

A I M E M O R I A L

GUY ALBERT BENSON

WAY IS PRIMA FIDE COURT:

It is with deep sorrow that the committee appointed by the Racine County Bar Association presents to the Court this Memorial to the life and character of GUY A. BENSON, long a beloved and respected member of the Racine County Bar, who died at Racine, Wisconsin on September 9, 1949 at the age of sixty-four years.

GUY A. BENSON was born on a farm in the Town of Iola, Waupaca County, Wisconsin on May 31, 1885.

His father, Ole Benson and his mother, Andree Olson Benson were both natives of Norway. His mother came to the United States in 1848 and his father, in 1864. They both became naturalized citizens of the United States of America. Ole Benson died in 1894 and his wife, the mother of GUY A. BENSON, died in 1909. Mr. and Mrs. Benson had four sons and one daughter, Dyrce H. Benson, Elmer J. Benson, Edwin D. Benson and Mrs. R. W. Thompson, all of whom have died except his brother, Mr. Edwin D. Benson who resides at Iola, Wisconsin.

On February 3, 1932, Mr. Benson was united in marriage with Viola G. Voolker who now survives him.

Mr. Benson, in his earlier years upon the farm acquired habits of industry and thrift that characterized his entire life.

Work on the farm was hard, but nevertheless, his parents were able to have him attend the primary and high schools at Iola. He spent one year in the Racine High School from which he graduated in 1904.

At that time he had chosen his life work and was determined to attend the University of Wisconsin which he entered the same year. He had a hard schedule because he had to earn his way through school and at times, that work, together with his studies would overtax his physical strength. He persisted, however, and finished his course in the College of Letters and Science and the Law School at the University of Wisconsin and was awarded the degree of Bachelor of Laws on June 23, 1909. He was an outstanding scholar which is attested by the fact that he was commencement orator in the graduating exercises upon his finishing Law School and was elected to membership in the Order of Coif, honorary legal scholastic Society of the Law School. He also became a member of Phi Alpha Delta legal fraternity.

Adolph R. Janacky, a member of our Bar, graduated from the University of Wisconsin with Mr. Benson and both of them returned to Racine and formed the partnership of Janacky & Benson which they continued for a period of three years. Thereafter, Mr. Benson practiced law in Racine until his death, either individually, or as a senior partner of a firm. Allyn L. Mogenson was associated with him from 1927 to 1933; Donald A. Butchart became a member of the firm in 1930; his nephew, Emery B. Benson entered the law firm in 1936 and in 1945 Eugene L. Haley entered the partnership which was engaged in the practice of law at the time of Mr. Benson's death under the name of Benson, Butchart, Haley & Benson.

Mr. Benson had a fine reputation for honesty and integrity which won for him a large law practice, that demanded the utmost of his time and energy.

Mr. Benson did not seem to care for the work of an advocate, although whenever he was engaged in trial work, he conducted himself in the courtroom in a manner befitting a good trial lawyer. He always had the complete confidence and respect of the judges in the courts in which he practiced.

Although his large practice demanded much of his time and energy, he recognized in the fullest measure, the obligations a good citizen owes to his community, and he took every opportunity to give assistance, both of his time and means, to the projects which he believed would lead to the betterment of the community.

He served as a Circuit Court Court Reporter for a number of years and was highly regarded by the members of the Bar for his ability and impartial conduct of the duties of that office. He was appointed referee by the Circuit and Municipal Courts in a number of matters and handled them in a very satisfactory manner.

He was a member of the Racine County Bar Association since the time of its organization and was its President in 1915. He was a member of the American Bar Association and the Bar of the State of Wisconsin, and attended the annual meetings quite regularly. Mr. Benson served as a member of the Racine Public Library Board under Mayor Walter J. Goodland; he was a member of the Board of Directors of Racine Homes for Racine from 1912 to 1934; he was a member of the Racine Association of Commerce, of which he was President in 1913 and 1934. He was chairman of the Hog Memorial Committee of Racine

County from its formation, and devoted much of his time to the establishment of Hog Memorial Park. He was Chairman of the Lincoln County War Records Commission until he resigned in 1943 due to ill health and was President of the Board of Trustees of the Lincoln-Monmouth County Normal School until he resigned in 1943 for the same reason.

Although he never sought public office, Mr. Benson was nevertheless active in politics and was an ardent follower of Robert M. LaFollette in his earlier years. At one time, he served as Secretary of the Lincoln County Republican Committee.

In addition to his professional and civic activities, Mr. Benson was interested in a number of fraternal and social organizations. He was not what is termed a "joiner", but took membership in a group only when he was wholeheartedly in accord with its purposes; and when he once accepted membership, he was always eager to advance its activities. He was particularly active in the field of Pythias and during most of his adult life held local, state and national offices in the fraternity. Likewise, he was an influential factor in Minnais, serving as President of his local club, Governor of his State District and on Committee of Minnais International. He was also affiliated with the Loyal Order of the Moose, Vergeland Society and the Boy Scouts of America.

In addition to his intellectual powers, he had the strength and the will to work hard and continuously and he reaped the success which usually attends such work. He had the confidence of all who knew him as a lawyer, and his ability and integrity, his

love of justice and friendship for his fellow man at all times
governed his conduct in all affairs of life.

As a man, as a citizen, as a lawyer he performed
every duty faithfully and with distinction.
He lived a full and successful life and had the
rare pleasure of having reached the goal of
his early ambitions.

And now we leave him on the road that winds up
the hill to meet the heights,
Beyond our human life it curves from sight,
And yet no man would foolishly contend
That when he sees it not, it makes an end.

E. R. Burgess
Jerome J. Foley
Spencer A. Rutland

Committee

C.M. 10-420
Memorial to
Guy O. Benson

November 21, 1949

STATE OF WISCONSIN : CIRCUIT COURT : RACINE COUNTY :

RESPONSE OF THE COURT TO THE MEMORIAL
PRESENTED BY THE RACINE COUNTY BAR
ASSOCIATION ON BEHALF OF GUY A. BENSON,
Deceased.

The habits developed during many years of hard work made it very difficult for Guy Benson to adjust himself to shorter hours of labor when the state of his health so required. There was the constant urge to do more and I do not think he ever became reconciled to the limitations forced upon him.

The law is a hard taskmaster and to achieve admission to the Bar and to provide the necessary expenses involved by the individual efforts of the aspirant is a feat difficult and perhaps impossible to fully appreciate by others. However difficult this may be admirable traits of character seem to be developed in the process. His fine inherent and developed traits of character appealed to the people of the area in which he lived and practiced his profession. These qualities brought to his office as many and at times more clients than he could serve with reasonable efforts on his part. He merited and enjoyed their confidence and he industriously and ably served them well.

From a civil and professional standpoint he derived a deep sense of satisfaction from service so rendered in such capacities.

It was a matter of choice and not a question of ability which prompted him to avoid when possible the stress and strain of trial work. When a situation so required he con-

ducted himself courteously and ably in the trial of cases and enjoyed the respect of the courts in which he appeared.

Throughout his professional life he brought credit to himself and to the honorable profession of which he was a member. He left this life as he had lived it,- a good man, a good citizen and an able and respected lawyer.

He has taken his final departure from among us and we shall miss him. We commend him to a better life beyond the power of human beings to provide. There remains with us the memory of his life,- a far better Memorial than words however well chosen can express.

The Memorial presented by the Racine County Bar Association and this response will be spread upon the records of this court.

Dated at Racine, Wisconsin, November 21, 1949.

I N M E M O R I A M
IN CIRCUIT COURT, RACINE COUNTY

HAROLD JOSEPH SPORER

MAY IT PLEASE THE COURT:

The Committee appointed by the Racine County Bar Association respectfully presents to the Court this memorial to the life and character of HAROLD JOSEPH SPORER, for more than twenty-two years a beloved and respected member of the Racine County Bar, who died at Racine, Wisconsin, March 23rd, 1949, at the age of forty-five years.

HAROLD JOSEPH SPORER was born in the City of Manitowoc, Wisconsin, on May 2nd, 1903.

His father, Thomas J. Sporer, and his mother, Anna Mary (Stodola) Sporer, were born in the United States, the children of immigrants to this country from Bohemia. Thomas J. Sporer is now retired, after having spent the greater portion of his life as a general building contractor in the City of Manitowoc and vicinity. Anna Mary Sporer died at Manitowoc in February, 1938. Harold had two sisters,--Rose Sporer, now Mrs. Eugene Gould, of Los Angeles, California, and Evelyn Sporer, now Mrs. Frank Wanek, of Manitowoc, Wisconsin.

As a boy he attended the grade schools and the Manitowoc High School, from which he graduated in June, 1921. It was during his early school days that he developed the studious character that was to remain his throughout his life. He then evidenced an intense interest in all branches of high school

studies and he applied himself to these studies with industry, sincerity of purpose and determination. It was inevitable that he was to receive excellent grades and to be regarded by his teachers and fellow students as a most promising scholar.

During school vacations he busied himself by working on his uncle's farm and for his father in the construction trade. These early occupations were in part responsible for the development in him of two traits of character which influenced his entire life.

From his experience on the farm he acquired a genuine interest in and love of all things natural. The woods, fields, and streams afforded him many happy hours of enjoyment, and, as was typical of Harold, he set himself to learning all he could about the plant and animal life to be found in them. Hunting and fishing were favorite pastimes with him and he became very proficient in both of these sports. This interest in nature and the love of the outdoors remained with him always.

In the building trade he acquired what may be described as a thoroughness which was to typify his every action in later life. He learned the value of exactitude and the vitality of detail. These early lessons were never forgotten and were repeatedly applied during his career as a lawyer.

In the fall of 1921 Mr. Sporer entered the University of Wisconsin, from which he graduated in June, 1926 with the degrees of B.A. and L.L.B. He also attended Summer School at the University of Michigan. During his college career, he engaged in many student activities and was particularly successful in debating. His ability as a student was recognized by his professors and

classmates alike, and it followed almost as a matter of course that he was elected to the Order of the Coif in June of 1926.

Prior to graduation from law school, Mr. Sporer and two of his classmates had planned an extensive hunting and exploration trip into the hinterlands of Alaska. Much time was spent during the final months of school planning and preparing for this venture. When the time of departure came, the other two boys were unable to go. Most anyone, save Mr. Sporer, would have given up the idea or at least postponed it until a later date, but this was not so of Harold. He had planned to go to Alaska. He had prepared to go to Alaska. He was determined to go to Alaska. He reasoned,--or was it a premonition,--that if he did not go to Alaska then, he never would. So he went to Alaska - alone - where he spent several months hunting, fishing and camping in the unbeaten areas of that vast territory. His only company during these months was an occasional sourdough whom he encountered on his travels. His early training as an outdoor man and as a marksman was most useful to him on this occasion, and he added greatly to his already considerable knowledge of nature and woodcraft by making the trip in spite of the upset in the original plans.

To those of us who knew Mr. Sporer intimately the episode of the Alaska trip demonstrates in him a predominant characteristic--determination. Once a carefully conceived plan of action was decided upon, there was no disappointment keen enough, no obstacle insurmountable enough, to deter Mr. Sporer from the pursuit of that plan; and his plans succeeded, in business, in law and in life.

Mr. Sporer was admitted to the Bar of the State of Wisconsin January 4, 1927 and soon after became associated with

the firm of Simmons, Walker & Wratten, of this City. He signed the Roll of the Racine County Bar in the Circuit Court on April 12, 1927. On January 1, 1930 he became a member of his firm, which then became known as Simmons, Walker, Wratten & Sporer, and with which he remained associated during his entire career as a lawyer.

On June 18, 1931 he was married to Helen Dorothy Rankin, of Duluth, Minnesota, who was at that time employed in this City. This event marked the beginning of what was to be a happy and contented family life. There was one child, Anne Sporer, born August 14, 1932, who is now a senior at Washington Park High School. Harold and his wife were well suited to each other and both actively participated in the social, educational and political functions of the community. Their efforts, in this regard, brought to them many friends and acquaintances and earned for them the respect and good will of all who knew them.

The attributes of thoroughness, determination and scholarship which we have mentioned were applied with full force by Mr. Sporer with his practice of the law. It was not long before his ability was recognized and he was soon in charge of serious and complicated litigation. His preparation of the facts involved in any case was thorough and complete. His briefing of the law was always thorough, complete and scholarly. His application of the law to the facts was invariably consistent and reasonable and never did he contend for a stilted or incongruous construction of the law.

He practiced law upon the basic theory that true justice should be accomplished in every case. If, after carefully reviewing the facts and the law, he was of the opinion that his client was in

the wrong, he did not hesitate to so advise him. If, however, he reached a contrary conclusion, he would maintain and defend that position regardless of the attacks made upon it, regardless of the amount in controversy, regardless of the energy, labor and expense necessary, and with the full brilliance of a keen legal mind.

The development and growth of the law were matters of vital concern to him. Harold never ceased to study and to learn. He attended many legal clinics in different parts of the country in order to keep abreast of the rapidly changing law in several important fields. The field of Taxation, both State and Federal, absorbed his interest, and he became recognized as an authority on this subject. He prepared and delivered several very learned papers on the subject of Taxation before the local Bar Associations throughout the State. During recent years he was honored by an invitation to arrange and supervise a series of lectures before the Law School at the University of Wisconsin on this subject, an invitation which he cheerfully accepted and amply justified.

His wide experience and specialized knowledge called for his services before all the courts of the State, the Federal Courts and the various special tribunals of both the State and Federal Governments. He was a competent and thorough trial lawyer. There was an atmosphere about him, in the trial of a law suit, of earnestness, sincerity and absolute integrity which was truly genuine and never failed to agreeably impress the Court or jury, or both.

In the matter of appeals to the Appellate Courts, he was especially competent. The rules of procedure were meticulously followed and his briefs on the facts and the law were invariably the result of many hours of study and the application of a

methodical and brilliant legal mind. His presentation of a case on appeal matched the excellence of his briefs. The permanent records of the courts of this State and the Nation contain ample evidence of his contribution to the administration of justice and will forever bear witness to what we have so humbly endeavored to say.

Mr. Sporer was active in the local Bar Association and was elected President in 1945. He was a member of the Wisconsin Bar Association for many years and was a member of the Board of Governors in 1943. He was also a member of the American Bar Association. He regularly attended meetings of these bodies and, over the years, actively engaged in their discussions and business.

While he never aspired to or ran for public office, Mr. Sporer was vitally interested in all political matters, local, state and national. He was a member of the Racine County Republican organization and took an active part in all political campaigns. He was a conservative Republican by steadfast belief and honest conviction. He consistently adhered to the principles of the Republican party, except that he did not believe county offices should be on a partisan basis and he would occasionally support a Democrat for county offices provided he was convinced that the Democrat was better qualified than his Republican opponent. His advice on political and economic problems was frequently sought and highly respected by the recipients.

Harold's early interest in the out-of-doors never paled. He continued to spend what time he could afford in the fields and on the lakes and streams. Many a November morning found him in

the duck blind on Brown's Lake or in the forests of Northern Wisconsin where he hunted partridge, deer and bear. He was a life member of the Belle City Rifle Club, and for several consecutive years he qualified as an expert rifleman. He was also a member of the Benevolent and Protective Order of Elks and an original member of the Board of Trustees of the Cove School.

It would be impossible to relate all of the memorable incidents and qualities of a life that was so full and complete as that of Mr. Sporer. In terms of years his life was lamentably short, but in terms of accomplishment, of living vigorously in a righteous way and of remaining steadfast to truth and integrity, his life was very full indeed.

"There is nothing which must end, to be valued for its continuance. If hours, days, months and years pass away, it is no matter what hour, day, month or year we die. The applause of a good actor is due to him at whatever scene of the play he makes his exit."

Eugene V. Spaley
Charles F. Watten
O. M. Edwards.

Committee.