

# “Bench and Bar of St. Paul”

*The St. Paul Pioneer Press*

November 9, 1899

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## Foreword

By

Douglas A. Hedin  
Editor, MLHP

On Thursday, November 9, 1899, the *St. Paul Pioneer Press* celebrated its 50th anniversary by publishing a large commemorative edition containing brief articles on many aspects of St. Paul life from 1849 to the present. A section on the “St. Paul Bench and Bar” was subtitled “Something about Judges and Lawyers of Past and Present.” This was somewhat misleading because about four-fifths of it was filled with biographical sketches of over three dozen current practitioners and judges.

With the probable exceptions of Judges Sanborn and Mitchell, the subjects paid to have their sketches appear in the paper. They were, in other words, advertisements.<sup>1</sup> Although St. Paul lawyers no longer placed their business cards in local newspapers, it was not unusual for some to “subscribe” to the publication of a local history book – sometimes called a “mug book” – in which brief biographies appeared.<sup>2</sup> The following sketches in the *Pioneer Press* may be viewed as a variation of this practice.

Not surprisingly, the portraits flatter their subjects. Thus Frederick Zollman is “a counselor, a fluent speaker, and before a jury a powerful and effective advocate,” while Simon P. Crosby “is in hearty sympathy with all measures and efforts for the promotion of the material welfare of St. Paul.” A few claim the skill to draft accurate pleadings, a prized ability in an era when complaints and answers were judged by high technical standards – far from the “short and plain” statement of a claim and defense required by Rule 8 of the modern Rules of Civil Procedure. Thus Simon Hayes has “a fine reputation as a careful pleader, a skillful cross-examiner and trial lawyer and an able advocate,” while Edward Darragh boasts that he “is a careful and accurate pleader, an eloquent and cogent advocate, and a practitioner of high principle, ever alert to the interests confided to him.”

In this article, “specialties” are announced. The firm of Durment & Moore concentrates on “civil practice, making a specialty of insurance and real

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<sup>1</sup> For decades Minnesota lawyers advertised their services by posting their business cards in the local newspaper (usually on the left side of the front page); by 1899 St. Paul lawyers had ceased this practice. An article on the forms of advertising by Minnesota lawyers in the nineteenth century will be posted at a later date on the MLHP.

<sup>2</sup> Scott E. Casper, *Constructing American Lives: Biography and Culture in Nineteenth Century America* 291 (Univ. of North Carolina Press, 1999).

estate law,” adding that “they are counsel for the Northwestern Mutual Life Insurance company and for several fire insurance companies.” William White has a “large office practice” and “makes specialties of mercantile, real estate and corporation law.” Of particular note is John E. Stryker whose “practice is chiefly in the federal courts, his specialty being patent and trade mark cases, and he is also special counsel for the United States government in several important lumber cases.”

Other matters appear in these sketches also warrant notice: the lawyers frequently disclose their political affiliation and their membership in social and fraternal organizations, usually more than one.<sup>3</sup> Judge Bazille is “prominent in social life, being a charter member of the Junior Pioneers, a member of the Odd Fellows, Elks, Woodmen of the World, Modern Woodmen, Union Francaise and the Foresters and Commercial club and other organizations.” Hiram Stevens is “a member of the Chamber of Commerce, is a Knight Templar Mason, an Odd Fellow and Knight of Pythias.” A modest Edward Sanborn states that he “is a member of the Minnesota and Commercial clubs, and is known as an able lawyer and public citizen.”

The history of the bar of this state has not yet attracted scholarly attention.<sup>4</sup> Someday it will. The following sketches – or advertisements – may assist future legal historians gain insight into the urban bar at the close of the nineteenth century.

This article appeared first on pages 35-36 of the *Pioneer Press* published on November 9, 1899. Its author is not known. It is complete, though reformatted. Spelling, punctuation and grammar have not been changed. This edition of the newspaper can be found on microfilm at the Minnesota History Society. □

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<sup>3</sup> An article exploring this aspect of the social lives of Minnesota lawyers in the nineteenth century will be posted at some future date on the MLHP.

<sup>4</sup> Important studies of the legal profession can be found in Gerard W. Gawalt, ed., *The New High Priests: Lawyers in Post-Civil War America* (Greenwood Press, 1984); and Dennis R. Nolan, ed., *Readings in the History of the American Legal Profession* (Mitchie Co., 1980). A few others are posted on SSRN.

# *The St. Paul Pioneer Press*

Thursday, November 9, 1899

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## BENCH AND BAR OF ST. PAUL

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SOMETHING ABOUT JUDGES AND  
LAWYERS OF PAST AND PRESENT

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The Earliest Pioneers of Legal Administration  
in Ramsey County—The Roll of Attorneys of 1849—  
Jacob Bass's Advice to Judge Nelson —  
Organization of Territorial,  
State and Federal Courts.

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The opening of new territories and founding of new commonwealths in the western half of the United States developed lawyers of great ability, and exceptional virility. The conditions of each of these territories varied, and they especially differed from the old and settled states from which their population had come. With the pioneers came a few lawyers — men who had learned the principles and practice of law, some in the East, some in the South and some in the middle west. These men were important contributors to the important work which devolved upon those early comers to hew out in the rough a system of jurisprudence and law adapted to the pioneer conditions of that day, so that the rights of persons and property might be properly safeguarded.

Gen. H. H. Sibley, who had studied law in his native city of Detroit, was the first lawyer in Minnesota, and, it is said, stuck up his “shingle” on the American Fur company’s store at Mendota, when in 1835, he became chief factor for that company in this region. If he did so it is certain that he did not find his legal practice burdensome, for the settlers bothered themselves very little about law in those days, although they had and administered a rude but effective kind of justice which served their

purpose very large until the population became too large for irregular methods.

The first judicial officer in all the part of Minnesota west of the Mississippi was also Gen. Sibley. That region was then included in Clayton county, Iowa Territory, and Gov. John Chambers of that territory, in 1836 commissioned Gen. Sibley as a justice of the peace for all that vast region. But broad as was his jurisdictional district, his duties were not onerous, and his court was by no means overworked.

St. Paul became a part of Crawford county, Wisconsin Territory, and it was while under that jurisdiction that its first judicial officer was appointed by Gov. Henry Dodge in 1843. Henry Jackson, who was selected at that time for justice of the peace, also kept hotel, conducted a country store and was postmaster. He was the arbiter of affairs for the village, but he settled things, for the most part, in an unofficial way, and, outside of the solemnization of marriages, his services were seldom called for.

Aaron Foster was commissioned justice of the peace in 1846, and as about that time the land business began to assume importance, his name and official title are found attached to many acknowledgments of deeds of that day.

Simeon P. Folsom, who was afterward in practice in St. Paul, came here in 1847. He had been a regular law student before coming here, but he engaged in other pursuits at first. The first lawyer who came to St. Paul was William D. Phillips, who came here from Maryland in 1848, and was the first district attorney of Ramsey county, elected in 1849. The second lawyer, David Lambert, was a native of New York, but lived in Arkansas and later in Wisconsin, coming to St. Paul in 1848. He was drowned in the Mississippi in 1849. The third lawyer to settle in St. Paul was Bushrod W. Lott, who located in St. Paul in the fall of 1848. He was a native of New Jersey, but had been admitted to the bar in Illinois. He afterward led an honorable professional and business career and was United States consul at Tehuantepec, Mexico, from 1862 to 1865. In 1866 he died in St. Paul.

These three lawyers arrived in advance of the establishment of regular courts of record, which came with the organization of the Territory of Minnesota in 1849. The regular inauguration of civil government naturally attracted a number of lawyers to the place, and at the first term of the First district court these gentlemen were duly admitted to practice, constituting the pioneer roll of attorneys at the Ramsey county bar: David Lambert, Henry A. Lambert, John A. Wakefield, Charles K. Smith, Alexander M. Mitchell, William D. Phillips, Edmund Rice, Ellis G. Whitall, Samuel H. Dent, Putnam P. Bishop, Alexander Wilkin and Bushrod W. Lott, all of St. Paul. Others who came to the city and began practice together,

composing the first law firm in St. Paul: George L. Becker, who arrived in October, and William Pitt Murray, who came in December. Henry L. Moss was appointed United States district attorney the same year, but he was then a resident of Stillwater, where he had located in 1848, and did not come to St. Paul to live until 1851.

Several lawyers who afterward attained great distinction at the bar came to the city in 1850, including William Hollinshead, a Philadelphian, who was perhaps the ablest of the early lawyers, and who died in 1860, and the Hon. Rensselaer R. Nelson, who reached the city in May, 1850. The first man he met was Jacob Bass, then postmaster, who kept a tavern where the Merchants hotel now is. When he found that the young man was a lawyer, he advised him to return to New York, telling him that the town had only six hundred inhabitants, including fifty lawyers, "most of whom are starving," he added. But Mr. Nelson did not take his advice, but lived to be forty years United States district judge.<sup>5</sup>

During the following years many men who were afterwards distinguished at the bar came to St. Paul. Charles E. Flandrau, Gov. Willis A. Gorman and Charles D. Gilfillan came in 1853, Edward C. Palmer and John B. Sanborn arrived in 1854, George L. Otis and Henry J. Horn in 1855, John M. Sanborn in 1857. Many other names might be mentioned, but to go into particulars in regard to the later arrivals would too much extend this article.

The first organization of courts, in 1849, was upon the usual territorial plan, the three territorial judges holding the district courts and together forming the supreme court of the territory. Under the territorial government Ramsey county was in the First district, and the court here was presided over by Chief Justice Aaron Goodrich from 1849 to 1851, by Judge Jerome Fuller from 1851 to 1853, and by Judge William H. Welch from 1853 until 1858, when upon the admission of the state, Ramsey county became the Second judicial district of Minnesota, and E. C. Palmer became judge of the court. To him there have been many distinguished successors. The court of common pleas was created in 1867, but in 1876 was merged into the district court, and additional judges have been provided for as the

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<sup>5</sup> Most of this anecdote is false. It is discussed in Douglas A. Hedin, "Lawyers and 'Booster Literature' in the Early Territorial Period" 19 n.53 (MLHP, 2008). In May, 1850, there were over 1,200 residents of St. Paul, not 600 (the federal census that year placed its population at 1,294); there were less than 25 lawyers, not 50 (the 1850 federal census counted only 23), and no lawyer was starving. In Nelson, Bass saw a gullible tenderfoot, who would swallow a tall tale about the plight of the local bar. His dire advice was a jest that evolved in many retellings into another myth about lawyers in the territorial period. It was, for example, repeated by Isaac Atwater and Seelye A. Willson in "Territorial Bench of Minnesota" (Pt. 3), 7 Magazine of Western History 651, 652 (April, 1888).

needs of the enlarging population and business of the city have made greater facilities requisite.

With the organization of the state government St. Paul acquired greater prominence as a legal center. The supreme court was organized as a separate tribunal, instead of being made up of the trial judges. The United States courts have also all been held here, and therefore the St. Paul bar has not only the local practice, but also appellate and federal cases from all parts of the state. The bar is, therefore, a large one, and the average of ability is very high, while here, as elsewhere, there are some men of commanding talents whose precedence at the bar is acknowledged by all.

Without any wish to make invidious distinctions among the members of the local bar, the following have been selected as some of those worthy of detailed mention.

#### **Hon. Walter H. Sanborn.**<sup>6</sup>

Walter Henry Sanborn, now judge of the United States circuit court for the Eighth circuit, was born on Sanborn's hill. Epsom, Merrimac county, N. H., in 1845; was graduated from Dartmouth college at the head of his class in 1867, later receiving from the same college the degree of master of arts, and in 1893 the degree of LL.D. He engaged in teaching for several years, and was three years principal of the high school at Milford, N. H. He studied law, came to St. Paul in February, 1870, was admitted to the bar in February 1871, and as a law partner with his uncle, Gen. John B. Sanborn, from May, 1871, until appointed on February 10, 1892, by President Benjamin Harrison to his present position, this appointment being confirmed by the senate, March 17, 1892. The Eighth circuit, over which his court has jurisdiction, is the largest circuit in area, in population and in business in the United States, comprising the States of Minnesota, North Dakota, South Dakota, Iowa, Nebraska, Colorado, Wyoming, Utah, Missouri, Kansas and Arkansas.

#### **Hon Wm. Mitchell.**

In a judicial career which has extended over a quarter century, Judge William Mitchell has gained an enviable place in the favor of the people of Minnesota. He was born in Stamford, Welland county, Ontario, of Scottish parentage, Nov. 19, 1832. He attended private schools and prepared for college in an academy in his native county; came to the United States in

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<sup>6</sup> Walter H. Sanborn served on the Eighth Circuit Court of Appeals from 1892 to 1928. See George Thomson, "Biographical Sketch of Walter Henry Sanborn" (MLHP, 2012)(published first 1892), and "Walter Henry Sanborn (1845-1928)" (MLHP, 2011-2012); see also Thomas H. Boyd, "Walter Sanborn and the Eighth Circuit" 26 Ramsey County History 22 (1991).

1848 and the same year entered Jefferson College, Canonsburg, Pa., from which he was graduated in 1853. He then taught in an academy at Morgantown, Va., for two years, then studied law in the office of Hon. Edgar M. Wilson of that place until he was admitted to the Virginia bar in March, 1857. A month later he came to Minnesota and located in practice at Winona, and remained a successful practitioner there until he began his judicial career, Jan. 1, 1874. During his nearly seventeen years of practice he acquired a high reputation as a lawyer of sound learning, safe judgment and great ability. He was a member of the second legislature in 1859-1860, and afterward served a term as county attorney of Winona county. He was elected in 1873 and re-elected in 1880 as judge of the district court of the Third Judicial district, but while serving as such was appointed in March, 1881, by Gov. Pillsbury as one of the justices of the supreme court of the State of Minnesota. He was regularly elected to the same position in 1881, and has served continuously ever since by virtue of successive re-elections. He was a Republican until 1867, but since then has been an independent Democrat, but his political opinions have never been permitted to sway his official acts, and his elections to office have always been by a non-partisan vote.<sup>7</sup>

### Hon. Loren W. Collins.

Hon. Loren W. Collins, associate justice of the supreme court of Minnesota, was born in Lowell, Mass., August 7, 1838, and was educated in the public schools of Chicopee and Palmer, Mass., until 1854, when the

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<sup>7</sup> William Mitchell served on the state supreme court from his appointment in 1881 to January 1900, when his last term ended. He was defeated for re-election in November 1898, something noticeably missing from this newspaper profile. The observation that “his elections to office have always been by a non-partisan vote” is misleading. In elections in the 1890s, candidates for judicial offices were endorsed by political parties and that “honor” was noted on the ballot. Here are the results of Mitchell’s last election:

John A. Lovely (R.).....	129,268
Calvin L. Brown (R.).....	107,523
Charles L. Lewis (R.).....	100,806
Thomas Canty (D. & Pop.)(inc.).....	99,002
William Mitchell (D. & Pop)(inc.).....	89,527
Daniel Buck (D. & Pop.)(inc.).....	78,441
S. Grant Harris (Mid. Road Pop.).....	7,020
Josiah H. Temple (Mid. Road Pop.).....	5,019
Edgar A. Twitchell (Mid. Road).....	4,592

This was a top-three election for terms beginning January 1900, in which Mitchell and his two incumbent colleagues were deposed.

For more on Mitchell, see articles posted within the category “Mitchell, Wm.” on the MLHP; for his memorial proceedings at the supreme court, see “William Mitchell” in *Testimony: Remembering Minnesota’s Supreme Court Justices* 110-123 (Minnesota Supreme Court Historical Society, 2008).

family moved to Eden Prairie, Hennepin County, Minnesota. He worked on his father's farm from that time (except for one year spent in the East), until 1861, when he began to study law in the office of Smith, Smith & Crosby, of Hastings, Minn. He remained with them until August 18, 1862, when he enlisted as a private in Company F, Seventh Minnesota infantry, but a week later was commissioned as second lieutenant. He served first under Gen. H. H. Sibley in the quelling of the Sioux uprising, and took part in the battles of Wood Lake and all other operations of that campaign, served in the Sibley expedition, through Dakota in 1863, then went South and served with his regiment against the Confederacy until the war was closed. He was promoted first lieutenant January 8, 1863, and later brevetted captain by the president. He received his discharge from the army August 16, 1865. In 1866 he was admitted to the bar, and located at St. Cloud, Minn., which is still his home. He became known as one of the ablest lawyers of the state, and, although a Republican in a Democratic county, was elected to a number of positions of trust and honor. He was county attorney of Stearns county from 1866 to 1876, was mayor of St. Cloud in 1876, 1877, 1878, and 1881, and a member of the lower house of the state legislature in 1881 and 1883. On April 18, 1883, he was appointed, by Gov. Hubbard, district judge of the Seventh judicial district, and was elected to that position in the fall of 1884. He was appointed, by Gov. McGill, an associate justice of the supreme court of Minnesota on November 17, 1887, and was elected to the same office by the people in the fall of 1888 and re-elected in 1894. Judge Collins, at the last re-election received 12,000 more votes than any of his associates.<sup>8</sup>

### Hon. Hascal H. Brill.

Hon. Hascal H. Brill, now in the twenty-fifth year of a successful career on the district bench, and senior judge of the district court of the Second district, was born in Phillipsburg, P. Q., Canada, but came with his parents in 1859 to Goodhue county, Minn. He attended the common school, worked on his father's farm, and later attended Hamlin university, then at Red Wing; and afterwards spent a year at the university of Michigan. He was a teacher until 1867, then a student and law clerk until admitted to the bar, December 31, 1869. He was in practice as a partner of Stanford Newel until elected judge of the probate court in 1872, serving in the years

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<sup>8</sup> The results of the election in November 1894, were:

Loren W. Collins (R.)(inc.).....	162,701
John W. Willis (D. & People's).....	113,019

Collins ran for re-election in 1900 and was not opposed. He did not complete this term, choosing to resign in 1904 to seek, unsuccessfully, the Republican nomination for governor. For his memorial proceedings at the supreme court, see "Loren W. Collins" in *Testimony: Remembering Minnesota's Supreme Court Justices* 132-138 (Minnesota Supreme Court Historical Society, 2008).

1873 and 1874. In March, 1875, he was appointed judge of the court of common pleas to fill a vacancy, and was elected to the same position at the next election. Of that court, which later changed to the district court, he has since remained judge, his present term expiring in January, 1901.

**Hon. George L. Bunn.<sup>9</sup>**

Hon. George L. Bunn, one of the judges of the district court of Ramsey county, was born at Sparta, Wis., June 25, 1865, was educated in the public schools there, and in 1879-81 in the preparatory department of the University of Wisconsin. He then entered the university and was graduated A. B. in 1885 and LL.B., in 1888. Besides his studies in the law school of the university he received instruction in the law offices of Cameron & Losey at La Crosse in 1885-86, and from 1886 to 1888 in the offices of Piney & Sanborn of Madison. He was admitted to the bar in 1888, came to St. Paul in September of that year and practiced here until upon the death of Judge Kerr of the district court Gov. Clough appointed him Jan. 2, 1897, to fill the vacancy, and since that time he has efficiently discharged the duties of that position.

**Hon. E. W. Bazille.**

Judge Edmund W. Bazille, who in 1898 was elected judge of the probate court of Ramsey county, is a product of the Northwest, having been born in this city in 1855. His parents were pioneers in St. Paul, his father coming here in 1844, and his mother being the first female child born here—in 1832, her father having come here in 1826. The father of Judge Bazille was one of the most noted men here, in his time, and donated to the state the site of the present state capitol. Judge Bazille was graduated from the public schools of St. Paul and the St Paul Business college. He read law under Judge Cornish, was admitted to the bar, and zealously devoted himself to his profession. From 1888 to 1887 he was deputy clerk of the district court, and then until 1894 practiced his profession, making a specialty of real estate law. In 1894 he was elected abstract clerk of Ramsey county, and in 1896 re-elected. In 1898 he was elected judge of the probate court of Ramsey county, and he has the esteem of the bar and the public by his legal ability, judicial temperament, fairness, patient industry and intuitive perception of right. He is also prominent in social life, being a charter member of the Junior Pioneers, a member of the Odd Fellows, Elks, Woodmen of the World, Modern Woodmen, Union Francaise and the Foresters and Commercial club and other organizations.

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<sup>9</sup> Bunn later served on the Minnesota Supreme Court from 1911 to 1918. For his memorial proceedings at the court, see "George L. Bunn" in *Testimony: Remembering Minnesota's Supreme Court Justices* 219-222 (Minnesota Supreme Court Historical Society, 2008).

### Hon. Olin Bailey Lewis.

Hon. Olin Bailey Lewis, of the Second district bench, is a native of Weyauwega, Waupaca county, Wisconsin, where he was born March 12, 1861. He attended country schools and the Omro high school, from which he was graduated in 1879. He then entered the University of Wisconsin, from which he was graduated as bachelor of arts, with honors, in 1884. For three years he was instructor in chemistry at the Wisconsin university, and afterward entered the law school of the university from which he was graduated in 1889. Then he came to St. Paul and became a partner with Oscar Hallam until elevated to the bench. He was elected to the assembly in the city council in 1894, and in 1896 was re-elected, but in the following fall the Republican county convention nominated him for the district bench and he was elected by a large majority. Since then in the discharge of his judicial duties he has demonstrated his ability to give faithful and able service and to dispatch business in his court in a prompt as well as an impartial manner. Judge Lewis is a Mason, and member of the Ancient Order of United Workmen, Knights of Pythias and Modern Woodmen, and he is also a member of the Sigma Chi fraternity, and of the Minnesota and Commercial club.

### Davis, Kellogg & Severance.<sup>10</sup>

Occupying a leading place at the local bar is the firm of Davis, Kellogg and Severance, whose offices are in the Merchants' National Bank building. The senior member, Cushman Kellogg Davis, was born in Henderson, Jefferson county, N. Y., June 16, 1838, moved in childhood to Waukesha, Wis., was graduated from the University of Michigan in 1857, studied law and began to practice in Waukesha. In 1862 he enlisted as a private and later as First Lieutenant Company B, 28th Wisconsin Infantry, and was afterward acting assistant adjunct general to Brigadier Gen. W. A. Gordon. He has practiced law in St. Paul since 1864, was elected to the legislature in 1865, United States district attorney from 1868 to 1873, and in 1873 was

<sup>10</sup> A brief history of Davis, Kellogg & Severance, a predecessor of Briggs & Morgan, one of the larger firms in the state today, can be found in David Kenney, *Briggs & Morgan, P. A.: The First 125 Years* (Sexton Printing Inc., 2008). A review of that law firm history is posted separately on the MLHP.

Each of the named partners of Davis, Kellogg & Severance is the subject of articles posted on the MLHP. On Davis, see Gilbert J. Clark, "Cushman Kellogg Davis" (MLHP, 2010)(published first, 1895), and George F. Hoar, "Cushman Kellogg Davis" (MLHP, 2008) (delivered first as a eulogy in 1901, later published in Hoar's autobiography in 1903).

On Kellogg, see James Grafton Rogers, "Frank Billings Kellogg" (MLHP, 2008) (published first, 1932), and Roger G. Kennedy, "Frank Billings Kellogg" (MLHP, 2008-2011) (published first, 1969).

On Severance, see James Grafton Rogers, "Cordenio Arnold Severance" (MLHP, 2008) (published first, 1932).

elected governor of Minnesota. He was elected United States senator in 1887 and re-elected in 1893 and 1899. He was chairman of the foreign relations committee of the senate in the Fifty-fifth congress and was a member of the United States peace commission in Paris in the fall of 1898. Mr. Frank B. Kellogg was born in Potsdam, St. Lawrence county, N.Y., in 1856, moved to Olmsted county, Minn., in 1865, worked on a farm in summer and attended school in winter, and in 1875 and 1876 he studied law in Rochester, Minn. He was admitted to the bar in 1877 and came to St. Paul and joined this firm in 1877. The other member, Cordenio A. Severance, was born in Minnesota June 31, 1862, was educated in the public schools and Carleton college, studied law in the office of the Hon. Robert Taylor, at Kasson, Minn., and was admitted to the bar there in 1863. He came to St. Paul and entered Senator Davis' office in 1865, becoming a member of the firm in 1887.

#### **Ferdinand Barta.**

Mr. Barta was born at Union, Vernon county, Wis., Sept. 8, 1867, attended the common and high schools there and engaged as a school teacher in order to obtain the means of his higher education. After his high school graduation and several terms as teacher, he entered the office of the prominent law firm of Howe & Tourtelotte, at La Crosse, Wis. He was admitted to the bar there in 1882, and in the following spring came to St. Paul and opened an office, beginning the practice of law and soon building up a large and successful practice. He has since devoted his attention to this business with such ability as to secure himself well-deserved recognition as a thoroughly able practitioner and a wise and faithful counselor. He has also attained prominence in politics as a Republican, and was elected in 1894 and from 1896 as member of the legislature from the Fifth ward of St. Paul. Mr. Barta is not only a well-read and studious lawyer, but is a man of a wide range of knowledge on other subjects and is an able linguist. He adds to intellectual and attainments excellent social qualities, is a member of the Commercial club and interested in all measures for the material welfare of St. Paul. Mr. Barta's offices are at rooms 54 and 55, of the Court block, 24 East Fourth Street.

#### **Greenleaf Clark.**

The bar of St. Paul, always distinguished for its average and aggregate ability, still includes among its old members men who have long been accounted among its leaders. One of the best known of these is ex-Judge Greenleaf Clark, who has now retired from active practice. Mr. Clark was born at Plaistow, N. H., in 1855. He was prepared for college at Atkinson academy, N. H., entered Dartmouth college in 1851, and was graduated A. B. in 1855. He studied law in the office of Hon. A. R. Hatch, at Portsmouth, N. H., and in 1857 was graduated from Harvard law school with the degree

of LL. B. In 1858 he was admitted to the bar at Boston, Mass., and in September, 1858, he came to St. Paul. He clerked in the law office of M. E. Ames for one year, and in 1859 became a member of the firm of Ames, Sherburne & Clark. In 1860-61 he was a partner with S. B. Bond, and from 1865 to 1881 he was a partner with Horace H. Bigelow, Judge Charles E. Flandrau having joined the firm in 1870. In 1879 he was appointed a member of the board of regents of the University of Minnesota, which office he has since held and now holds. In 1881 he was appointed associate justice of the supreme court of Minnesota, and in 1882 he returned to practice.<sup>11</sup> His standing as a lawyer has from the first been one of the best. A large share of the jurisprudence of Minnesota has grown up around him, and he is a lawyer of ripe judicial mind, giving wise counsel and able service in connection with all matters intrusted to his legal charge. He is a member of all the principal clubs and bar associations of St. Paul, and both in personal and professional relations enjoys excellent standing.

### Dickson & Donnelly.

The profession of the law is well and ably represented in St. Paul, and the prestige which the local bar has enjoyed from an early day is maintained by the practitioners of the present. A firm that enjoys a prominent position at the bar is that of Dickson & Donnelly, composed of F. N. Dickson and S. J. Donnelly, whose offices are at 702-704 Globe building. Mr. F. N. Dickson was born at Northfield, Minn., received his education there, and was graduated from Carleton college at that place. He came to St. Paul in 1888, and after two years of study in the offices of General John B. and Judge Walter H. Sanborn, he was admitted to practice in May, 1888. He steadily grew in popularity and prominence and acquired a valuable practice, his sound legal education being supplemented by the advantages of experience, and his judicial mind and temperament giving him especial fitness as a counselor in legal matters involving important interests. Mr. S. J. Donnelly was born at Nininger, Dakota county, Minn., and after a complete preliminary education he entered St. John's college, Stearns

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<sup>11</sup> Clark "returned to practice" only because he was defeated in the November 1881 election, the results of which were:

William Mitchell (inc.).....	102,373
Daniel A. Dickinson (inc.).....	101,413
Charles E. Vanderburgh.....	65,015
Greenleaf Clark (inc.).....	38,582
Write-in.....	117

This was a top-three election as well as the last election held in an odd-numbered year. For his memorial proceedings at the supreme court, see "Greenleaf Clark" in *Testimony: Remembering Minnesota's Supreme Court Justices* 102-109 (Minnesota Supreme Court Historical Society, 2008).

county, Minn., from which he was graduated. He studied law in the office of John D. O'Brien, and was admitted to practice in 1885. He was assistant county attorney under Mr. Butler for two terms, and he is now attorney for the State Game and Fish commission. Mr. Donnelly also joys the reputation as a sound lawyer, an able forensic orator. He has been identified with numerous important trials, and like Mr. Dickson, has an extensive personal clientele.

The firm are (sic) engaged in a successful general practice, having been partners since Jan. 1, 1897. They are members of the Ramsey County Bar association, and they are well known as popular and representative members of their profession.

### S. M. Hayes.

The list of representative lawyers of the city includes no name among its younger members that is better known than that of S. M. Hayes, attorney and counselor at law, having his offices at 55, 56 and 57 Gilfillan block. Mr. Hayes, who is a native of Madison, Wis., was graduated at Harvard in the classical course in the class of 1884. He then entered the law department of the University of Wisconsin and was graduated in the class of 1887, came to St. Paul in 1888 and began the practice of law, soon building up for himself a fine reputation as a careful pleader, a skillful cross-examiner and trial lawyer and an able advocate. Besides being identified with many of the more important litigated cases, Mr. Hayes is a valued counselor to many firms and companies, who prize his services in keeping them out of litigation, and enjoys an excellent reputation as a sound and able counselor. Among his clients are some of the leading interests of St. Paul, and Mr. Hayes is attorney for the Pioneer Press company. He is a prominent member of the County Bar association, of which he was formerly secretary, and is now a member of the executive committee. He has a large general practice, and, in addition to his local practice, is the Western counselor of several large Eastern corporations, and he enjoys an enviable position in the ranks of the local bar.<sup>12</sup>

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<sup>12</sup> Hayes later left the law for the ministry, as appears from the following sketch in Warren Upham & Rose Barteau Dunlap's *Minnesota Biographies, 1655-1912* 313 (14 Collections of the Minnesota Historical Society) (Minn. Hist. Soc., 1912):

Hayes, Simeon Mills, b. in Madison, Wis., Oct. 28, 1862; was graduated at Harvard College, 1884, and in law at the University of Wisconsin, 1887; settled in St. Paul the same year, and practiced law until 1904; later studied theology at the Seabury Divinity School, Faribault; is an Episcopal pastor in Lincoln, Neb.

### C. D. & Thos. D. O'Brien.<sup>13</sup>

One of the firms which aptly illustrate the strength of the local bar is that of C. D. and Thomas D. O'Brien, attorneys and counselors at law, with office as 212 Globe building. The partners, who are brothers, formed their present firm in 1886, although each had previously been engaged in practice. Mr. C. D. O'Brien was born in Ireland, but came to St. Paul in 1866. He read law in the office of the Hon. Cushman K. Davis, now United States senator from Minnesota. He was admitted to the bar in January, 1870, and soon gained prominence as a safe lawyer, an alert practitioner and an eloquent advocate. From 1874 to 1878 he was county attorney, and from 1883 to 1885 he was mayor of St. Paul. To the latter office he was elected by the vote of both parties, which fact is a strong tribute to his popularity for Mr. O'Brien has always been staunch in his advocacy of the principles of the Democratic party, and is one of the most influential Democrats of the city and state. He is a member of the Minnesota club and is prominent in social no less than in professional and political relations. His brother, Thomas Dillon O'Brien, was born in La Point, Wis., Feb. 14, 1859. He studied law in the offices of Stanford Newel of St. Paul, and in 1880 was admitted to the bar. He has served as assistant city attorney of St. Paul and county attorney of Ramsey county, and has also served as trustee of the state board of hospitals for the insane. He has long been prominent in the councils of the Democratic party in Minnesota, and is now the Minnesota member of the national Democratic committee and a member of the executive committee of the same. He has also been prominent in various social relations and has been state president of the Catholic Total Abstinence Societies of Minnesota and captain of the First battery of artillery, Minnesota national guard. He is now grand knight of the Knights of Columbus, St. Paul council, and a member of the Com-

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<sup>13</sup> Thomas D. O'Brien served on the Minnesota Supreme Court from 1909 to 1911. He was defeated in the November 1910 election, the results of which were:

David F. Simpson (R.).....	135,035
Edwin A. Jaggard (R.) (inc.) .....	129,536
Thomas D. O'Brien (D.) (inc.) .....	95,429
Arthur H. Snow (D.).....	66,911

This was a top-two election for terms beginning January 2, 1911. This was the last partisan election.

Decades later, Thomas D. O'Brien wrote an engaging memoir of his firm: *There Were Four of Us or, Was It Five* (St. Paul Dispatch & Pioneer Press, 1936). Only 500 copies were printed. It is hoped that someday this short memoir can be posted on the MLHP where it can be read, enjoyed and admired by others.

For his memorial proceedings at the supreme court, see "Thomas D. O'Brien" in *Testimony: Remembering Minnesota's Supreme Court Justices* 50-53 (Minnesota Supreme Court Historical Society, 2008).

mercial club. The firm has a large general practice, which they prosecute upon honorable principles which have made the Messrs. O'Brien popular with their brother lawyers as well as with their numerous circle of clients.

### **John B. & E. P. Sanborn.**

This distinguished law firm, having offices at rooms 66 to 69, National German-American Bank building, is composed of Gen. John B. Sanborn and his nephew Edward P. Sanborn. Gen. John Benjamin Sanborn was born in Epsom, N. H., Dec. 5, 1826, received a common school education and worked on his father's farm in Merrimack county, and also in a saw mill. He attended Dartmouth college, read law under Judge Asa Fowler of Concord, N. H., and was admitted to the New Hampshire bar in 1854. In December, 1854, he removed to St. Paul, became a member of the firm of Sanborn & French, Mr. Lund becoming a partner in 1857. That firm dissolved in 1861. As adjunct general and quartermaster general and sent to the war in 1861, he organized Minnesota troops, and in December, 1861, he was appointed colonel of the Fourth Minnesota volunteers. He served to the close of the war, becoming brigadier general and brevet major general; participated in the battles of the siege of Corinth, luka, Port Gibson, Raymond, Jackson, Champion Hills and in the assault and siege of Vicksburg; he commanded the district of Southwest Missouri from October, 1863, and fought the a successful engagements of that period and section; and he fought the Indians of the Southwest in the summer of 1865. He was appointed by President Johnson to settle the difficulties with the Indians in the following winter, and was an Indian peace commissioner in 1867-1868. He was elected to the Minnesota house of representatives in 1859 and to the state senate in 1860; he was a member of the law firm of Sanborn & King in 1868. In 1871 he and his nephew, Walter H. Sanborn, became partners, and in 1881 Edward P. Sanborn, another nephew, was admitted, Walter H. Sanborn retiring upon being appointed judge of the United States court of appeals. He is a trustee of the State Savings bank and of the bankers' Life Association. Edward P. Sanborn, his nephew, was born in Epsom, N. H., May 19, 1853, attended school at New London, N. H., was graduated from Dartmouth college in 1876, taught school one year at Medford, N. H., and then became principal of the high school at South Abington, Mass. He came to St. Paul in 1878, and was admitted to the bar. He filled out the unexpired term of Corporation Attorney Markham as alderman of the Seventh ward, and was re-elected at the last election. He is a member of the Minnesota and Commercial clubs, and is known as an able lawyer and public citizen.<sup>14</sup>

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<sup>14</sup> John Benjamin Sanborn, Jr., served on the Ramsey County District Court from 1922 to 1925, when he was nominated and confirmed as a federal district court judge; in 1932 he was elevated to the Eighth Circuit, where he served until 1959. See "Memorial Proceedings for John B. Sanborn, Jr." (MLHP, 2012)(published first, 1964); see also Thomas H. Boyd, "The Life and Career of the Honorable John B. Sanborn, Jr.," 23 William Mitchell

### Thomas Wilson.

Hon. Thomas Wilson, general counsel of the Chicago, St. Paul, Minneapolis & Omaha Railway company, was born in County Tyrone, Ireland, May 16, 1827, but at twelve years of age removed to the United States with his parents, who settled on a farm in Vanango county, Pennsylvania. He remained on the farm until he was twenty years old, and afterward entered Allegheny college, from which he was graduated in 1852, then studied law, and in February, 1855, was admitted to the Pennsylvania bar. Three months later he located at Winona, Minn., entering upon law practice. In the fall of 1857, at the election held preliminary to the admission of Minnesota to statehood, he was elected district judge for the Third judicial district. Therefore he became a nisi prius judge after three years of practice, entering upon the duties of district judge May 24, 1858, and holding the position until July 1, 1864. He only left it to go higher, for he was appointed associate justice of the supreme court July 6, 1864, serving as such until January 10 following. While so serving he was elected in November, 1864, chief justice of the supreme court of the State of Minnesota, which he held until July 14, 1869, when he resigned to enter upon practice again after eleven years' service as judge.<sup>15</sup> He was elected as a representative to the legislature in 1881, and a state senator from 1883 to 1887. He was elected to congress as a Democrat in 1886 and served from March 4, 1887, to March 3, 1889. At the election in 1888 he again was a candidate, but was defeated by Hon. Mark H. Dunnell. In 1890 he was the Democratic candidate for governor of Minnesota, but the returns showed a meager plurality of 2,267 votes for Hon. W. R. Merriam, his Republican opponent. Since 1892 he has been general counsel of the Chicago, St. Paul, Minneapolis & Omaha railway, and since 1894 has lived in St. Paul.

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L. Rev. 203-312 (1997); and Charles E. Whittaker and Gunnar H. Nordbye, "A Tribute to John B. Sanborn," 44 Minnesota L. Rev. 197-204 (1959).

For a bar memorial to his nephew, see "Edward Peyson Sanborn (1853-1934)" (MLHP, 2010).

<sup>15</sup> The results of the election for chief justice in November 1864, were:

Thomas Wilson (inc.).....	25,216
Andrew G. Chatfield.....	17,175
Write-in.....	55

Andrew Chatfield had served as an associate justice on the territorial supreme court from 1853 to 1857. James Gilfillan was appointed chief justice to succeed Wilson. For his memorial proceedings at the supreme court, see "Thomas Wilson" in *Testimony: Remembering Minnesota's Supreme Court Justices* 50-53 (Minnesota Supreme Court Historical Society, 2008).

### **John M. Gilman.**

Among the lawyers at the Ramsey county bar are some, still living, who were prominent among its practitioners in the ante-war period. Among these is Hon. John. M. Gilman, who was born at Calais, Vt. Sept. 7, 1824. He was graduated from Montpelier Academy in 1843, read law under Heaton & Reed of Montpelier, and was admitted there in 1846. He practiced law at New Lisbon, Ohio, for eleven years, and in 1849-1850 was representative from Columbiana county in the Ohio legislature. He married Miss Anna Cornwell of New Lisbon in 1857, and removed to St. Paul, engaging in practice as a partner with James Smith, Jr. Later, from 1872 to 1880, he was a partner with William P. Clough, and since then he has practiced alone. For many years Mr. Gilman was prominent in the counsels of the Minnesota Democracy, was nominee for congress against William Windom in 1860 and against Ignatius Donnelly in 1864, served four terms in the Minnesota legislature, being elected in 1865, 1867, 1869 and 1876, and was chairman of the state Democratic central committee in 1870. He was a strong supporter of the war and an advocate of the abolition of slavery, but has remained a staunch supporter of the Democratic party, although taking little active part in political affairs in recent years, confining his attention to his law practice, and being identified with many of the most important cases in Ramsey County.

### **Henry L. Moss.**

One of the most prominent of the living pioneers of the Territory and State of Minnesota One of the most prominent of the living pioneers of the Territory and State of Minnesota is Hon. Henry L. Moss, now in the eighty-first year of an eventful and useful life. He was born in Oneida county, New York, March 23, 1813, was graduated from Hamilton college in June, 1840, was admitted to the Ohio bar in January, 1843, practiced at Plattsville, Wisconsin territory in 1848, and removed to Stillwater, in the then unorganized Territory of Minnesota, in 1848. When the territory was organized in, 1849 he was appointed by President Taylor United States attorney for the territory. He removed to St. Paul in 1851 and was a partner with Hon. Lafayette Emmett, who subsequently was elected the first chief justice of the supreme court of the State of Minnesota. Mr. Moss was appointed by President Lincoln United States district attorney of Minnesota in 1863, serving until 1868. After 1868 he gave up general practice, devoting his attention principally to the care of local properties and investments of Eastern clients, and he was also for some time state and district representative of large insurance companies.

### H. J. & A. E. Horn.

Ranking with the more influential of the legal firms practicing at the Ramsey county bar is that of H. J. & A. E. Horn, whose offices are at 14 and 15 German American bank building. The partners are Henry J. Horn and his son Alexander E. Horn, who became associated five years ago. Henry J. Horn was born in Philadelphia, Pa., March 25, 1821, studied under Hon. Henry D. Gilpin of Philadelphia, was admitted to the Philadelphia bar in 1849, practiced there until 1855, and since June, 1855, has practiced in St. Paul. He was long a partner with Reuben B. Galusha, and later with W. W. Billson.<sup>16</sup> He was city attorney from 1857 to 1860, a member of the board of education from 1857 to 1850, and county attorney for Ramsey county from 1864 to 1866. His son, Alexander E. Horn, is a native of St. Paul, and after a preliminary education studied law under his father and was graduated from the law department of the Washington university of St. Louis, Mo. He joined his father in practice five years ago and is recognized as one of the most successful of the younger members of the local bar.

### Hiram F. Stevens.<sup>17</sup>

Among the strong lawyers of the Ramsey county bar none is better known than the senior member of the firm of Stevens, O'Brien, Cole & Albrecht, whose offices are in the Bank of Minnesota building, Sixth and Jackson streets. Hiram Fairchild Stevens was born Sept. 11, 1852, at St. Albans, Vt., son of Dr. H. S. Stevens, who was president of the Vermont Medical society and twice elected to the Vermont legislature. The latter died in 1866, and his son worked in a store, taught school and worked on a farm in order to procure means to complete his education. He was graduated at the Kimball Union academy, Meridan, N. H., and afterward at the University of Vermont, read law in the office of Judge John K. Porter; was graduated from Columbia Law school in 1874 and became partner in practice in the firm of Davis & Stevens of St. Albans, Vt. He was admitted to federal practice in 1876, came to St. Paul in December, 1879, was of the law firm of Warner, Stevens & Lawrence until December, 1886, when he withdrew and became counsel for the St. Paul Title & Trust company. He organized the present firm in 1891. He was a charter member of the American Bar association at Saratoga, was the first secretary of the Vermont State Bar association, was one of the organizers and has been president of the St. Paul Bar association, was the first secretary and has been president of the State Bar association. He is a strong Republican, and was elected from the

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<sup>16</sup> For a sketch of Galusha, see Charles E. Flandrau, "The Bar and Courts of Ramsey County" 34-5 (MLHP, 2009) (published first, 1881).

<sup>17</sup> Stevens is the author of "The Bench and Bar of St. Paul" (MLHP, 2013)(published first, 1890). He also compiled the two volume *History of the Bench and Bar of Minnesota* (Legal Publishing and Engraving Co., 1904), but died before it was published. It will be posted on the MLHP at a later date.

Twenty-seventh district in 1888 to the Minnesota legislature, and in 1890 was elected and in 1894 was re-elected state senator from the Twenty-eighth district. He is a lecturer at the University of Minnesota on the law of real property. He is a member of the Chamber of Commerce, is a Knight Templar Mason, an Odd Fellow and Knight of Pythias.

### John Willey Willis.

Especially notable among those lawyers who are “native here and to the manner born” is ex-Judge John Willey Willis, who was born in St. Paul July 12, 1854. He received a public school education and was graduated, at the head of his class, from the St. Paul high school in June, 1873, attended the University of Minnesota and Macalester college in 1873 and 1874, taking an extensive classical course at the latter. Then he was matriculated at Dartmouth college, New Hampshire, and after his graduation studied law. In 1886 he received his A. M. degree from his Alma Mater. His law studies were pursued in the offices of Gilman & Clough of St. Paul, and during a portion of the same period he was instructor in the Latin and Greek languages at the St. Paul high school. He was admitted to practice Oct. 18, 1878, and opened an office the following year. He was a member of the board of education in 1881 and 1882, was Democratic nominee for attorney general of Minnesota in 1883,<sup>18</sup> and has been a member of the state board of corrections and charities since 1888. He was elected judge of the district court in 1892, his term expiring Dec. 31, 1898, and was the Free Silver Democratic candidate for representative in congress in the fall of 1898.<sup>19</sup> After his judicial term expired Judge Willis opened a law office at

<sup>18</sup> The results of the election for attorney general in November 1883 were:

William J. Hahn (incumbent).....	79,324
John W. Willis.....	50,973
Francis Cadwell.....	4,925
Edward H. Wood.....	79
Write-ins.....	52

Source: SAM 66, Images 167-68.

<sup>19</sup> In the election for district court on November , 1892, Willis barley beat Judge William Dalton Cornish, who had been appointed to the bench in 1890:

John W. Willis.....	12,537
William D. Cornish (incumbent).....	12,181

Source: 1893 Blue Book, at 480-81.

Two years later, Willis ran for a seat on the supreme court, but lost to incumbent Loren W. Collins. The election results are listed above, page 4, f.4.

In the election to represent the Fourth Congressional District on November 3, 1898, he lost by a wide margin:

Fred C. Stevens (Republican).....	15,952
John W. Willis (Democratic-People's).....	11,602
Brag (Prohibition).....	461
Carling (Socialist-Labor).....	779
Beardsley (Independent-People's).....	694

Source: 1899 Blue Book, at 506.

suite 324, Globe building, and is now engaged in a general civil and criminal practice as attorney and counselor-at-law. He is a man of ripe scholarship, excellent forensic skill, judicial temperament and devotion to every cause entrusted to his faithfulness. He is a member of the Ramsey County Bar association, the Minnesota and Commercial clubs, and the Sons of the Revolution, and is popular in personal and professional relations.

#### **McLaughlin & Boyesen.**

The law firm of McLaughlin & Boyesen, whose office is at 901 Pioneer Building, is composed of P. J. McLaughlin and Alf E. Boyesen, who became associated four years ago. Mr. P. J. McLaughlin was born in Ireland, but spent his boyhood in Boston, studied law in offices there, and also studied and practiced in Rochester, Minn., where he was admitted to the bar in 1879. He came to St. Paul in 1887 and was associated with Samuel Morrison and later with R. E. Noyes, prior to forming his present association with Mr. Boyesen in 1895. His partner, Alf E. Boyesen, was born in Christiania, Norway, April 21, 1857, being the son of Capt. S. F. Boyesen, of the Norwegian army. He came to the United States in 1870 and entered the University of Urbana, Ohio, where his brother, Hjalmar Hjorth Boyesen (later famous as author and poet) was then instructor. From there he went to Chicago and entered the office of I. K. Boyesen, a leading attorney there. Later he studied with Shaw, Nevi & Craig of Minneapolis and was admitted to practice by the district court of Hennepin county. He practiced at Fargo, N. D., until 1887, and since then in St. Paul. In April, 1890, he became partner of Hon. Marcus D. Munn, and in December, 1890, U. M. Thygeson was admitted, the firm being Munn, Boyesen & Thygeson, until Mr. Boyesen withdrew in 1895 to join Mr. McLaughlin in the present firm.<sup>20</sup>

#### **Horace E. Bigelow.**

The legal administration of the affairs of Ramsey county has from time to time called into service the abilities of men of excellent standing at the bar. These legal interests are now well served by Mr. Horace E. Bigelow, who is now county attorney of Ramsey county. He was born in St. Paul in 1867, being a son of H. R. Bigelow, one of the pioneer members of the Ramsey county bar, and an old settler in St. Paul. He was educated at

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<sup>20</sup> Over thirty years later, at the bar association's ceremony dedicating the new St. Paul City Hall-Ramsey County Courthouse, Boyesen gave a nostalgic speech about this era. See "Dedication of the St. Paul City Hall-Ramsey County Courthouse" 17-19 (MLHP, 2012) (delivered first, November 21, 1932). He died on October 27, 1934. For the Ramsey County Bar Association's memorial to him on April 20, 1935, see "Alf. E. Boyesen (1857-1934)" (MLHP, 2010).

Williams college, Mass., and graduated in 1888, and then engaged in the study of law in the office of Eller & How, following this with a course at the Columbia law school in New York. After that he resumed his studies in the office of Lawer & Durment, St. Paul, and in October, 1890, he was admitted to the bar and began practice in St. Paul, acquiring an excellent connection and building up a successful business. He became active in political affairs, being an ardent and earnest Republican, and was a member of the board of aldermen from the Fifth ward in 1896-1898, being president of the board during the last eighteen months of his term. At the election in November, 1898, he was elected to his present office as county attorney of Ramsey county, his term expiring Jan. 1, 1901. He devotes to the service of the county excellent legal abilities and attentive faithfulness. He is a member of the Ramsey County Bar association, and is also a member of the Lincoln, Minnesota, and Town and County clubs, and popular in social as well as in official and professional relations.

#### **Frederick William Zollman.**

Mr. Zollman, the assistant county attorney, was born in Le Sueur, Minn., June 1860, and in 1864 came with his parents to St. Paul. He attended public school, and graduated at the Northwestern college at Naperville, Ill. In 1886 he was admitted to the bar, and formed a partnership with Hon. John H. Ives, which continued until 1889, since which time he has engaged in practice alone, representing large lumber and other interests successfully in the courts of Minnesota, Iowa and Wisconsin. He was appointed assistant attorney of Ramsey county, Jan. 1, 1897, by County Attorney Anderson, and two years later was reappointed to the same position by County Attorney Bigelow. During his incumbency he has made a specialty of tax legislation, and has also acted as prosecutor in the criminal courts, and it was through his untiring efforts that several noted directory swindlers were convicted. Mr. Zollman is a staunch Republican, and was a member of the Ramsey county Republican committee, 1892-1894. He is a counselor, a fluent speaker, and before a jury a powerful and effective advocate.

#### **Frederick W. Foot.**

One of the most prominent young member's of the bar is Mr. Frederick W. Foot, whose office is at 616-620 Globe building; he is a native of Red Wing, Minn., and, after preparatory education, was graduated from the college of law of the University of Minnesota in 1895. In that year he established in practice in St. Paul. Since then he has added to the advantage of an analytical and judicial mind well stored with legal knowledge those which come with years of active practice in the courts and in the office. He has thus acquired the facility which experience gives, and the ability to apply the principles of the law to any given category of

facts, and thus he has attained an excellent reputation as a capable counselor, has an extensive office practice as attorney for a number of prominent business interests, and has also built up a good practice in the courts, where he has shown himself to possess forensic abilities of no mean order and he is constantly identified with important litigations both on the civil and criminal calendars. Mr. Foot is a member of the Ramsey County Bar association, and is in all respects an excellent representative of his profession.

#### **John E. Stryker.**

A well known legal practitioner is John E. Stryker, whose offices are at 903 and 904, Pioneer Press building. He was born at Catskill-on-Hudson, N. Y., in 1862, was prepared at Phillips academy, Andover, Mass., and was graduated from Yale with the class of 1883, having taken an elective course in mechanical engineering; he was graduated from Columbia law school 1885, and then attended lectures at the University of Berlin, Germany. In 1885 he was admitted to the St. Paul bar. His practice is chiefly in the federal courts, his specialty being patent and trade mark cases, and he is also special counsel for the United States government in several important lumber cases. In patent matters he has associated with him Frederick G. Bradbury, an expert mechanic and electrician. Mr. Stryker is a member of the Ramsey County Bar Association.

#### **George C. Squires.**

Holding a noteworthy rank among the leading members of the local bar is Mr. George C. Squires, whose office is at 403 New York Life building. He is a native of the State of New York, attended the law department of the University of Michigan, and then entered upon practice as a lawyer. Twenty-five years ago he became a member of the Ramsey County bar. In 1881 he became a member of the firm of Bigelow, Flandrau & Clark, afterward Bigelow, Flandrau & Squires, and still later Flandrau, Squires & Cutcheon until November, 1898; then was of the firm Squires & Cutcheon until May 1, 1899. Since then he has been practicing alone, having a general practice in the state and federal courts, and being legal advisor for many important interests, including the Chicago, Milwaukee & St. Paul Railway company, the New York Life Insurance company, the New England Mutual Life Insurance company, the Equitable Life Assurance Society and other organizations, and he is general counsel for the Pioneer Press company. He is a member of the Minnesota club, and is as popular in personal relations as he is prominent in professional life.

### **Durment & Moore.**

The firm of Durment & Moore, composed of Edmund M. Durment and Albert B. Moore, became associated July 15, 1899, and have their offices at 610-619 Germania Life Insurance building. Mr. Edmund S. Durment was born in Indiana, was graduated from Columbian law school, Washington, D. C., came to St. Paul in 1885, and was admitted to the bar. From 1886 to 1894 he was a partner of the Hon. D. W. Lawler in the firm of Lawler & Durment, until the retirement of Mr. Lawler from general practice to become general attorney for the Chicago Great Western railway. Mr. Durment was for some time a special examiner in the pension department, Washington, and is an ardent and active Republican; he is a director of the Chamber of Commerce, the Commercial club and the Security Trust company. His partner, Mr. Albert B. Moore, was born in Brooklyn, N. Y., was two years at Harvard, from 1887 to 1889, and in 1891 he received the LL. B. degree from the University of Minnesota. A year later he received the A. M. degree. He was admitted to the bar in 1891, was for a time of the firm of Stryker & Moore and later of the firm of Markham, Moore & Markham. He is secretary of the Ramsey County Bar association. The firm of Durment & Moore devote themselves principally to civil practice, making a specialty of insurance and real estate law. They are counsel for the Northwestern Mutual Life Insurance company and for several fire insurance companies.

### **Oscar Hallam.**

Mr. Oscar Hallam is now engaged in general law practice at suite 414, Manhattan building. He was born in Linden, Iowa county, Wis., Oct. 19, 1865. He was graduated, with honors, from the class of 1887, at the University of Wisconsin, passed into the law school of the university, from which he was graduated in 1887. While at the law school he also studied in the office of Attorney General O'Connor of Wisconsin. After receiving his law degree he came to St. Paul in 1889 and was admitted to the bar, and joined Mr. O. B. Lewis, under the firm name of Lewis & Hallam, this connection continuing until the election of Mr. Lewis to the office of district judge, upon the duties of which he entered Jan. 1, 1897, Mr. Hallam continuing the practice alone. He has a large general practice in civil cases, but does no criminal practice, and has a clientage which represents many important business and financial interests. He is a member of the Masonic order and is also prominent in the Ancient Order of United Workmen, in which he is a past master workman and a prominent member of the grand lodge. He is also a member of the Chamber of Commerce, the Commercial club and the Ramsey County Bar association, and in close touch with professional interests and the general welfare of St. Paul. Politically,

he is a Republican, and has taken part in campaigns, although he has never held a political office.<sup>21</sup>

### **Merwin, Lothrop & Johnson.**

An active law firm engaged in general practice, but especially prominent as attorneys in the securing of patents and trying patent cases, is that of Merwin, Lothrop & Johnson, whose offices are at 910, 911 and 912 Pioneer Press building. The business was established eight years ago by T. D. Merwin, with whom the other members were associated, and in 1897 the present style was adopted with T. D. Merwin, Arthur P. Lothrop and H. S. Johnson as partners. Mr. T. D. Merwin is a native of Connecticut and a graduate of Yale college and Yale Law school. He came to St. Paul twelve years ago and remained in practice here until recently, when he removed to New York, opening an office there. Mr. Arthur P. Lothrop is a native of Boston. Mass., and a graduate of Harvard, and has lived in St. Paul twelve years. Mr. H. S. Johnson is a native of Stillwater, Minn., and a graduate in law of the University of Minnesota. He is a member of the Commercial club, and all three partners are members of all local and state bar associations.

### **Edward J. Darragh.**

Hon. Edward J. Darragh, ex-corporation attorney of St. Paul, is now engaged in general practice with office at 64 Court block. He was born of Irish Parentage at Painesville, Lake county, Ohio, June 20, 1869, and in 1882 the family removed to Minneapolis. His father, a prominent bridge builder and contractor, died in 1883, and in 1884 the family came to St. Paul. Mr. Darragh was graduated from the College of Notre Dame, and studied law in the offices of C. D. and T. D. O'Brien from 1888 until 1890, when he was admitted to the bar. He was deputy clerk of the Ramsey county district court under R. T. O'Connor in 1891, but embarked in professional practice in October, 1891, as a partner with Mr. James Barnard, but in February, 1892, he joined Mr. W. P. Westfall in the firm of Darragh & Westfall. In March, 1891, he was appointed by the city council as corporation attorney of St. Paul, and filled its duties with marked ability. He was the Democratic nominee for congress in the Fourth district in 1894. Mr. Darragh is a careful and accurate pleader, an eloquent and cogent

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<sup>21</sup> Hallam served on the Ramsey County District Court from 1905 to 1912, and on the Minnesota Supreme Court from 1913 to 1923. At the bar association's ceremony dedicating the new St. Paul City Hall-Ramsey County Courthouse, he delivered a brief address. See "Dedication of the St. Paul City Hall-Ramsey County Courthouse" 15-17 (MLHP, 2012) (delivered first, November 21, 1932). For his memorial proceedings at the supreme court, see "Oscar Hallam" in *Testimony: Remembering Minnesota's Supreme Court Justices* 235-37 (Minnesota Supreme Court Historical Society, 2008).

advocate, and a practitioner of high principle, ever alert to the interests confided to him.

#### **Owen Morris.**

Mr. Owen Morris, who is engaged in law practice, with office at 24 First National Bank building, is a native of Wales, but went to Blue Earth county, Minnesota, in childhood, and was reared there. He was graduated from Carleton college at Northfield, Minn. While there he won the first prize for oratory in the state, and the second prize, gold medal, in the interstate oratorical contest. He came to this city in 1882, read law in the office of Gordon E. Cole, of St. Paul, and in October, 1886, was admitted to practice. On January 1, 1887, he became a partner of Gen. Cole, and since the latter's death in October, 1889, has practiced alone. His practice is principally civil. He is counsel for Russell Sage, trustee, and is also land commissioner of the Hastings & Dakota, the St. Paul & Chicago and the Minnesota Central railways. He was a member of the Minnesota legislature from Blue Earth county in 1883.

#### **David F. Peebles.**

David Frederic Peebles was born at Crimson Springs, W. Va. (then Virginia), Oct. 10, 1862. After attending the common schools he was for four and a half years at the Washington and Lee university, and studied law for some time there, and later in the office of Hon. John E. Kenna, afterward United States senator from West Virginia. He was admitted to the bar, at Charlestown, Va., and in June of that year came to St. Paul, here he since has been identified with the legal profession. He began practice on his own account in 1889 and has ever since practiced alone except for a year in 1895-96, when he was in partnership with Hon. James C. Michael. He has a large office business and an extensive court practice. He was chairman of the Democratic county convention in 1894, was a delegate to the Indianapolis convention in 1896, and took an active part in the campaign in behalf of the Palmer and Buckner ticket nominated by that convention.

#### **William P. Westfall.**

Mr. William P. Westfall, whose offices are at 616-620, Globe building, was born in Syracuse, N. Y., and after thorough preparatory education entered the University of Syracuse, from which he was graduated in the classical course. In 1888 he came to St. Paul and he studied law in the offices of C. D. and T. D. O'Brien. In December, 1890, he was admitted to the St. Paul bar and engaged in a general practice, which he still continues. In his practice Mr. Westfall has developed excellent abilities as an advocate, and he has gained an influential connection and clientele, and enjoys a substantial office practice as well as an active business in the courts,

where he is often counsel for important civil cases, in which he has a gratifying record of success. Year by year his practice has grown and he is known as one of the most representative of the younger members of the Ramsey county bar. He is a member of the Ramsey County Bar association and is well known and popular in the ranks of the profession. Among some of the important cases in which he has been identified may be mentioned following, all of which are leading cases and decided by our supreme court: "In the matter of the assignment of Seven Corners bank on the petition of Hullen & O'Dowd," in which case were first determined in this state the principles that govern the return of a deposit in an insolvent bank; also "The National Bank of the Republic vs. William Banholzer," in which case the laws of homestead exemption were fully determined; and the case of the "State of Minnesota ex rel. Robert H. Seng vs. Gregory Rett," in which case were elucidated the principles governing the constitutional amendment against special legislation.<sup>22</sup>

### O. E. Holman.

Of the younger members of the Ramsey county bar one of the best known is Mr. O. E. Holman, whose office is at 518-520, Globe building. He is a native of Pennsylvania, and after preparatory education entered Muhlenburg college, Allentown, Pa., and afterward read law in offices of the same place. For the past fifteen years he has practiced law in St. Paul, acquiring a substantial practice by his skill and faithfulness, his accuracy as a pleader, his practical knowledge and readiness in matters of court practice and his forensic abilities. He was corporation attorney of St. Paul for two years, has served as a member of the common council and is popular as a public-spirited citizen as well as a successful lawyer.

### S. P. Crosby.

New England has furnished many of the best known members of the St. Paul bar, one especially prominent being Simon Percy Crosby, who has his office in the Globe building. He is a native of Maine, and after preparatory education graduated from the University of Maine with the degree of B. S. He studied law in the office of his, father, Hon. Josiah Crosby, at Dexter, Me., was admitted to the Maine bar in 1883, came to St. Paul and was

<sup>22</sup> The citations to two of these cases are:

In re Seven Corners Bank, 58 Minn. 5, 59 N.W. 633 (1894) (Gilfillan, C. J.).

National Bank of the Republic of New York vs. Banholzer, 69 Minn. 24, 71 N.W. 919 (1897) (Canty, J.; Start, C. J., concurring).

State of Minnesota ex rel. Seng vs. Rett apparently was a district court ruling that was not appealed to the supreme court. In State of Minnesota ex rel. Seng vs. Peter, 101 Minn. 462, 112 N.W. 866 (1907)(Brown, J.), Robert A. Sheng and two other county commissioners, who had been defeated for re-election in 1906, claimed that special laws dividing Ramsey County into districts were repealed, thus invalidating the election, and reinstating them. They lost.

admitted to the bar here. He has ever since been engaged in civil and criminal cases and has also a large office practice, among other things being counsel for the C. F. Adams company, the largest house furnishing installment house in the United States. He gives to the business of his clients the benefit of ripe experience, thorough legal knowledge and the judicial temperament which enables him to apply legal principles to concrete conditions and makes him a safe counselor. He is a member of the Ramsey County Bar association and enjoys excellent standing as a practitioner. He is in hearty sympathy with all measures and efforts for the promotion of the material welfare of St. Paul.

### **William G. White.**

Mr. William G. White was born at South Hadley, Mass., in 1854, was graduated from Harvard university in 1875, and in 1876 was admitted to the bar at Springfield, Mass., where he practiced law until he came to St. Paul in 1884. Since then he has been in active practice in this city, and now has his office at 513 and 514 Globe building, corner of Fourth and is Cedar streets. He makes specialties of mercantile, real estate and corporation law, and he is constantly connected with important litigated cases involving questions connected with these branches of the law. He also has a large office practice and is counsel for a number of prominent firms and corporations and for numerous owners of important real estate interests. He enjoys an excellent reputation as a practitioner and adds to a thorough knowledge of the science of law the judicial temperament which enables him to apply its principles to particular cases, and the talents which enable him to make convincing forensic presentation of his clients' causes. His services as counselor and advocate are therefore sought by many of the prominent men and interests of St. Paul. □

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### **Related Articles**

Charles E. Flandrau, "The Bar and Court of Ramsey County" (MLHP, 2009) (published first, 1881).

Charles E. Flandrau: "History of the Bench and Bar of Ramsey County: Parts I & II" (MLHP, 2008-2009) (published first, 1888).

Charles E. Flandrau, "Lawyers and Courts of Minnesota Prior to and During Its Territorial Period." (Delivered first as address in 1897; later published in 1897 and republished in 1898). Both articles are posted separately on the MLHP.

Hiram F. Stevens, “The Bench and Bar of St. Paul” (MLHP, 2013) (published first as Chapter VIII in Christopher C. Andrews, ed., *The History of St. Paul, Minn.* 247-298 (1890)).

Henry A. Castle, “The Bench and Bar of St. Paul and Vicinity” (MLHP, 2009) (published first, 1915).

For sources of the results of supreme court elections cited in this article, see “Results of Elections of Justices to the Minnesota Supreme Court, 1857-2012” (MLHP, 2010).

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