

**PROCEEDINGS OF THE SUFFOLK
BAR AND SUPERIOR COURT IN
MEMORY OF FRANCIS A. GASKELL,
JUSTICE OF THE SUPERIOR COURT,
OCTOBER 30, 1909**

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PROCEEDINGS OF THE SUFFOLK
BAR AND SUPERIOR COURT.
OCTOBER 30, 1909.

The meeting of the members of the Suffolk Bar, called to take action upon the report of a committee appointed to prepare and present resolutions upon the death of the late Francis A. Gaskell, justice of the Superior Court, was held in the Superior Court Equity Room on Saturday, October 30, 1909, at 11 A.M.

The meeting was called to order by Charles P. Greenough, and on his motion Moorfield Storey was chosen chairman of the meeting and Robert S. Gorham secretary.

Upon taking the chair Mr. Storey stated the purpose for which the meeting was called and that it was ready to receive the memorial prepared by the committee.

Mr. Greenough for the committee then stated that it had performed the duty with which it was charged and read the following memorial:

THE MEMORIAL.

The members of the Suffolk Bar desire to place upon record their appreciation of the long judicial service of the late Justice Gaskell upon the bench

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of the Superior Court of the Commonwealth, and to express their admiration for the manner in which such service was rendered by him, their affection for his personal qualities, and their profound grief at the severance of their mutual relations, and have to that end prepared this memorial.

Francis Almon Gaskell, for nearly fifteen years a justice of the Superior Court, was born July 3, 1846, in Mendon, Massachusetts, and died July 16, 1909. He was graduated from Brown University in the class of 1866, studied law at the Harvard Law School and in the office of George F. Verry, of Worcester; was admitted to the bar in 1869, and practiced law with great success in that city, first as a partner of George F. Verry until his death and then with Horace G. Verry for ten years.

He was district attorney for the Middle District from 1887 until his appointment to the bench of the Superior Court in 1895. He fully recognized his duties as a citizen, and served as a member of the Common Council of Worcester, as president and director of the Public Library of that city, as president and director of the People's Savings Bank, and as director of the State Mutual Life Assurance Company, as a trustee of Worcester Academy for thirty years and president of the board at the time of his death. He was also a director of the Worcester Natural History Society, and one of the trustees of Brown University and a member of its board of fellows.

In each of these positions of trust he gave the

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same conscientious attention to his duties and the same patient and thorough investigation of all questions which arose for decision that he exhibited in his practice as a lawyer and as a judge upon the bench.

He was eminently social in his instincts and habits. He had a delightful sense of humor and a cordial and sympathetic manner, and was a welcome member of various social and literary clubs.

As a judge he had all the qualities which deserve and command success. These were so fully recognized by the bar that it was generally believed that his promotion to the Supreme Court of the Commonwealth was only a matter of time, and that he would adorn and strengthen that great court.

There have been few, if any, better *nisi prius* judges on the bench in Massachusetts. To a thorough knowledge of the principles of the law he joined an eager love of the truth and a rare power of grasping at once the important points in a case, and of stating in clear and unmistakable language his decisions on disputed questions of evidence. He had that real dignity which, without apparent effort, inspired the respect of counsel and party and made every one hesitate to take any liberty with him. At the same time, his love of humanity and justice was so inherent in his personality that every litigant felt safe in his hands. He was uniformly patient and courteous during the trial of a cause, both to counsel and witnesses. He made up his mind on all questions with care and deliberation,

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and, when satisfied he was right, was firm in his rulings and willing to take the consequences resulting therefrom. He carefully protected witnesses from improper examination, and was clear and lucid in his charges to the jury.

The people of the Commonwealth were fortunate in retaining his services for so many years, and the members of the bar feel that they have not only lost a judge in whom they had entire confidence, but also a sincere friend, who deserved and enjoyed the respect and affection of every man who practiced in his court.

CHARLES PELHAM GREENOUGH,
CHARLES B. SOUTHARD,
FRANK D. ALLEN,
SAMUEL J. ELDER,
HERBERT PARKER,

Committee.