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Report of the Necrology Committee

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8. The matter of the salaries of county officials was referred to the Committee, by the First Judicial District Bar and it is our opinion that this is not a matter for this Committee to consider and is not within their province.

Respectfully submitted,

Jerry Housel
John P. Ilsley
James O. Wilson

REPORT OF THE NECROLOGY COMMITTEE

During the past year the Wyoming State Bar lost but three of its members, but all of them had had long careers in the legal profession, 42 years, 56 years, and 58 years respectively, and all of them had attained some degree at least of distinction in the profession, and all were outstanding members of their respective communities. They had contributed largely to the progress of the profession in Wyoming, and to the progress of their respective communities. The Wyoming State Bar feels keenly the loss of Robert E. McNally, Spencer Eugene Phelps, and Judge Cornelius D. Murane.

ROBERT E. McNALLY

Robert E. McNally died September 11, 1951 at Sheridan, Wyoming, where he had practiced law since 1911. He was born January 14, 1885 at Cascade, Iowa. He attended St. Mary's College at Xavier, Kansas, and Creighton University at Omaha, Nebraska, where he received his BA degree in 1906 and his Law Degree in 1909. He was City Prosecutor in South Omaha, 1909-1911, coming to Sheridan in the fall of that year.

Throughout his many years of practice at Sheridan, he was active in public and community affairs. He was elected to and served in the House of Representatives of the Wyoming State Legislature from 1915 to 1917. He was active in Republican politics for many years and was well known throughout that State for his exceptional ability as a public speaker. He served on the Yellowstone River Compact Commission. He was active in the preparation of the Compact which was ratified and adopted by the Wyoming State Legislature in 1951.

He was a great student of early Western history and in his writings and public addresses, brought to light many matters of great interest to the public which he had uncovered by his diligent research. He was a good story teller and and as an after-dinner speaker and toastmaster, he was unexcelled.

His wide business interests took him into the fields of banking, ranching and real estate, in all of which he was very successful, but his first interest was the law, to which he devoted himself assiduously throughout his many years of practice.

SPENCER EUGENE PHELPS

Few, indeed, of our Wyoming lawyers have lived to look back upon a full half-century after their first admission to practice in Wyoming. Spencer Eugene Phelps attained this distinction. He died at Casper, Wyoming, July 11, 1952; 52 years and nearly 3 months after the opening of his first Wyoming law office in the town of Encampment. An eye affliction which befell in 1934 and shortly thereafter forced his retirement from active practice foreshortened his professional career, but for more than 46 years of the something more than 52 years after his arrival in Encampment, Wyoming, he was a resident of Wyoming and engaged diligently and effectively in the practice of his profession for 12 years in Encampment and for a bit less than 20 years in Casper. For the six years between 1912 and 1918 he resided and practiced his profession at Boise, Idaho.

Mining Law, and later the law relating to oil placer mining claims, was something more than a minor specialty of his professional practice, until the character of the practice relative to oil and gas on the public domain was radically changed by enactment of the general leasing bill in 1920. His practice was general, and in it he displayed a marked versatility both in interest and capacity, and it is probable that no one, at least in Casper, has ever handled items of so-called commercial practice with equal effectiveness; and especially notable was his ability to retain the good will and respect, which often, indeed, ripened into the genuine affection, of those unfortunates whom his employment compelled him to pursue and oppose.

He was born in MacGregor, Iowa, January 14, 1870, and opened his first law office about 1896 at Shelton, Nebraska, where he met Hermae Sterrett whom he married in Sioux Falls, South Dakota on October 19, 1897.

His social and fraternal interest centered in the Masonic Order; he was Past Master of his home lodge.

Of course our sympathy goes to the bereaved widow, and more particularly because of the said circumstances incident to his death, for he was stricken by a cerebral hemorrhage in November, 1951, and was thereafter almost completely helpless until the time of his death, and during these sad eight months his devoted wife and inseparable companion for fifty-five years never heard his voice.

JUDGE CORNELIUS D. MURANE

After 20 years and 11 months service to the people of Wyoming as Judge of the Seventh Judicial District, on December 4, 1951, Judge Murane died, as he doubtless would have chosen to die, quickly, and almost suddenly, in his normal daily routine incident to the performance of his official duties, for about 9:30 that morning his car was heard to crash

against the wall at his customary parking place, and immediately thereafter he was found slumped back in the seat of his car unconscious, but with the ignition switch of the car turned off. He was rushed to the hospital where he died about 40 minutes later without having regained consciousness.

Judge Murane was born February 6, 1867 in Minnesota, the son of John H. and Honora (Kenaven) Murane, natives of Ireland.

He attended schools at Austin and Faribault, Minnesota, and was graduated from Valparaiso University with the degree of Bachelor of Laws. He embarked on the practice of law at North Yakima, Washington, where he resided for five years and served two terms as county attorney.

In 1898 Judge Murane started for the Klondike, and in the spring of 1899 opened an office at Nome. He served as municipal magistrate at Nome, and later as city attorney.

In 1909 he was appointed U. S. District Attorney for Alaska, and after serving in that capacity for one year, received a recess appointment as Federal Judge for the Second District of Alaska, and was subsequently appointed and confirmed by the senate to this office for a four year term.

In 1914 he went to Seattle, Washington, and shortly thereafter moved to Casper where he engaged in the practice of law until his election to the bench in 1930.

He was a member of the Alaska Bar Association, of Washington State, Natrona County, Wyoming State Bar, and American Bar Associations.

He was a 32nd Degree Mason, a member of the Arctic Brotherhood, a life member of the Fraternal Order of Eagles, a Past Worthy President of the Nome Aerie, and during his incumbancy as president of the Aerie he had the distinction of initiating into the order the famous Arctic Explorer Roald Amundsen and his First Officer upon completion of the great explorer's journey with his ship "The Frome" through the "Northwest Passage."

He belonged to the Elks Lodge 1353 in Casper, Wyoming, the Alaska Pioneer Society, was a charter member of the Loyal Order of Moose while he was in Alaska. He was affiliated with the Christian Church.

He was a member of the Wyoming Code Commission which prepared the Wyoming Revised Statutes of 1931.

The record of Judge Murane's entire life and his career in the Law reflects great credit upon him as a man, and earned for him distinction as a lawyer and a judge. In the conduct of his judicial duties, he richly earned honor for himself and fully maintained the prestige and respect of the judicial office.

This last was that which he most sought and for which he most earnestly strove.

No testimonial of the passing Judge Murane would be complete without reference to personal qualities which earned for him a thorough respect and somewhat more than the ordinary meed of affection among his fellows and associates. In Law Office, Judge's Chambers, and on the Bench alike, he carefully observed the canons of personal and professional decorum. Always courteous, sometimes even jovial, he could be stern, aloof, and cold should the occasion indicate or require. Like all good Judges he possessed almost infinite patience, but when his wrath was stirred, and it was seldom if indeed ever fully aroused, no one present could be in doubt about the fact. For those young in the practice, he was a most effective instructor, and in conference freely offered and gave help. He might perhaps from the Bench give a bit of help to the young tyro, but if so, it was carefully veiled. He knew himself as few men know themselves. He knew the fields wherein his best talents might be displayed, and with amazing prescience well realized that his strongholds in the realm of the law were in the fields of *criminal procedure and equity jurisprudence*. He was a forceful, vigorous man, active to the very last, at any time and at any place, he would have been exactly what he was in Casper, in Seattle, in Yakima and in Nome, a leader, one of the competent few.

NOW THEREFORE, be it resolved by the Wyoming State Bar in regular annual meeting assembled in Torrington, Wyoming, August 25, 26, and 27, 1952, pay its respects to Robert E. McNally, Spencer Eugene Phelps, and Judge Cornelius D. Murane, and recognize their contribution to the legal profession of the State of Wyoming, and that their memories be perpetuated by spreading this resolution upon the minutes of the meeting of the Association.

AND BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the members of the families of each.

Respectfully submitted,

THE NECROLOGY COMMITTEE

D. W. Ogilbee, Chairman

H. Glenn Kinsley