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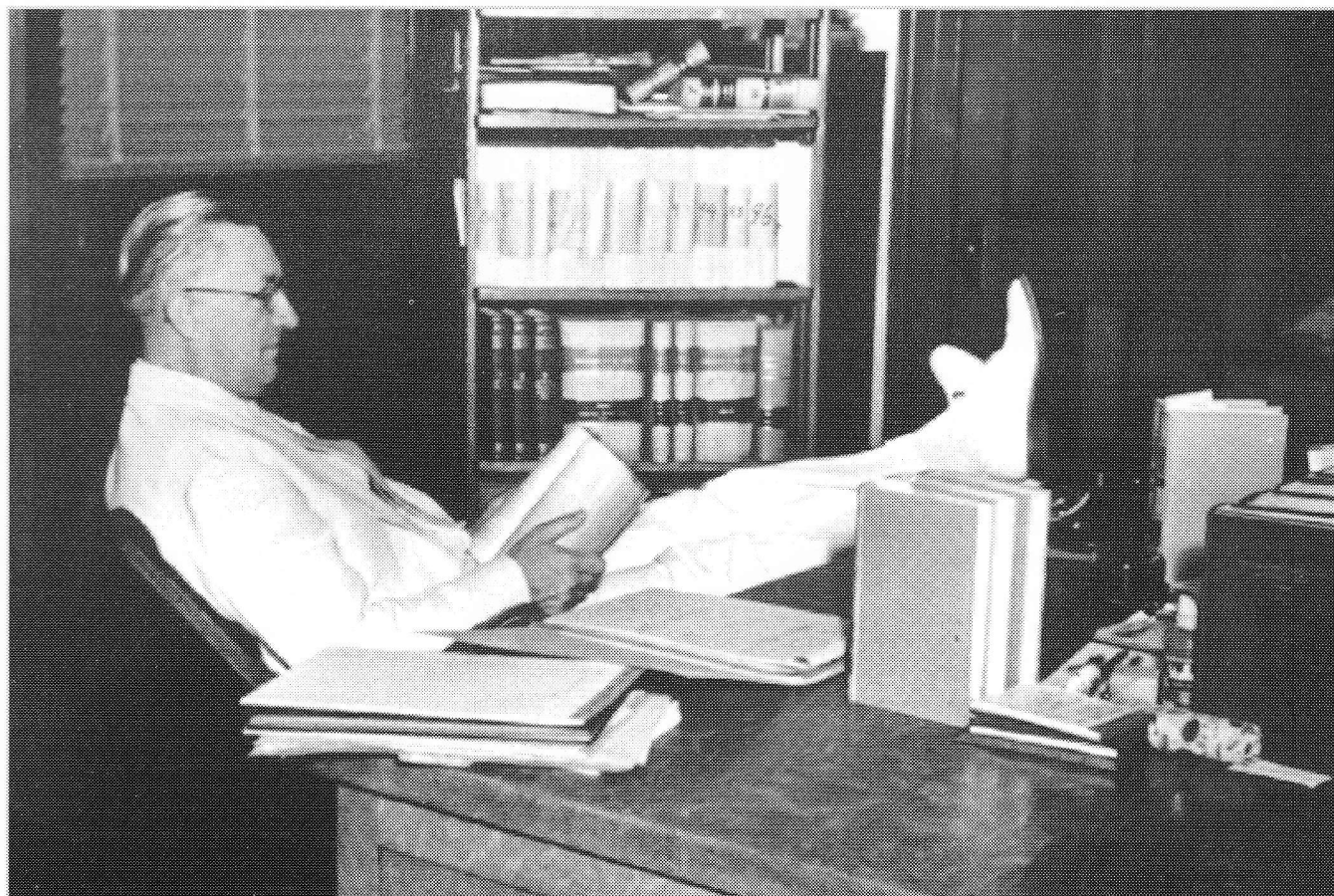
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**Campbell E. Beaumont**  
**Fresno Superior Court Judge, 1920-1939**

*By Stephen R. Henry*



*Judge Campbell E. Beaumont about the time he was appointed to the federal bench in 1939. (Author's collection)*

*A democracy is no stronger than its courts. We should be ever jealous of the right we have of presenting our cause to unbiased, unprejudiced, uninfluenced judicial tribunals. When this right is impaired, the liberty of the people is at an end and the cause of simple justice against power and influence vain.*

—Campbell E. Beaumont, Winter 1939

In the winter of 1939, Judge Campbell E. Beaumont's term on the Fresno Superior Court was drawing to an end. When he was appointed to the court by Governor William D. Stephens, he was thirty-seven years old, the youngest superior court judge in the court's history. That was nineteen years earlier, in 1920.

Judge Beaumont was reflective as he spoke to the *Fresno Guide* reporter. His statement about the importance of courts to preserve a free society was heartfelt.

But, this was not Beaumont's swan song. Far from it. At age fifty-six, Beaumont was leaving the superior court to accept an appointment to the federal bench conferred on him by President Franklin Delano Roosevelt. Beaumont was in the prime of his judicial career.

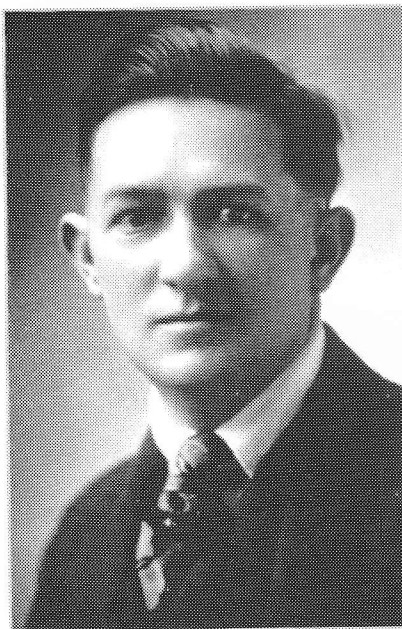
Campbell Beaumont was a devout Christian who served as an officer at the First Presbyterian Church in Fresno. He was not a prideful man. Yet, he must have taken satisfaction as he recalled his accomplishments in the law, particularly when he remembered that he began his career as a stenographer in a Virginia law office.

After graduating from high school in his home town of Mayfield, Kentucky, Campbell Beaumont was ready for adventure. His father was an educated man who published a country newspaper. Young Campbell had learned to set type and run hand printing presses while working at his father's newspaper. But Campbell wanted to see more of the world than Mayfield, so he set out to learn a trade that would earn him a living anywhere he went.

His first course of study was at Bowling Green Business College. For a year, Beaumont applied himself to learning shorthand and stenography.

One of Beaumont's first employments took him to the Virginia law office of George Peery, a successful attorney who was politically active. Beaumont was impressed with the important work performed by all of the lawyers who employed him, but he could see that Peery had great talents. Those talents would later help to win Peery the post of governor of Virginia.

It was through these associations that Campbell Beaumont saw the vision of his own future. He, too, wanted to



*A young Campbell Beaumont, c. 1910. (Author's collection)*



*Lucy Madden Beaumont as a young woman, date unknown. (Photograph courtesy Edward C. Beaumont)*

perform the interesting, varied work of a lawyer. First, however, he realized that he would have to attend college.

To satisfy his adventuresome spirit while attending school, Beaumont studied at various places, including West Kentucky College and the University of Kentucky at Lexington, concluding his undergraduate studies at the West Kentucky Teacher's College. At the University of Kentucky, he became an active member of the Sigma Alpha Epsilon fraternity. All the while, Beaumont supported himself working as a law office stenographer.

Neither was one law school enough for Beaumont to conclude his studies. He first attended Southern Law School at Bowling Green, then transferred to Cumberland Law School in Lebanon, Tennessee. He graduated with his LL.B. degree in 1910.

While Beaumont was at school, one of his two brothers, Wortham C. Beaumont, had settled in San Francisco. Wortham confirmed what Campbell had been hearing. California offered real opportunities and challenges for young lawyers. Campbell wanted to see something of the world before settling down. Before his admission to the bar, he headed west.

Beaumont still had to support himself and planned on using his shorthand and stenography to pay his way.

Halfway between San Francisco and Los Angeles, the San Joaquin Valley town of Fresno was beginning to blossom. Beaumont decided to headquarter in Fresno, meet the people, and explore the area. Judge Stanton L. Carter hired him to work in his law office as a stenographer. Even though Judge Carter passed away a few months later, Beaumont chose to stay on in Fresno. Perhaps one factor in his decision to remain was his acquaintance with Miss Lucy Madden. He had developed an affection for her that she seemed to return.

Beaumont next took employment as a stenographer in the office of Harris and Harris, the grandfather and granduncle of later Fresno Superior Court Judge Thomas Harris.

After several months with the Harris firm, Beaumont received a telegram informing him that his mother had taken seriously ill in Fort Worth, Texas. He immediately left to



attend her. During the next year, Beaumont watched over the health of his mother. He also sat for and passed the Texas bar examination.

When Lucy Madden realized that Beaumont appeared to be settling in Texas, her communication with him became less frequent. After a short acquaintance with another gentleman, R. D. Hughes, she and Hughes were married. However, only weeks into the marriage, Lucy realized that she had made a terrible mistake and separated from Mr. Hughes. When she learned that Campbell Beaumont might be returning to Fresno the following year, she initiated steps to have her marriage annulled.

Beaumont had thought often of returning to Fresno because he saw his own future linked to that growing and vital community. When he was able to return in 1912, he was admitted to the California bar on the motion of Frank H. Short. He then associated himself with E. A. Williams until 1914 when District Attorney M. F. McCormick appointed Beaumont deputy district attorney of Fresno County.

Campbell and Lucy had renewed their friendship when Lucy's marriage annulment was concluded. They courted for over a year before eloping to the Bay Area to be married and spend their honeymoon. The suddenness of their decision surprised many of their friends and Lucy's mother, though their friends had expected them to marry eventually.

Beaumont relished trial work and soon developed a reputation as a fair and able prosecutor. He eagerly took on some of the more difficult and notorious prosecutions of those days.)

One such courtroom proceeding involved "Colonel" H. P. Faulkner, overbilled by the local newspapers as an "international swindler." Faulkner's activities in Fresno gave opportunity for Beaumont to display his prosecutorial talents.

In August of 1917, Fresno physician Dr. H. W. Sorensen was a passenger on a transcontinental train en route to San

Francisco from Denver. During the trip he struck up an acquaintanceship with a gentleman who introduced himself as Captain E. F. Patterson. Patterson said he was an employee of the U.S. State Department coming to California from Boston on state business. Additionally, he said that he planned to investigate some mining and oil properties he owned in California and Wyoming.

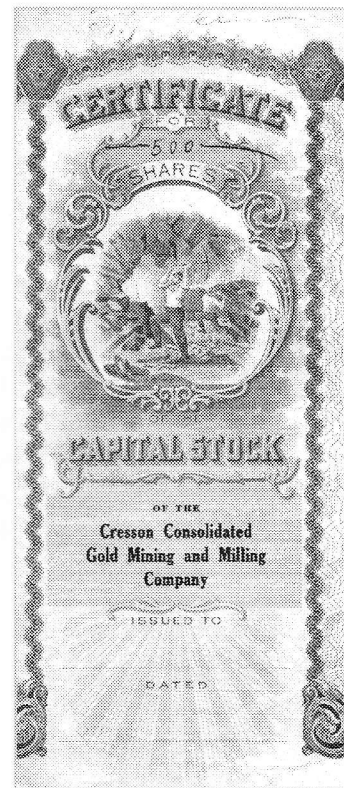
Captain Patterson was an intelligent, gregarious and interesting man. Dr. Sorensen was pleased to have found such a travel companion whose good company relieved the tedium of a long journey. When they parted in California, the men shook hands warmly and Patterson promised to visit when he passed through Fresno.

One evening several weeks later Dr. Sorensen was pleasantly surprised to find Captain Patterson knocking at his front door. Patterson explained that he would be staying over for a few days on his way to Southern California. After a brief chat to renew their acquaintance, Patterson got to the point. Expenses had been greater than he had envisioned, he said. Could Dr. Sorensen arrange an introduction at a local bank? Dr. Sorensen readily obliged. The next day they presented themselves to the Union National Bank of Fresno where Sorensen was well known as a customer.

Patterson asked for and received a \$500 loan on his promissory note secured by stock certificates with equal par value as collateral. The stock certificates were for Cresson Consolidated Gold Mining and Milling Company, a Colorado corporation whose stock certificate logo displayed healthy, cheerful miners loading railroad cars sparkling with high grade ore.

But "Patterson" tarried too long in Fresno and the bank officials were too quick and thorough in their investigation. The stock certificates were found to be forgeries and "Patterson" was arrested and identified as H. P. Faulkner.

Campbell E. Beaumont presented the case as state prosecutor in Judge H. Z. Austin's courtroom. J. Stanley Mofatt, though able as Faulkner's trial attorney, had only one weapon in his defense arsenal: a likable, smooth-talking client whose glib tongue only made him appear more of the



*The front of one of Faulkner's forged stock certificates, dated September 1917. (Author's collection)*

Editor's note: As is often the case in historical accounts, there are different versions of how Campbell Beaumont came to Fresno. His son, Edward C. Beaumont, says that having graduated from law school but not yet having taken the bar exam, Campbell decided to visit his youngest brother, Arthur, who was teaching school in Oregon. Campbell left Kentucky on June 15, 1910, and arrived in Seattle on June 21. He went from there to North Bend, where Arthur lived, and then by boat to San Francisco and on to Fresno, where he arrived about July 31. Edward writes, "It was always my understanding that Wortham Beaumont did not come to California until well after Campbell and that he went directly to Fresno.... Wortham and Henry Hohman began an advertising agency in Fresno."

confidence man than Beaumont proved him to be. S. J. Ashman, jury foreman, returned the jury's resounding verdict of guilty of bank fraud on April 5, 1918.

At his sentencing hearing, Faulkner responded to inquiry by the court. He gave an intriguing account of his life and background. The forty-nine-year-old Faulkner stated that he was born in New York to an army lieutenant colonel father and an English mother. He related that his was a religious and loving family and that he continued to enjoy a close relationship with his two sisters.

Faulkner asserted that he was educated for two years at Cornell University and thereafter attended the full four year course at West Point where he obtained a degree in civil engineering.\* Faulkner stated that he had never used intoxicating liquors and did not smoke. "Outside of having a few lady friends, I am as clean as the average man," he related.

Faulkner explained that he joined the French Foreign Legion after he graduated from West Point. He spent two years with the Legion before leaving to join the insurgents in Cuba for about a year and a half. He left to join the United States Army when the United States became involved in Cuba.

Answering Judge Austin's inquiry, Faulkner said that he had been with the State Department for sixteen years; that he was wounded in Mexico by gunshot while with the State Department and prior to that he had been wounded in Venezuela when he was with the United States Army. He went on to say that he had an independent income from stocks and bonds in his name which was sufficient for him to live on and did not need his State Department income.

When Faulkner concluded his plea for leniency, Beaumont was prepared with additional facts. Beaumont had learned that two charges against Faulkner were then pending in Chicago. One was for a \$200 fraud and the other was for a \$2,000 forgery where he had used the same method of obtaining money as he had in Fresno. He had skipped bond in Detroit. Illinois was seeking his extradition. Additionally, on May 16, 1916, Faulkner had been arrested in Oak-

land, California, on charges stemming from complaints of the same kind of scam. Finally, the U.S. attorney had placed a hold on Faulkner and was bringing charges on behalf of the federal government.

Judge Austin pronounced the sentence: imprisonment at San Quentin for a term not less than one year nor more than fourteen years.

The office of the Fresno county district attorney was up for grabs in 1918 because McCormick successfully ran for election to the superior court rather than district attorney. With McCormick's political support and his own reputation as a top notch prosecutor, Campbell Beaumont overwhelmed the field, winning the office of dis-

trict attorney in the primary election.

Upon taking office as district attorney, Beaumont confirmed that all of the former staff who worked for McCormick would be retained by his administration. He named Frederick W. Docker as his assistant; R. G. Retallick, Ben H. Johnson, and H. J. Carling, Jr., would remain as his deputies. This left a vacancy which Beaumont speedily moved to fill, though the replacement was in Europe.

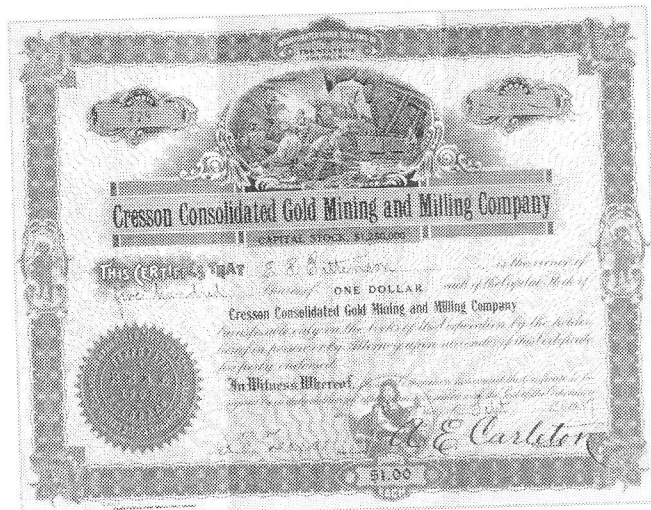
Lt. Bertrand W. "Bud" Gearhart had left the district attorney's office to join the United States Army in August 1917. With the Allied victory in Europe, Lieutenant Gearhart was expected to return to Fresno within the month. He would have his desk waiting for him at the district attorney's office.

Two stenographers completed the office staff. Lorraine Lavel saw to the correspondence. She had been hired by Denver Church when he was district attorney. Herbert Bronk was in charge of legal forms. He had been an assistant reporter for Judge E. N. Rector of Merced County before coming to Fresno.

Beaumont enjoyed his new position. His five intelligent, motivated deputies required little supervision. More of Beaumont's time was now being devoted to government law as legal issues concerning Fresno County were presented to him by the board of supervisors for his opinion. In those days, the district attorney performed the duties of county counsel. Beaumont was adept at legal research. The supervisors had high respect for his legal opinions.

But Beaumont did not have time to settle into complacency. A murder which was to become notorious occurred within months of his election.

In 1919, everyone in Fresno knew "the old broom man,"



*Stock certificate used fraudulently by H. P. Faulkner as collateral for a loan. (Author's collection)*

\*West Point archives technician Dorothy Rapp stated that she had conducted a thorough search of the U.S. Military Academy's records and would certify that Faulkner had never attended that institution.



though few knew his real name to be Edwin Taylor. The old broom man was an ill-kempt, shabbily clothed fellow who plodded his irregular rounds about town selling brooms door to door.

A popular rumor concerning the old broom man was circulated for years. He was thought to be an eccentric miser who refused to use a bank but buried his hoarded gold and hid his money at the mean shack he rented for two dollars a month at 430° Callisch Street. Some people remembered that he had had a partner twenty years earlier, another old broom man who had been murdered for his supposed wealth, though no one recalled the details.

An incident that gave credence to the rumor of Taylor's wealth was the time five years earlier when the old broom man fainted. He had been taken to the police station because he was thought to be a vagrant. In conducting a search of his person, the police found \$3,600 in cash in his canvas bag.

The rumor of his wealth had cost the old broom man more than one beating by ne'er-do-wells attempting to rob him. He was never able to identify his assailants, but they never found much of value to steal.

On May 16, 1919, Taylor's body was discovered in a tractor shed at the deserted L. W. Gibson ranch, a lonely farm twelve miles north of Fresno on the San Joaquin River. The crime scene told a story of murder for robbery. Two

bullets through his body were the cause of Edwin Taylor's death. An empty canvas money bag was found near the body. Some of the old man's pockets were turned inside out and others were ripped open.

It was the first and most publicized slaying to occur since Beaumont's election as district attorney. Beaumont took charge of the prosecution and investigation himself. Working with sheriff's detectives, he learned that witnesses had seen the old broom man riding in an automobile toward the ranch with another man. It was unusual to see the old broom man in an automobile at all. The same witnesses related that they had heard shots some time later, then saw the automobile headed back toward Fresno.

From the description of the automobile, detectives found that it had been rented the same day by Ernest Nakis. Other witnesses were able to identify Nakis as the person driving the car that day.

An all points bulletin was issued for the detention of Ernest Nakis. He was traced to a shack several miles south of Bakersfield. Acting on a tip, sheriff's deputies stormed the shack to find Nakis hiding under a bed. A pistol was recovered that matched the caliber of the slugs found in the old broom man's body.

As he prepared for trial, Beaumont interviewed an acquaintance of Nakis' who had tipped the detectives off to his whereabouts. The man revealed that Nakis had admitted



*Judge Campbell Beaumont's courtroom in Fresno Superior Court. (Author's collection)*

the crime to him on the day following its commission.

Defense attorney Carl Lindsey was overwhelmed by Beaumont's airtight case against Nakis. The jury delivered its verdict of guilty of first degree murder to Judge H. Z. Austin, and Lindsey took an appeal. Lindsey's appeal to the California Supreme Court was based on a technicality. Because the sheriff had worked so closely on the case, he disqualified himself from his usual duty of summoning the jury panel to the court for trial. The statutes provided that the coroner would perform that function if the sheriff failed to do so. Instead, however, Judge Austin had appointed a third party, called an "elisor," to summon prospective jurors.

The Supreme Court affirmed the judgment finding that any contention of error was expressly waived by the defendant at trial. Then, the Court observed the law at the time as follows: "The penalty of death was the sentence imposed upon the defendant in this case, in keeping with the verdict of the jury finding him guilty of murder in the first degree. The judgment is affirmed."

On February 18, 1921, Ernest Nakis was hanged at San Quentin State Prison. As in so many robbery slayings, before and since, the fruits of the crime were meager. Nakis had not stolen enough money from the old broom man to flee much past Bakersfield.

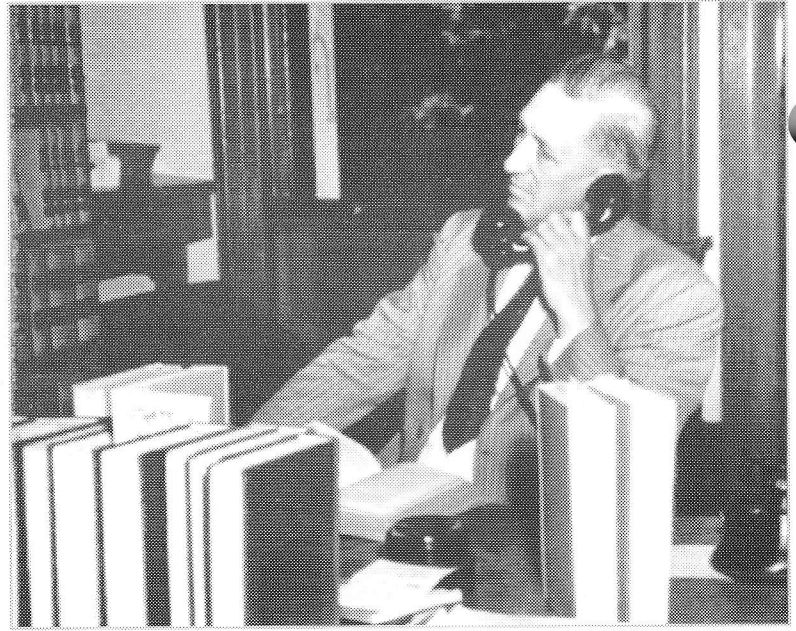
After only two years on the superior court, Judge McCormick quit the office, creating a vacancy that would have to be filled by the governor of California.

When Governor Stephens began his search for a replacement, his Fresno contacts had high praise for Campbell Beaumont. It is no wonder that Beaumont attracted the interest of Governor Stephens. Beaumont was an active Democrat. He had proved himself strong at the polls only two years before and was a popular and respected district attorney. He was active in the YMCA and Boy Scouts. His fraternal memberships included Elks, Masons, and Woodmen of the World. Also, he seldom missed a Fresno State Bulldog football game played at home.

Governor Stephens gave the appointment to Beaumont. On December 28, 1920, at age thirty-seven, Campbell Beaumont took the oath of office as superior court judge to serve in Department 3.

Years later, Campbell Beaumont would be remembered by the Fresno County Bar Association as follows:

In his role as a judge, Beaumont found his life's work. He was an indefatigable student and worker. His impelling desire was that justice be done between the parties. His daily goal was to enhance the respect for law and the courts. Everyone attending his court



*Judge Campbell Beaumont at his desk in the 1930s.  
(Author's collection)*

was impressed with his dignity and fairness, as well as with the seriousness and importance of the administration of justice. For the young lawyers who passed before him, his chambers were a haven in the troublesome course of a law practice. His willingness to hear out the young lawyers endeared him to them. No older practitioner was permitted to take any unfair advantage of a young lawyer in Judge Beaumont's court.

Judge Ralph Moradian was a young lawyer who practiced in Department 3. He recalled some of Beaumont's odder traits:

I was representing this Armenian fellow in a divorce case. It was his fourth wife and his fourth divorce. He spoke very little English and he was rather an uncultured person, you know.

This was a motion for temporary spousal support. She was asking for support and Campbell E. Beaumont was the judge.

Judge Beaumont will be remembered by the old timers to have had two very distinguishing things about him: Number one was that he knew sign language, you know, sign language for the deaf. Also, he had a twitch. He had a twitch in his eye. It seemed like he was winking when his eye twitched, you know.

So we were in his court presenting the motion for temporary support and when the case was over Judge Beaumont said, "Well," he says, "I think I can decide this case without taking it under submission."

He says, "I think the wife in this case should receive fifty dollars a month and the defendant is ordered to pay fifty dollars per month temporary support."





Judge Beaumont, seated second from left, was present at a birthday dinner given in honor of Bill Mitchell, August 26, 1938. Others present were James Crichton, Dr. Lanier Pearson, Albert Mitchell, Charles Harkness, George Roessler and Charlie McAllister. (Author's collection)

The judge left the bench and this fellow turned to me and said, "What did the judge say? What'd he say to you?"

I says, "Well, you heard what he said. He said that you have to pay fifty dollars a month. Didn't you understand that? Fifty dollars a month."

"Oh, no," he said. "You were sleeping, you don't know what is going on. When he was saying that fifty dollars a month, he was winking at me and telling me just to forget it, you know, that he was just fooling."

(Editor's note: This may be more myth than truth. Beaumont's son, Edward, says the judge did not have a twitch in his eye but he concedes that it is a good story.)

As for Moradian's comment about sign language, it is true that Judge Beaumont learned sign language as a boy in Mayfield from two deaf playmates who lived in his neighborhood. It has been reported in both the *Fresno Guide* and the *Fresno Bee* that Judge Beaumont tried two different cases in sign language. The papers report that the judge conversed readily with the criminal defendants. One was a woman charged with murder and the other was a man charged with a minor offense.

Many important matters came before Judge Beaumont for his decision. Several times he was assigned by the California Judicial Council to hear cases in other counties. The jurist was reelected to six-year terms in 1924, 1930 and 1936. In 1932 he was elected president of the California Judges Association by his fellow judges.

The California Judges Association is a professional organization for California state court judges. The association formulates and adopts principles of ethical conduct that become binding on the California judges and are contained in the Code of Judicial Conduct. The association also conducts educational workshops for judges and reviews and sponsors legislation affecting the courts.

Judge Beaumont led a quiet, fulfilling life at court and with his family. His passion was watching football games and reading the sports page, and he enjoyed motor car touring with Lucy and their son, Edward. He devoted part of each day to the radio, listening to the news broadcasts, and he seldom missed hearing the "Fred Allen Show." For reading, he liked biographies and he subscribed to the *Reader's Digest*. His notion of a great meal included an entree of fried chicken.





**Beaumont at about the time he was appointed to the federal bench. (Author's collection)**

Beaumont congratulated himself on his wise decision to settle in Fresno.

Just when all seemed serene, everyone was shocked to learn of Beaumont's scrape with violent death.

At 5:30 A.M. on May 17, 1928, Judge Beaumont went to the front door of his house at 3957 Kerckhoff in Fresno to bring in the newspaper.

As Beaumont opened the door, he was startled to see a homemade bomb on the porch. The three-foot fuse showed signs of having burned for two feet before fizzling out and extinguishing itself. Rather than awaken his family and frighten them, Beaumont picked up the bomb and carried it out to his garage. He then waited until 8:00 A.M. to notify the authorities.

As he waited, Beaumont pondered. Who might have left the "infernal machine"? No suspects came to mind. The fuse had led into old rusty coffee cans and the bomb appeared dangerous, though perhaps it was just a dud left by some crank or practical joker.

When the police came, however, the bomb proved to be real. Detective Captain Jackson Broad recognized the type as a "Chicago pineapple." The fuse at the bottom section of the bomb led into two highly explosive dynamite caps which themselves were embedded into a sandy substance contain-

ing a powerful nitroglycerine and nitrocellulose compound. The top portion of the bomb contained gasoline.

Police experts opined that if it had exploded, the bomb would likely have knocked the Beaumont house off its foundation and blown the home to smithereens, then a raging fire would have ensued, fueled by the flying gasoline. No doubt the occupants, Judge and Mrs. Beaumont, their young son, Edward, and a maid, all of whom had been sleeping in the back bedrooms, would have been killed. Neighbors also would have been at serious risk.

No one saw who did it. No one ever confessed or admitted complicity in the assassination plot. No direct evidence ever surfaced to assist the prosecution. Yet, a suspect was arrested, prosecuted and convicted. The evidence against him was entirely circumstantial.

Evidence in a trial is either direct or circumstantial. Direct evidence is evidence that directly proves a fact without the necessity of an inference. Circumstantial evidence proves a fact from which an inference of the existence of another fact may be drawn. The law respects each kind of evidence for such convincing force as it may carry. But often a prospective juror will say, "I could never convict anyone on 'mere' circumstantial evidence." The law does recognize that sometimes circumstantial evidence will lead to two or more interpretations and therefore cautions that the fact finder must accept that interpretation which points to the innocence of an accused person *if it is reasonable*.

The circumstances pointing to the guilt of sixty-seven-year-old Charles O. Koehn were so commanding that no one ever entertained the least bit of a doubt that he was the person who manufactured and left the bomb on Beaumont's porch with the fuse burning. At and soon after his arrest, and at his trial, these were the circumstances:

- Koehn was a self-styled "desert rat" who had spent thirty-five years prospecting with blasting materials in the Mojave Desert and owned several claims there.
- At 1:35 a.m. on the day Beaumont found the bomb, patrolmen J. L. Smith and Cleo Chapman stopped Koehn as a suspicious character when they saw him running from an alley about two blocks from the Beaumont home.
- Searching the automobile of a person suspected of a crime presented no constitutional Fourth Amendment problem in those days and such a search was conducted of Koehn's automobile. One of the items collected was a short piece of fuse. Detective Broad noted that the fuse was old, like the one found on the bomb. When he ignited it for testing purposes, it sputtered and went out after burning about nine inches. Old fuses often become crimped, which breaks down the powder connection.
- Glistening white desert sand was found on the floor of the automobile which matched that found in the bomb.
- A torn part of a Los Angeles newspaper, dated April

25, 1928, was wrapped around the top of the bomb. Portions of the same newspaper were found in Koehn's automobile. The two parts fit like a jigsaw when placed together.

These circumstances were very commanding with respect to the identification of the perpetrator. But why? Legally, while motive is not an element of the crime and need not be shown, the presence of motive is circumstantial evidence tending to show guilt, and the absence of motive tends to show innocence. The natural human question after the commission of any crime is why would a person do such a thing?

Koehn had been involved in litigation for years in several lawsuits involving his mining claims. He complained that he had no difficulty winning the small cases but always lost the big ones. He had just concluded a suit in Bakersfield where a cement company brought an action against him for his refusal to allow them to remove machinery and equipment from his gypsum claim at Saltville until the company paid the rent that was due. The case had been tried and briefed and it was under submission for decision. The judge who was considering his decision in the matter had been assigned to the case from the Fresno Superior Court. His name: Campbell Beaumont.

Two jury trials were conducted before Fresno Superior Court Judge Charles Barnard. In the first trial, the jury was unable to agree on a verdict because they were uncertain as to the defendant's sanity. The second trial several weeks later resulted in Koehn's conviction for attempted murder and for malicious use of explosives. The jury recommended leniency, however. Barnard sentenced Koehn to San Quentin Prison for an indeterminate term.

Judge Beaumont's life returned to normal. Beaumont was not the least bit intimidated by the possibility of a disgruntled litigant resorting to personal attack. So it was that in 1939, President Franklin D. Roosevelt appointed Beaumont to the federal district court. Upon his appointment to the federal bench, he was assigned to Los Angeles, the court headquarters, but usually conducted the annual spring and fall sessions of the court in Fresno. But, by the early 1950s, Beaumont was permanently assigned to the court in Fresno. At that time, the family resided at 805 Ashlan Avenue.

On the federal bench, Beaumont continued to demon-

strate his interest in young lawyers, once to the embarrassment of Leonard Meyers. In 1942, Meyers had concluded his basic training for the Army Air Corps and was about to be shipped out for duty in the Pacific theater. Meyers' father was a respected attorney in Fresno. Leonard himself had just passed the bar before joining the Army. During his leave in Fresno, the senior Meyers suggested that his son pay a call of respect on Judge Beaumont.

Beaumont was pleased that Leonard had stopped by the federal court to see him. The men had a pleasant chat. Then,

Beaumont suggested that Meyers be admitted to the federal district court before he left for duty overseas. "Go to the clerk's office and pick up the forms. Fill them out and return to my court at one-thirty this afternoon," Beaumont directed.

Leonard did so, but when he returned at one-thirty, court was in session. Attorneys and litigants were at the counsel table. Twelve jurors were in the jury box.

Leonard started to sit down to wait when Judge Beaumont stopped the proceedings abruptly. He called Leonard forward, then introduced the young lawyer as a hero on his way to fight for our beloved country. Then Beaumont administered the oath to admit Leonard to the federal bar, to the applause of the jurors and all others in the court.

In November 1954, Judge Beaumont was admitted to the hospital for major abdominal surgery. Two days after surgery, he died suddenly. He was seventy-one years old.

Chief Federal Judge Leon R. Yankwich issued a statement:

"Judge Beaumont died as he would have wanted it, in the harness. As late as Saturday of last week, the day before he was operated on, he was in his office working on legal matters.

"Although eligible for retirement for more than a year, he declined to do so, being so much in love with judicial work. The judiciary have lost a valuable member, and his colleagues a dear friend.

"He personified the typical product of a Democratic country, having advanced from a deputy in the District Attorney's Office in Fresno County, through the state judiciary to the high position which he held at the time of his death."



*Edward, Lucy, and Campbell Beaumont in Albuquerque, Edward's home city, in 1948. (Photograph courtesy of Edward Beaumont)*

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## Old Times at the Fresno Courthouse

By Stephen R. Henry

### A Story Judge Moradian Told on Himself

Our respected colleague and friend, retired Municipal Court Judge Ralph Moradian, died peacefully in his sleep on July 9, 1997. He and his beloved wife, Madeline, had just moved to Oregon the month before to be near their daughter's family and to live in a beautiful managed care facility.

Ralph lived his ninety-one years to the fullest. He played tennis regularly until a few years ago. He was a formidable chess player. He enjoyed meeting friends for lunch. From first to last he was a journalist. At age seventeen, while a student at Fresno State, he was sports editor for the *Fresno Republican*. Later, he reported for the *San Francisco Chronicle*. He was a frequent contributor to the *Bar Bulletin*.

When Ralph reached the mandatory retirement age of seventy, he stepped down, but not out. For another sixteen years he served as judge of the superior court, volunteering his time to preside over the family support court, then held in the board of supervisors room at the Hall of Records. His

invaluable contribution of time and wisdom allowed the superior court to manage its heavy workload to the benefit of civil litigants who otherwise would have had no courtroom available.

Ralph enjoyed the work of a judge and he enjoyed the people he encountered on the job. He always saw the human side of difficult legal proceedings and was fond of telling anecdotes that revealed why we should not take ourselves too seriously. He told the story of a dad who appeared before him on an issue of child support payments. Here's how it goes:

"In the Family Support Court they gave me a computer monitor on the bench. See, you have to use a computer to process the parents' financial information because the legislature passed a very complicated law. They came up with the unusual notion that every able-bodied parent ought to pay at least some amount to support their children, so you have to get all the information and use a formula which is part of the law.



"One morning a fellow appeared in my court. He was an uneducated farm worker who had a very modest income and owed some bills. He gave all the necessary information to the court aide and she fed it into the computer.

"When I told the fellow how much he would have to pay to support his children he became upset. He complained that he could not live on the meager amount that would be left for him.

"So I turned my computer monitor around toward him and told him 'We put in all the financial information you gave us into the computer here, so you can be sure that the amount I have ordered is correct.'

"So he says, 'You mean that you have to follow the computer?'

"That's right,' I tell him, 'because it is programmed according to the law.'

"Well then, judge," he says, 'What do they need you for?'"

We did need Ralph, of course. He was an honest, fair-minded, intelligent judge who served the community well. He was our loyal, caring friend who will be missed.

### **A Lawyer's Persistence Revealed the Truth**

One of the most notorious will contest cases was tried before Judge Edward Kellas, sitting in the old county supervisor's room in the old Fresno County Courthouse.

Cora Nidiver had died, leaving an estate of over three million dollars. She was a widow with no children. However, she had a large family consisting of cousins, nephews and nieces. Estate attorney Nelson Hayhurst filed for probate, alleging intestacy.

However, an alleged holographic will was offered by one of the nephews. The handwritten document was dated almost two years before Mrs. Nidiver's death. It left her entire estate to the nephew and his two sisters. Hayhurst believed the will to be bogus, so the case went to trial.

The nephew took the witness stand to authenticate the document. He verified it to be his aunt's handwriting and her signature. When his attorney was finished, Mr. Hayhurst for the estate began his inquiry on cross examination.

The cross examination focused on the apparent misspelling of the last name of one of the nieces who stood to inherit. The correct spelling was "Stewart," with a "t," not "Steward," with a "d" as it was spelled in the purported will. Attorney Nelson kept pounding away at the mistake, suggesting the will to be a fraud, as the nephew posited various explanations, primarily that it was an understandable mistake for an elderly lady to have made. The nephew's attorney began to object as Hayhurst kept returning to this theme. It was a waste of time to pursue this further, he complained. Judge Kellas was also beginning to show signs of impatience with the tedious questioning.

Hayhurst pursued further, however, finally asking the

nephew: "Wasn't it odd that Mrs. Nidiver should use the name Stewart or Steward at all, because when this will was supposedly drawn, her niece, your sister, had not yet married and her name was still Titherington?"

The nephew answered the question by bolting from the witness chair, racing down the hall and out of the Courthouse, with a flock of news cameramen in hot pursuit.

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## **About the Author**

"Campbell E. Beaumont, Fresno Superior Court Judge, 1920-1939" is Judge Stephen Henry's fifth biographical sketch of a Fresno Superior Court judge to be published in *Fresno Past & Present*.

Judge Henry was raised in Redding, educated in Stockton at the College of the Pacific and Humphrey's Law School. Between college and law school, he served aboard ship as a line officer in the U.S. Navy for three and a half years. Continuing on in the Naval Reserves, he later retired at the rank of lieutenant commander.

Having been admitted to the bar, the new lawyer and his wife, Judie, chose Fresno as the place to settle and raise their two daughters, Marion and Kristen.

In the Fresno District Attorney's office, Henry prosecuted a wide variety of serious felony cases. When he left that office to enter private practice, he associated with the law firm of Sandell, Young, St. Louis and Henry, engaging in the practice of general law. But, because he missed the excitement of trial work, Henry soon returned to county employment as chief prosecuting attorney and later served as assistant district attorney in charge of trial attorneys.

Judge Henry was elected to the superior court in 1980 where he served in many capacities, including probate judge, criminal court judge and civil law and motion judge. He was twice elected by his fellow judges to serve as presiding judge of the court. During his twenty years on the bench he heard hundreds of jury trials, both civil and criminal, and decided thousands of bench trials and hearings. He retired in January 2001 and now sits on assignment from the judicial council on complex civil trials in various northern California counties.

Judge Henry's interest in his predecessors on the Fresno bench developed early in his career. When he filed his oath of office, he observed the county clerk take it to a musty back room, open one of many little drawers in a huge oak cabinet and place it with all the other judge's oaths. While there, the clerk opened a blue-backed rolled document tied with a ribbon. It was a judge's oath dated 1879, signed by S. A. Holmes, the first judge of the Fresno Superior Court. Henry had to know more. His "bench tales," two of which are included here, are the result.



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