

## PROCEEDINGS

In Memory Of

### CHIEF JUSTICE SAMUEL B. WILSON AND ASSOCIATE JUSTICES CLIFFORD L. HILTON, JULIUS J. OLSON, AND THEODORE CHRISTIANSON.

On May 15, 1956, at 1:30 p.m., the Court being assembled in the courtroom in the State Capitol, Chief Justice Roger L. Dell said:

The Court recognizes the president of the Minnesota State Bar Association, Mr. John M. Palmer.

MR. PALMER then said:

May it please the Court:

This time has been graciously and appropriately set apart for proceedings to commemorate the lives, the characters, and the public service of four members of this Court who have passed away, namely:

Chief Justice Samuel B. Wilson,  
Associate Justice Clifford L. Hilton,  
Associate Justice Julius J. Olson, and  
Associate Justice Theodore Christianson.

The Court has called upon the Minnesota State Bar Association as the representative of the Bar of this state to arrange for the presentation of memorials to perpetuate the memory of those distinguished members of the profession who served for many years on this Court. The Association is honored to respond to the call. It has designated these representatives of our profession to deliver the following memorials:

Mr. William C. Blethen of Mankato, who will deliver the memorial in honor of Chief Justice Samuel B. Wilson.

Mr. Cyrus A. Field of Fergus Falls, who will deliver the memorial in honor of Associate Justice Clifford L. Hilton.

The Honorable Oscar R. Knutson, Associate Justice of this Court, who will deliver the memorial in honor of Associate Justice Julius J. Olson.

The Honorable Warren E. Burger, Judge of the United States Court of Appeals for the District of Columbia, who will deliver the memorial in honor of Associate Justice Theodore Christianson.

CHIEF JUSTICE DELL then said:

The Court recognizes the Honorable Oscar R. Knutson, Associate Justice of this Court,

who will present the memorial for former Associate Justice Julius J. Olson.

## ASSOCIATE JUSTICE JULIUS J. OLSON

The Honorable OSCAR R. KNUTSON then presented the following

### MEMORIAL

May it please the Court:

I suppose that a memorial of this kind should present as a verbal portrait of the man we honor and, as such, should be a frank appraisal of his work, his accomplishments, and his service to his fellow man. It should be a picture of him as he was and as he lived and worked and served. For the benefit of posterity it should leave a written memento of what manner of man he was. It should too, I suppose, be as impersonal as it is possible to make it.

Julius J. Olson was born on the Isle of Donna, off the coast of northern Norway, on February 22, 1875. At the age of eight years, he and his parents immigrated to America and settled on a farm near Lake Park, in Becker County, where he attended grade school and grew to young manhood. He attended high school in Detroit Lakes, graduating in 1897. The same year he entered the Law School at the University of Minnesota, where he earned his own way, graduating in 1900. He was admitted to the Bar the same year and went first to Crookston, where he stayed only a short time, after which he went to Warren, where he became associated with the late Andrew Grindeland. In March 1903, a second judgeship was created for the Fourteenth Judicial District, and Grindeland was appointed to that position. Justice Olson then took over the practice and continued alone for some time, after which he formed a partnership with the late Rasmus Hage of Warren. In April 1927, this partnership was dissolved, and, after completion of law school in 1927, I had the good fortune of becoming associated with Justice Olson in the practice of law. In December 1930, Judge Grindeland retired from the bench. Nearly the entire Bar of the Fourteenth Judicial District requested the appointment of Judge Olson to fill the vacancy, and, as a result, he was so appointed at the close of the year by the late Governor Theodore Christianson. He was elected to that position in 1932. On March 5, 1934, he was appointed as an Associate Justice of the Supreme Court by the late Governor Floyd B. Olson to succeed the Honorable Homer B. Dibell. He served in that capacity until he was forced to retire in May 1948 because of ill health. In October 1950, he moved back to Warren, where he resided until his death on May 22, 1955. He is survived by his wife, Caroline, and one son, Sletten Olson, both of Warren, and a daughter, Katherine Staley, of Washington, D. C. Both son and daughter are engaged in the practice of law. Also surviving are two grandchildren and two brothers: Alfred of Fargo and Einar Olson Juel of Colorado Springs, Colorado, and one sister, Marie Jacobson, of Osakis, Minnesota.

During his lifetime Justice Olson served in many civic and professional capacities. In his local community he helped organize and was the first secretary of the Marshall County Agricultural Association. He served on the school board, was head of the County Red Cross during the First World War, and served in many other capacities. He was active in Bar association work and helped organize the Fourteenth Judicial District Bar Association, of which he was a Past President. He was for many years a member of the District, State, and American Bar Associations. For a number of years he served on the Board of Law Examiners.

As a lawyer, Justice Olson ranked among the best. His practice extended throughout the district in which he lived and elsewhere. He had an extensive knowledge of the law and an unusual memory. He understood rural people with whom he dealt as few are gifted to understand them. In a trial before a farmer jury he was a formidable opponent in any kind of a lawsuit. He argued many cases in this Court and, in appearing before a court, his knowledge of the law and manner of presentation brought him much success. His conduct in the courtroom was always exemplary—that of a gentleman—and his sense of fairness and display of courtesy toward the judge on the bench and witnesses alike won him many friends. On the other hand, once he was convinced that a witness was not telling the truth, his skill in cross-examination frequently shattered the composure of a witness and effectively destroyed the value of his testimony. Toward his clients he was scrupulously ethical in his dealings, and in his community, as elsewhere, it was known that his word was as good as his bond.

As a trial judge he probably was at his best. I think that he spent the happiest years of his professional life as a trial judge. Unfortunately, it was not a long time. He loved people, and in serving as a trial judge he felt that he was close to them and could be of service to them. He had seen much of the hardship of life and had a broad understanding of people. He dealt with them as they are, not as he would have liked to make them. While he could be stern when the occasion demanded it, he had a sympathy for people who had not always had the best of life and he knew how to temper justice with mercy. His verbal spanking of young people who had made a mistake, before he placed them on probation, was something which they never forgot, and yet he did it without rancor or any outward appearance of vindictiveness. In presiding over a trial he was patient, courteous, and understanding, but no one ever had to be in doubt as to who was running his courtroom. His decisions as trial judge were usually right. In the three and a half odd years that he served on the trial bench he was reversed by this Court only three times in a day when there was much litigation and many appeals.

As a member of this Court, his opinions speak for themselves and are their own best memorial. About all that need be said about them is that he wrote as he lived. Here, again, he had only one guide to go by and that was intellectual honesty. His opinions are clear and straight to the point. They are based on his honest judgment, uninfluenced by politics, desire for personal acclaim, or prejudice, or malice toward anyone. His only desire was to see that justice was done, as he saw it, regardless of who was involved in the litigation. While serving on this Court he missed the personal contact with people that he had formerly had as a lawyer and as a trial judge. He did not underestimate the great honor which the people of the state had conferred upon him, nor was he ungrateful for it, but he realized that the nature of the work on this bench is such that contact with people for one who comes here from a distance and leaves his intimate friends back home is bound to be somewhat limited. He was a hard worker and more than willing to carry his share of the load. While he realized the seriousness and the importance of the work of this Court, he maintained throughout his service here a sense of humor which kept him from setting himself above the people whose disputes he was called upon to decide. His sense of humor occasionally found its way even into his opinions. But through it all he never lost sight of the fact that even the cases which seem trivial to judges are important to the litigants involved and that each case deserves careful consideration.

As a man, Justice Olson was possessed of a rugged character. He had only one rule to live by and that was based on personal integrity. On matters involving integrity he was unyielding. He often said that there can be no compromise with what is right. He had no time for sham or deceit or pretentiousness and was quick to spot it. No one had to guess where he

stood on any matter of importance. In his dealing with other people he was frank almost to a point where it became a fault, and yet he was patient and understanding of others and tempered his thinking with a knowledge that all did not react to everything as he did. His ready wit and earthy humor were known to all who came to know him intimately. Not only was he a good lawyer, an ideal trial judge, and an exemplary appellate justice, but on a hunting or fishing trip he was a most delightful companion. While it was known that he loved to hunt and fish, I think that it was the companionship of the group he was with that he loved the most. He was an ardent gardener, and his flower beds were not only beautiful but as carefully kept and free from extraneous weeds as his mental thinking. He took much pride in his garden at his home, and almost any evening in the spring or summer you could find him working in his garden. For many years he maintained a summer home on Lake Miliona, a short distance north of Alexandria, and one look at his premises and garden was sufficient to convince even the most skeptical that he spent little time loafing, even on vacation. Starting from a humble beginning as an immigrant boy, Justice Olson rose by hard work and unswerving loyalty to the code by which he lived to hold a position on the highest court in the service of his state. His life exemplifies that which has made America what it is, a land of opportunity for those who will to do what they may choose to do. It might well be said of him—

"There was no guile in him—only a simplicity within, a humility of heart, a sense of humor that never failed him and always helped us."

CHIEF JUSTICE DELL then said:

Members of the Bar:

It is indeed fitting and right that we should assemble here today in memory of the departed justices who served as members of this Court and to record the respect, esteem, and affection in which they were held by the Bench and Bar alike. That these men who we memorialize today have justly-earned and richly deserve their place in the history of this state, has been most ably pointed out by the memorials presented here this afternoon. Their work is finished and finished well but our memory of them and what they have done will remain with us always.

In 1920, when I commenced to practice law in Fergus Falls, Associate Justice Julius J. Olson was then one of the outstanding lawyers in northern Minnesota. He was an excellent trial lawyer and possessed a most enviable reputation for his honesty, integrity, and fairness. After he became district judge I had the pleasure of trying several cases before him. And what a rare treat that was, for his knowledge of the law and the rules of evidence coupled with his keen desire to do complete justice assured every litigant in advance of the trial that he would get exactly what he was entitled to— nothing more and nothing less. His work on this Court was outstanding. Plain, blunt, and fair, his legal knowledge and wisdom known and respected by all his colleagues, his opinions stand out as among the best. He will live always in the hearts of -the members of his profession who had the good fortune to know him.

These proceedings will be spread upon the minutes of the Court.