



FRANK ROBERTS GAYNOR

NOTABLE DEATHS

FRANK ROBERTS GAYNOR, the second son of a family of nine sons and two daughters, was born in Toronto, Canada, September 2, 1852, and died at Des Moines, Iowa, August 2, 1920. His father, who was a merchant, came from Ireland. His mother was born at London, Canada, to which place her father had come from England as a missionary. The family moved to Iowa in 1856, settling on land in Fayette County. His early education was acquired at Professor Wood's acadamey at Clermont, Iowa. Later the family moved to Davenport where he attended Griswold College, finishing after having taught school a year at Atalissa. In the fall of 1876 he entered the Law Department of the State University of Iowa, where he earned his way in a large part by tutoring students of the University in Latin and Greek. He was graduated in the class of 1877 and shortly thereafter formed a partnership with John T. Scott at Brooklyn, Iowa, where he began the practice of his profession. One of the conditions of that contract was that Gaynor should have the privilege of making at least one address to the jury in every cause tried. He was married to Annie C. Judd, daughter of the Rev. Emerson Judd, November 29, 1879. For some years he was a partner of John F. Talbott. In 1885 he removed to Marshalltown where he remained about a year and then took up his residence at Le Mars, becoming a member of the firm of Martin & Gaynor. This firm enjoyed a large and lucrative practice. Gaynor did the trial work. He overlooked nothing either in the introduction of evidence or arguments to juries which was likely to influence results. He began his arguments by clearly stating the precise issues involved and with even greater clearness, the law, bearing on the issues. In so doing his attitude was like that of a teacher toward the pupils of a class. He joined the jury in ascertaining the correct solution of the controversy. This was done by candidly and earnestly and without any pretense at oratory, analyzing and comparing the evidence, discussing the credibility of witnesses, harmonizing their evidence in so far as possible and finally marshalling the facts, as he contended they were, in logical sequence to an unavoidable conclusion. To the court he was absolutely fair, indulging in no masked batteries, never overlooking the authorities against him, but fertile in theories and reasons indicating their inapplicability or unsoundness. In the fall of 1890, Gaynor was elected judge of the Fourth Judicial District. His services as nisi prius judge were of a high order. He listened with patience and, after hearing the evidence, experinced little difficulty

in reaching the correct conclusion. Though never filing written opinions, he reasoned out the law and facts orally so clearly and with such cogency that most litigants were convinced of the correctness of his judgment. His learning, his love of justice and right, his marvelous memory, his love of companionship, his fine sense of humor, his pointed stories and his apt quotations of poetry to meet every condition, endeared him to the bar and people of the entire district. After serving twenty-two years on the district bench he was elected a justice of the Supreme Court and served as such from January 1, 1913, until his death, seven years and nearly eight months later. He came to this office splendidly equipped by learning, temperament and experience for the discharge of its duties. The opinions of the court prepared by him bear indisputable evidence of this, and also of his mastery of pure English. Though the recitals sometimes seem long, nothing is wanting in the discussion following. Clean-cut thinking, forceful, logical reasoning, with a thorough mastery of the facts and the law applicable, lead inevitably to unavoidable conclusions. His opinions are distinct contributions to our jurisprudence and will endure the inevitable criticisms of the future. Judge Gaynor was of a pleasing personality, bespeaking refinement and culture. He loved books but read only the best. He delighted in philosophizing and championed the theory that property beyond immediate needs is a hindrance to intellectual achievement. He remembered poetry from reading it rarely more than once and had an exhaustless supply for apt quotation. He was a ripe scholar and a profound lawyer. He was of even temper, gentle and kind always, patient to listen and wise to counsel, approachable to all. His death brought profound sorrow to those who knew him and loved him. He is survived by Mrs. Gaynor, an only daughter, Mrs. B. R. Evans, and her sons, Gaynor and Byron Henry, in whom he delighted —S. M. LADD.

MAJOR ROBERT M. HANNA was born in Pike County, Ohio, December 23, 1884, and was killed in action at the head of his command near the Meuse, France, at 9:30 A. M., November 11, 1918. In 1891 his family removed to a farm in Clay County, Iowa, near Ruthven. He attended country school, the Ruthven High School, was graduated from the Spencer Business College, and then spent two years in the Law Department of the State University of Iowa. He then entered real estate business with headquarters at Waterloo and Cedar Rapids, remaining in that work until injured in a railroad wreck from which he did not recover for a year. In 1911 he took a trip through Mexico, was in company with Madero for several weeks, was as far south as Vera Cruz, received a bullet wound in the leg when in the saddle, and

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