

“ The Bar of Bemidji ”

(1909)

On Saturday, March 27, 1909, the *Bemidji Daily Pioneer* printed a “Souvenir Edition,” consisting of its regular edition followed by 108 pages of short sections on individual businesses, the natural resources of the area, the legal and medical professions, the theater, and many other aspects of the community. It was a form of “booster literature,” a large advertising circular designed to attract settlers, developers, and investors in the city and county.

One page was devoted to the Fifteenth Judicial District (page 45) — a half-page photo of Fred Rhoda, the Clerk of Court, hovered over small shots of Judges McClenahan, Wright and Stanton. The section on “The Bemidji Bar” took up four pages (60-63). A page of photos of seven lawyers preceded three pages of short profiles of eight lawyers and a two-man firm. They are so hagiographical that they bear a slight resemblance to ads for wondrous patent medicines in newspapers at the time. Without doubt, the subjects approved and paid for them.

These profiles differ markedly from those in county histories published between 1880 and the First World War. In those books the subject, who was also a subscriber, usually traced his family history, described his education, listed his social and fraternal organizations, faith, date of marriage, names of children, and other personal data.

Not every lawyer in the city bar placed his profile in the *Pioneer’s* special edition. Frank A. Jackson, Henry Loud and Chester McKusick, among others, passed. In fact, few lawyers even published their business cards in the *Pioneer*. In the daily editions of that paper in 1909, the business cards of Frank Jackson, E. E. McDonald and D. H. Fisk appeared. A year later, they were joined by Graham M. Torrance, now a sole practitioner.¹ Most members of this bar, it seems, relied upon word-of-mouth advertising.

“The Bemidji Bar” follows. It has been reformatted. Photographs of ex-Judge Marshall A. Spooner and Charles W. Strutchin are omitted because they are too dark. Three footnotes have been added by the MLHP.

¹ Bemidji Daily Pioneer, August 27, 1910, at 5 (the cards of Torrance, Jackson, McDonald and Fisk are in the left column of the front page).

THE BEMIDJI DAILY PIONEER

BEMIDJI, BELTRAMI COUNTY AND NORTHERN MINNESOTA.

March 27, 1909

60-63

THE BAR OF BEMIDJI



P. J. RUSSELL.

Attorney Russell can undoubtedly claim one of the largest law practices in the Great Northwest, which includes a number of cases which have attracted widespread attention and comment. He is also the pioneer lawyer of Beltrami county, having served as village as well as city attorney for a period of six years. Mr. Russell is a true product of Minnesota, having first seen the light of day at Belle Plains, this state.

After receiving a common school education, Mr. Russell took a course at the St. Paul Business College, after which he entered the Sauk Center Academy. Admitted to the bar at Crookston in the year 1891, Mr. Russell has, without intermittance, practiced before our courts ever since. In the year 1899 he settled in Bemidji, where he at once impelled notice by reason of his conception of Blackstone and his ableness as a debator and pleader. From the hour he arrived in Bemidji, Mr. Russell forged rapidly to the front in the ranks of his professional brethren with the result stated in the opening phase of this article

Mr. Russell is a man of unusual tact, of much business ability, a systematic worker, eloquent in argument, spotless as an attorney, a first-water "booster" for his hometown, and The Pioneer, in the spirit of its thousands of readers, appreciates him for his worth as a citizen and his ableness as a lawyer.

JOHN L. BROWN.

Mr. Brown was admitted to the bar during the month of January, 1899, at Des Moines, Iowa. Afterward he practiced law in Hancock and Story counties, Iowa, coming from Huxley, Iowa, to Bemidji about six months ago. Upon his arrival here, Mr. Brown was attracted by the natural richness of this portion of the state, and concluded to settle here. Since his location in Bemidji Mr. Brown has made a host of friends, as he is one of those who possess the happy faculty of impelling friendships, and impressing his personality upon all those whom he greets.

Mr. Brown is undoubtedly destined to become one of Bemidji's foremost attorneys, while he has not yet been honored with any celebrated cases,

owing to the scarcity of their existence, it is a matter of general concession that his colleagues as well as those who know him best, give him credit for being a capable student of law and pleader.

The Pioneer need not extol Mr. Brown in this Souvenir Edition. His past record is all sufficient to commend him to the confidence of all his acquaintances, and we predict that the practice which will come to him in the near future will rank on a parallel with that of any attorney in the county. Mr. Brown is conscientious, a hard worker, an enterprising citizen, a faithful advocate of the city's best interests, and we can without gainsay, confer upon him this passing notice.

E. E. McDONALD.

Mr. McDonald graduated from the Law Department of Wisconsin University in 1883, and entered upon the practice of his profession at once, and continued to practice in St. Paul for nineteen years. He moved to Bemidji about five years ago, and has continued to practice here ever since. He has well appointed offices in the Post Office building and a large law library. He is a member of the Commercial Club, and has always been active in all matters pertaining to the city's welfare. He has served the public in the capacity of a member of the Board of Education of St. Paul, and a member of the Legislature of Minnesota, and County Attorney of Beltrami county. He was sent to the Legislature to aid in securing the necessary appropriation for our present new capitol building and represented his constituency well. He took a prominent part in the St. Paul Ice Carnival years ago, which was famous as an attraction for St. Paul.

Since coming to Bemidji he has taken an active part in every movement to advance the best interests of this North country, including among other things Bemidji's efforts to secure the Land Office, its efforts to secure and aid in the construction of the Red Lake Road to Red Lake and its efforts to secure wholesale houses for Bemidji, and is now giving up some time in other matters which will benefit Bemidji greatly, and has taken an active interest in matters pertaining to farming and cultivation of the land in this vicinity. He recently delivered the Memorial Address for the Elks Lodge at Crookston.

It speaks well for the county of which we write that a man of Mr. McDonald's ability and training should select Bemidji as the place in which to follow his chosen profession, and also proves that Beltrami county has inducements to offer to persons in every walk of life.

GIBBONS & TORRANCE.

This influential law firm gained prominence from the first day of its formation, not only because of the personnel of the partners, but by reason of the natural propensity on the part of each for winning friends and by the demonstration of their latent talents as disciples of Blackstone. They have handled some of the most important legal cases in this section, their reputation either as lawyers in criminality or equity is unsurpassed, and the firm in question represents one of the most influential law concerns in this portion of the state.

Mr. Torrance is a graduate from the Minnesota State University of the class of 1900. He was a practitioner in St. Paul after his matriculation, for a period of four years, when, becoming cognizant of the inducements offered by Bemidji, he located here, and a short time after became a partner with Mr. Gibbons.

The latter gentleman is also a product of the State University, graduating two years prior to Mr. Torrance. This law firm is rapidly coming to the front in the legal realm, the members thereof are bustling and energetic young men who are causing things to move along, and they are more than entitled to the notice here given.

MARSHALL A. SPOONER.

Hon. Marshall A Spooner was born at Lawrenceburg, Indiana, May 18, 1858, and resided in his native city until he reached the age of twenty-two years, when he left home to take up his residence in the Northwest. He received his education at Hughes college, Cincinnati, Ohio, from which he graduated June 23, 1876, taking part of the honors of his class.

He was then eighteen years of age, and immediately took up the study of law, afterwards attending the Cincinnati Law School. While pursuing his course of law, he taught one term at Spring Lake Seminary.

When only three weeks over twenty years of age, on June 4, 1878, young Spooner was taken into partnership by Addison Williams, counselor-at-law, and at that time circuit prosecutor and city attorney, who had taken a great fancy to the young collegian, and looked for him to attain eminence in his profession. Ill health soon after necessitated the retirement from active duties of Mr. Williams, who, having faith in the tact and capacity of his junior associate, entrusted to his charge legal matters of importance. The young lawyer entered upon his new duties with zest and, taking up the cases of his senior, prosecuted them tried several cases before the criminal court and secured the convictions of and state's prison sentences for five malefactors and this before he was twenty-one, when most embryo attorneys are still at their law studies.

Mr. Williams died in December, 1878, and his law business was continued by Mr. Spooner, who was admitted to the bar on motion of Congressman Holman (the great objector), at the suggestion of the presiding judge, May 17, 1879.

In the spring of 1882 Judge Spooner removed to Moorhead, Minnesota, where he shortly afterwards formed a law partnership with Edward E. Webster. Mr. Webster left Moorhead in the spring of the following year to take charge of the business of Mr. Kindred, and Frank D. Larrabee became a partner under the firm name of Spooner & Larrabee, which partnership continued until the spring of 1885, when Mr. Spooner removed to Minneapolis to continue the practice of his profession. While located in Minneapolis, Judge Spooner had associated with him at various times able attorneys, the firm styles being Spooner & Taylor, Spooner & Flaherty (the latter now district judge), Spooner & Laybourne, and Spooner & Hutchinson.

During the period of his residence in Minneapolis, the judge's practice was largely outside the city, as chief counsel or advisor and on appeals to higher courts for cases of outside attorneys. In October, 1895, he appeared before the supreme court of the United States in the famous

North Dakota prohibition case.² His practice at this time was of a general character, he having cases before the federal, state supreme and the trial courts of Minnesota, the Dakotas and Wisconsin.

A glance through the Minnesota Reports shows Judge Spooner as a practitioner in many cases and his record as a successful pleader at the bar is known to the attorneys of the state at large.

Judge Spooner came to Bemidji in April, 1902, and formed a partnership with L. H. Bailey, which continued until he was appointed to the bench March 24, 1903. He presided as judge of the Fifteenth judicial district, which covers an area of one-fifth of the state of Minnesota, and it is safe to say that there is probably not another district in the United States in which there is such a diversified character of litigation before the court as in this district.

Judge Spooner served as judge of the Fifteenth judicial district until the spring of 1908, when he tendered his resignation and moved to Spokane, Washington, for the purpose of practicing law in that state.

The many friendships which Mr. Spooner had made in Bemidji and all over the Fifteenth judicial district appealed so strongly to him that he decided to return to Bemidji. The decision was followed by immediate action, and Mr. Spooner and wife are again living in Bemidji. Mr. Spooner has resumed the active practice of law, and his well known ability as a counsellor will undoubtedly result in a large and remunerative practice throughout Minnesota, and more especially the Fifteenth judicial district.

A. A. ANDREWS.

Mr. Andrews is one of the thousands of young men who have demonstrated that there is always room at the top for those who aspire thereto. A graduate of the law school of the Minnesota State University, Mr. Andrews was admitted to the bar in the year 1902, from which date he has since practiced in the state courts. Hanging out his professional

² Pepke v. Cronan, Sheriff of Walsh County, N. D., 155 U. S. 100 (1894).

shingle in Bemidji but two years ago, Mr. Andrews has made his power felt as a pleader and debater, and aside from that he has made a host of friends in every circle, a circumstance which tends to show his personality and attainment as an attorney.

At present Mr. Andrews is attracting a goodly share of the legal business in this vicinity. Success has crowned his undertakings in a number of important cases, and The Pioneer can openly commend him to the thousands of readers of this Souvenir Edition.

A. M. CROWELL.³

Attorney Crowell has been a resident of Bemidji for about nine years. He was admitted to the bar at St. Cloud in the year 1874, moved to Todd county the same year, where he practiced law for sixteen years. In 1884 he was admitted at St. Paul to practice before the United States District Court. He maintained a law office at Long Prairie for sixteen years, where he was state's attorney for a period of six years, after which time he moved to Dawson, Lac Qui Parle county. In each place of his residence Mr. Crowell has made his mark in the legal realm, and proved himself the learned barrister that he is. Since his advent in Bemidji Mr. Crowell has been one of the leading counsel in many important cases. He is well known through out the state, and his ability as a practitioner before the bar has been fittingly recognized.

D. H. FISK.

Among the attorneys of Bemidji, of which there are many, Mr. Fisk lines up among the first. By dint of hard struggling he managed to pave the way to the securing of a common school education, and by virtue of aptness mastered the intricacies and usages of Blackstone. Mr. Fisk has studied law in both Wisconsin and Minnesota under numerous learned men in the legal realm, of whom may be mentioned in particular the

³ For a biographical sketch, see "Alvin M. Crowell (1841-1920)" (MLHP, 2014).

redoubtable Frank P. Chapman, then district attorney of St. Croix county, Wisconsin.

In the year 1880 Mr. Fisk located at Ada, Minn., and he was admitted to the bar in open court at Crookston in 1881. In recognition of his ability as a pleader and analytical prowess he was chosen as the first county attorney of Norman county, which, through his influence became an independent domain or county of itself in 1881, having been separated from Polk county.



Mr. Fisk also practiced law throughout the state of Washington for a period of ten years, but the year 1900 witnessed his settlement in Bemidji, as he, in common with the thousands of others who have settled in this city and county, foresaw the vastness and scope of this field as a place to live. Mr. Fisk is prominent in public life, he has accomplished much good for this section of the state, and is recognized among Minnesota's most profound and successful lawyers.

CHARLES W. SCRUTCHIN.⁴

Well Known Colored Lawyer Who Has
Earned Widespread Fame.

It will do the student of Nature a world of good to analyze the trials, virtues and attainments of this gentleman. From an ordinary street gamin, Mr. Scrutchin has risen to the apex of one of the most widely known criminal lawyers in the Northwest. Struggling against adversity; being deprived of those privileges which the Constitution of the United States warrants; with no professional opportunity before him, taken in a general

⁴ For a biographical study, see Steven R. Hoffbeck, " 'Victories Yet to be Won' – Charles W. Scrutchin, Bemidji's Black Activist Attorney," 55 *Minnesota History* 59-75 (1996). It is available online.

sense, Mr. Scrutchin began hewing out a reputation in the face of the most obstinate and discouraging circumstances. He managed to secure a public school education, then aspired for an academic and law graduation, which he acquired by dint of hard work, overlooking the shortcomings of other men as affects congeniality and felicitous and generous treatment, and by persevering to the last degree of patience, stolidity and a responsive spirit.

Mr. Scrutchin, like the village smith whom the immortal Longfellow idolized, "owes not any man." By virtue of his winning personality, his astuteness, his strict application to business, his ableness as a pleader and assimilator of Blackstone, he has gained an exalted position in the legal realm, and today he is recognized as one of the most forensic and facile practitioners before courts ranging from Municipal to Supreme Court, possessing as he does in abundance, all the qualifications therefor.

Personally, Mr. Scrutchin is a veritable "good fellow" all the way through. As above asseverated, he owes not any man, inasmuch as the niche he occupies in the legal sphere has been achieved through his own individual efforts, business acumen and endowed brilliance as an orator, reasoner and recontaur, and as a man who impels the wholesome admiration of all who meet him.

Mr. Scrutchin is especially famed throughout the Great Northwestern country. He has been retained in the majority of the most sensational criminal cases which have ever come before the Minnesota courts of late years That he has proved successful in his management of the various cases with which he has been entrusted is evident by the universal approbation which his methods have invoked. Superlatives would fall far short of intelligent elucidation relative to the conception of law and its majesty as possessed by Mr. Scrutchin, thus The Pioneer desists from delving into them. Mr. Scrutchin's success and standing are gauged by his career as a successful practitioner, as one who has accomplished results, not omitting his generosity and willingness to serve as a humanitarian and a law-protecting and law-abiding citizen.

He is esteemed for his morality and the clean, manly life he observes for his enthusiasm as a citizen as a man of inordinate intellect as a liberal man in every sense of the word, and as one whom everyone is glad to greet and exchange the tidings of the day. The Pioneer could continue for an

indefinite time to laud Mr. Scrutchin. Columns could be devoted to his merits and deservingness as a citizen, professional man and scholar. But why, forsooth, should we essay to do so? Mr. Scrutchin is universally known. That is sufficient so far as popularity goes, and all satisfying to those who read as they run. ■

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