings in which Bench and Bar participate in memory of departed judges afford us an opportunity to record the respect, the esteem, and the affection with which, in their lifetimes, we regarded our professional brethren. It is wise that we pause in the course of our active work to conduct such ceremonies. It emphasizes in our minds the fact that all that is of real value that a judge can leave behind is a fair name and a good reputation—the respect which we have for lives well spent in service to the State and to the profession. When a lawyer accepts a call to the Bench, he must reconcile himself to serving without hope or prospect of other reward.

Mr. Justice Hallam I knew only as I practiced before him during his entire tenure on this Court. He was especially considerate to the younger men of the Bar, and we respected him as the able lawyer and good judge that he was, and we regretted that he felt that he should leave this bench for other fields."

The justices whose memories we honor today have added their names to the illustrious list of distinguished men who devoted a large share of their lives to the service of this State by their devotion to the cause of justice.

MR. HARRIES then said:

May it please the Court:

On behalf of the Bar of the State of Minnesota, I move the Court that these proceedings be spread upon its minutes and made a permanent part of its records.

CHIEF JUSTICE LOSING then said:

In response to the motion made on behalf of the State Bar Association, it is ordered that these proceedings be spread upon the minutes of this Court and that they be printed in the *Minnesota Reports*.