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MEMORIAL RESOLUTION IN HONOR OF
ALBERT BARNES ANDERSON*

Hon. Albert Barnes Anderson was born February 10, 1857, on a farm in Boone County, Indiana, some fifteen miles from Indianapolis, near the town of Zionsville. He was graduated from Wabash College with the degree of A. B. in 1879, and two years later was admitted to the Bar at Crawfordsville, where he practiced from 1881 until December 18, 1902, when he was appointed Judge of the United States District Court for the District of Indiana. His parents were Philander Anderson and Emma (Duzan) Anderson. He was married November 14, 1882 to Miss Rose Campbell of Crawfordsville, a daughter of one of the professors at Wabash College.

In 1886 he became Prosecuting Attorney of Montgomery County, Indiana, and continued in office four years.

In 1885 he had formed a partnership with Benjamin Crane, and the firm continued as Crane and Anderson until he was appointed as Judge of the District Court. In the practice of the law he was aggressive and forceful, and his law firm acquired a wide reputation.

He was made Master of Arts the year following his graduation from Wabash College, and the degree of L.L.D. was conferred upon him in 1907.

He was appointed United States District Judge by President Theodore Roosevelt, and continued in that office more than twenty-two years, when he was commissioned by President Calvin Coolidge as one of the Judges of the Circuit Court of Appeals at Chicago on January 14, 1925.

The age at which a Federal Judge may voluntarily retire is seventy, and Judge Anderson then lacked more than two years of having reached that age. He continued in active service at Chicago four years, and retired in June, 1929.

Since that time he and Mrs. Anderson have spent many of their winters at Winter Park, Florida, and their summers chiefly at their summer home at Burt Lake, in Michigan, usually stopping at Indianapolis for a month or more in passing from one to the other.

He became seriously ill at Winter Park, and was brought to St. Vincent's Hospital in Indianapolis on April 10, where he died last Wednesday, April 27, 1938.

* These resolutions were read at the Memorial Meeting of the Indianapolis Bar Association held May 2, 1938, and are printed herein with the consent of the Committee.

During his term as Prosecuting Attorney from 1886 to 1890, he was concerned in the prosecution of a number of celebrated criminal cases, but during the remainder of his service at the bar he engaged chiefly in civil practice.

In his career of twenty-one years as a practicing lawyer, Judge Anderson became known throughout the State as one of outstanding ability, and in the twenty-seven years that he served as a Federal Judge, he gained a high reputation as an able and conscientious jurist.

As Judge of the District Court, Judge Anderson had jurisdiction of criminal as well as civil cases, and presided at trials in many famous prosecutions, but he also decided celebrated cases of other kinds.

Among the noted criminal cases in which he presided as Judge was the prosecution of thirty-eight members of the International Iron Workers Union, which followed the dynamiting of the Los Angeles Times Building, in which a score of persons were killed, and of many other structures throughout the country in which the steel work had been erected by non-union workmen.

The Union had quarters at that time in Indianapolis, and a quantity of dynamite was found in a downtown building some of them had occupied, which gave a clue that was vigorously followed. This case was on trial from October 1 to December 26, 1911, during which time five hundred and ninety-nine witnesses were examined. Thirty members of the International Association of Bridge, Structural and Iron Workers were convicted of conspiracy and violation of the Federal law prohibiting interstate transportation of explosives.

It is interesting to know that the dynamiting of new steel frames for buildings entirely ceased following these convictions, although they had been occurring to the number of several each week for a long time before the arrests were made.

During the prohibition era Judge Anderson earned a reputation for giving prompt trials to persons accused of liquor law violations, and severely criticized city and county officials for laxity in enforcing the dry law, charges having been made against many public officials, including members of the different city governments. Those accused were tried in his court and a number of convictions resulted.

Having been appointed as District Judge by President Theodore Roosevelt, he gave offense to the President by refusing to send to the District of Columbia for trial on the charge of having published a libel in their newspaper, the publishers of the Indianapolis News, who had been all the time in Indianapolis from whence copies of the paper had been sent out by mail to many places, including the District of Columbia. Attorneys representing the Government insisted that the article criticizing acts charged to have been done in promoting a revolution in Panama, complained of as a libel on some of the Federal

officers, had been published in Washington, in the District of Columbia, because copies of the newspapers were sent to the headquarters of its Washington correspondent, and were there exposed for sale or reading, and also because subscribers in Washington had received copies through the mail.

But Judge Anderson's decision that whatever offense was committed, if any, had been committed at Indianapolis, in the District of Indiana, where the offending newspaper was printed and was deposited in the mail addressed to many parts of the country, and that therefore no court outside of Indiana could have original jurisdiction of a prosecution of such offense, and that the publishers could not be carried five hundred miles away for trial in another jurisdiction, was generally felt to be sound; and while it gave offense to President Theodore Roosevelt, the principle which it declared has been universally approved and followed by the courts in the thirty years since then.

A marked characteristic of Judge Anderson was his quick and clear understanding of the essential questions involved when any matter was brought before him. His searching mind penetrated at once any fog of confusing details surrounding a problem. Lawyers in argument were both assisted and required to bring their discussion promptly to the ultimate and vital points of the case. He insisted that every matter should be faced frankly and fearlessly, with the utmost candor; and though kindly and generous in his attitude toward those he believed were trying to present their questions fairly and honestly, he had little patience with any who sought to reach their ends by indirection, or by evading essential problems of vital interest that demanded consideration.

These and like elements of his character as a jurist, including his stern integrity and earnestness of purpose, early in his career as Judge of the District Court brought him fame and high standing throughout the country, which continued to expand during his service on the bench, and will yet increase with the lapse of time.

How many friends we loved are gone!
Death ever from us takes the best;
O, Death, be careful of the rest,
We cannot spare another one.