

# **“ BENCH AND BAR OF DOUGLAS COUNTY ”**

**BY**

**CONSTANT LARSON**

---

## **FOREWORD**

**BY**

**DOUGLAS A. HEDIN**

**EDITOR, MLHP**

**The following chapter on the bench and bar of Douglas County has biographical sketches of lawyers and judges who practiced and served in the county from 1867 to 1916. It appeared in the first volume of a two volume *History of Douglas and Grant Counties, Minnesota*, the editor-in-chief of which was Constant Larson, a practicing lawyer. Almost certainly he wrote the chapter on the bench and bar, though he is not named as the author. The following entry appears on Larson in this chapter:**

**Constant Larson is a native of Douglas county and after graduating from the law school of the State University began the practice of his profession at Alexandria in 1894. Mr. Larson was county attorney from 1903 to 1913, and is the present city attorney.**

**This modest profile is about the same length as those of other lawyers. In the second volume, however, there is a longer sketch of Larson, complete with a photograph.<sup>1</sup> County histories at this time were published through subscriptions—that is, individuals and families helped underwrite the costs of writing and pub-**

---

<sup>1</sup> “Constant Larson” in Constant Larson, ed., *2 History of Douglas and Grant Counties, Minnesota* 160-162 (B. F. Bowen & Co., 1916).

lishing and in return longer profiles of them appeared, usually in a second volume. The subjects either wrote their own profiles or assisted in the writing if done by others;<sup>2</sup> and so it can be assumed that the author of the following entry on Constant Larson was Larson himself:

### **CONSTANT LARSON.**

**Constant Larson, attorney-at-law, of Alexandria, city attorney and chairman of the charter committee of that city and for years actively identified with all movements having to do with the advancement of the best interests of Douglas county and this part of the state in general, is a native son of Douglas county and has lived there all his life. He was born on a homestead farm in Alexandria township on February 7, 1870, son of Gustav P. and Carolina (Larson) Larson, natives of the kingdom of Sweden, who came to Minnesota at an early day in the settlement of this region and here spent the remainder of their lives, honored and influential pioneer citizens of Douglas county.**

**Gustav P. Larson was reared on a farm in his native land and there became a skilled cabinet-maker. He married Carolina Larson, a daughter of Johan and Christina Larson, and in 1868, with his wife and the latter's father and mother, came to the United States, the family proceeding directly to Minnesota and settling in Douglas county, both Gustav P. Larson and Johan Larson entering claims to homestead tracts in Alexandria township and there establishing their homes. Gustav P. Larson's homestead entry was in section 14 and he was just beginning to see his way**

---

<sup>2</sup> For a discussion of the popularity of local histories published via subscription, see Scott E. Casper, *Constructing American Lives: Biography and Culture in Nineteenth-Century America* 290-303 (Univ. of North Carolina Press., 1999). These types of histories were sometimes nicknamed "mug books" because subjects paid to have their engraved portraits published in them.

clear to the successful development of the same when his earnest pioneer labors were stopped by death in 1874, his widow thus being left with four small children to continue the maintenance of the home. Of these children the subject of this sketch was the third in order of birth, the others being as follow: Charles H., who is now living on the old homestead farm in Alexandria township; Amanda, who married George Lee and is now living on a farm in the immediate vicinity of Hampshire, Wyoming, and Augustus T., a lawyer, who is practicing his profession at Minneapolis. Mrs. Carolina Larson later married Charles Anderson and to that union two sons were born, A. Emil Anderson, a farmer, of Douglas county, and Adolph J. Anderson, a farmer, living in the vicinity of Wadena, this state.

Constant Larson was reared on the home farm in Alexandria township, a valuable assistant, in the days of his youth, in the development and improvement of the same, and received his elementary schooling in the primitive district school of that neighborhood, the first school he attended having been in a little log school house in district No. 22. He later entered the high school at Alexandria and was graduated from that school with the class of 1889, later entering the University of Minnesota, from which institution he was graduated in 1893, with the degree of Bachelor of Arts. Thus equipped by preliminary study, Mr. Larson entered the law department of the University and was graduated from the same in 1894, in which year he was admitted to the bar and opened an office for the practice of his profession at Alexandria, where he ever since has been thus engaged. For ten years Mr. Larson served as county attorney for Douglas county and he is now city attorney for the city of Alexandria. At the time of the creation of the city of Alexandria he was secretary of the charter committee and is now chairman of that committee. Mr. Larson is a Republican

**and for years has given his earnest attention to the civic affairs of his home city and county and of the state in general, his efforts in that connection ever having been directed in behalf of the cause of good local government. He is a member of the Minnesota State Bar Association and of the Commercial Law League of America and takes a warm interest in the affairs of both of these organizations.**

**On July 15, 1895, at Minneapolis, Constant Larson was united in marriage to Maud E. Merrifield, who was born in that city, daughter of James S. and Maria (Merrifield) Merrifield, natives of the state of Maine, who moved to Minneapolis many years ago, Mr. Merrifield there engaging in the lumber business, and to this union one child has been born, a daughter, Lorayne, who is now a student at the Emerson College of Oratory and Dramatic Art at Boston. Massachusetts. Mr. and Mrs. Larson are members of the Congregational church at Alexandria and take an active interest in the various beneficences of the same, as well as in the general social activities of the community. For years Mr. Larson has been deeply interested in all matters relating to the early settlement of this section of Minnesota and for that reason he was made editor of the historical section of this work.**

**In 1916, when *The Histories of Douglas and Grant Counties, Minnesota* was published, Larson was 46 years old. It says a great deal about his devotion to his community that in his mid 40s—the most productive period of a lawyer’s life—he would take time from his law practice to write and edit a two volume set of local history. There is not the slightest exaggeration in the following sentence in his autobiographical profile, quoted above: “Mr. Larson is a Republican and for years has given his earnest attention to the civic affairs of his home city and county and of the state in general, his efforts in that connection ever having been directed in behalf of the cause of good local government.”**



(1915)

**As stated, while he was involved in numerous civic affairs, he was also politically active. In 1917, he became involved in the most unsavory affair of his long public life—though he certainly would not have concurred with that assessment. On April 2, 1917, the United States declared war. Larson and George Treat, who had once been his partner, led the local American First Association, which aimed to stamp out sedition and disloyalty. They believed that critics of the war effort and the Nonpartisan League in particular fomented disloyalty. In July 1917, the *Park Region Echo*, a Douglas County newspaper that was skeptical of the war, came within Larson’s cross hairs when it criticized a speech he gave. Larson swung into action, as related by the biographers of Knute Nelson:**

In late July, the *Echo* criticized a pro-war speech made by Larson, who then asked Nelson to intercede with the Post Office to have the *Echo's* second-class mailing privilege revoked under the Espionage Act. "If the government will not act, we will have to take steps ourselves here to put a stop to this treasonable sheet." Nelson then wrote to the postmaster general. Earlier, he had written to [Judge John] McGee to request [Minnesota Commission of Public Safety] action against the *Echo*. Neither move succeeded. The MCPS lacked authority to suppress newspapers, and, after [Carl] Wold [publisher of the *Echo*] presented his side, the Post Office refused to act.<sup>3</sup>

Events unfolded swiftly. On Labor Day, a large rally of the Nonpartisan League was held in Alexandria. The *Echo's* favorable coverage of the rally triggered an act of retribution that is infamous even for an era noted for its extreme nativism, xenophobia, intolerance and ethnic bigotry. Knute Nelson's biographers spotted the hands of Constant Larson and George Treat in what happened next:

The day after that *Echo* report on the NPL rally, the *Echo* office was broken into, "the linotype ruined," and the press damaged. Attorneys Larson and Treat may have been shrewd enough to avoid direct participation in this vandalism. Yet it was almost certainly committed by the local organization that they had formed "to handle the situation in this county." It was the latest in a series of "threats of loss of business, withdrawal of advertising, bluffs," and buy-out attempts. Its purpose was to prevent Wold from mailing the newspaper out on time, which would result in loss of the mailing privilege.<sup>4</sup>

---

<sup>3</sup> Millard L. Gieske & Steven J. Keillor, *Norwegian Yankee: Knute Nelson and the Failure of American Politics, 1860-1923* 310 (Norwegian-American Historical Association, 1994)(citing sources).

<sup>4</sup> Gieske & Keillor, note 4, at 311.

**Wold soon closed the paper and was prosecuted for sedition. He was convicted but died of cancer while his appeal was pending before the state supreme court.**

**Constant Larson lived almost thirty more years. His death on January 25, 1944, made the front page of Alexandria's local newspaper, *The Citizen-News*, on January 27, 1944:**

## **Veteran Attorney Dies**

**. . . .**

### **Constant Larson Succumbs to Illness in Fergus Falls Hospital Tuesday evening**

**Constant Larson, veteran attorney, one of Douglas County's earliest pioneers, passed away Tuesday evening at a Fergus Falls hospital, where he had been in failing health for the past several months.**

**Mr. Larson's parents, Gustav and Caroline Larson, immigrated to the United States in 1866 and came to Douglas County the same year. Constant Larson was born in Geneva Township Feb., 1870, and attended grade schools in District 15 and from there attended the Alexandria High Schools from which he graduated in 1889. He received his B.A. academic degree from the University of Minnesota in 1892 and his law degree from the same institution in 1893 after which time he came back to Alexandria and was affiliated in the law business with his very good friend, Senator Knute Nelson. Mr. Larson practiced law in this city from 1894 until a short time ago when he had to retire because of ill health.**

**During his years in Alexandria Mr. Larson was active in civic affairs, having been charter member of many city organizations. He served for several years as a member of the school board and was a charter member of the**

**library board, the Commercial Club, served several years as county attorney and also as city attorney. He was a member of the International Bar Association, American Bar Association, District Bar association, National Historical society, American Academy of Political Science, National Economic League, National Arbitration Association, the “M” Club of Minnesota and also was an honorary member of the Kiwanis club.**

**Mr. Larson was very earnest and interested in promotion of publicity to the city. He was one of those responsible for the removal of the Rhunestone from its original place in Kensington to Alexandria where it is on display at the Chamber of Commerce.**

**One daughter, Miss Lorayne Larson of Minneapolis, and a foster daughter, Agnes Larson, of Washington, survive. Funeral services will be held this (Thursday) afternoon from the Anderson Funeral home at 2 p.m. with Rev. Edwin C. Johnson officiating.**

**The *Park Region Echo* carried a longer tribute, which began on the front page:<sup>5</sup>**

### **Constant Larson, an Outstanding Citizen, Dies While at Fergus Falls**

**There returned to his maker Tuesday morning one of the more colorful characters of Alexandria, a man who meant much to he community.**

**Constant Larson served as city attorney and chairman of the charter committee in the early days of organized Alexandria and before that was county attorney ten**

---

<sup>5</sup> **When carried over to the second page, it had another headline: “Constant Larson Called To Rest. Passing Takes One of More Brilliant Natives of County.”**

**years. For years he was actively identified with all movements having to do with the advancement of Douglas County and west central Minnesota.**

**He was a member of the school board, the library board, the golf club, and was the first municipal judge to grace the city records. He also was an ardent politician, giving his support to the Republican party.**

**The deceased was born on a homestead farm in Alexandria township February 8, 1870, to parents emigrated from Sweden. He attended grade school in a log cabin near his home, was graduated from Alexandria high school in the class of 1889; from the University of Minnesota law school in 1893. While at the university he was a member of the famous 1892 football team, and, of course, as a lettered man became a member of the "M" club.**

**Constant was admitted to the bar in 1894 and returned immediately to Alexandria where he became associated with Knute Nelson. He served, in all, 14 years as county attorney of Douglas county, and when the City of Alexandria was organized he served as secretary of the charter committee. He is acclaimed by the elders of the city as having been one of the more brilliant and influential citizens with which Alexandria has been blessed, and news of his death brought a general expression of regret.**

**Constant Larson was greatly interested in history, especially that of, a local nature, and his studies and knowledge were highly regarded. He organized the group that purchased the Kensington Runestone and made it available for public use and study. <sup>6</sup> He is**

---

<sup>6</sup>Larson wrote "The Kensington Runestone" (1939), which is a 7 typewritten page pamphlet with a 3 page chronology entitled "The Discoverers of America

**credited with, the founding and continuation of the local historical society, and was editor of the “History of Douglas and Grant Counties, Minnesota,” published in 1916.**

**Among those honors which came to this prominent man he was appointed to the National Economic League, the American Academy of Sociology and Political Science, the National Panel of American Arbitration and the Minnesota Historical Society. In the line of his work he was a member of the Minnesota, American and International Bar Associations.**

**\* \* \* \***

**This following chapter on the Douglas County “Bench and Bar” was published on pages 472 to 474 of the first volume of the joint history of Douglas and Grant Counties. It has been reformatted. The author’s spelling and punctuation are not changed.**

**The photograph on page 5 is from *Men of Minnesota* (1915).**

**The Appendix contains more articles about Constant Larson.**

---

**written and copyrighted by Dr. George Lechler, of Wane University, Detroit.” On page 7 of his pamphlet, Larson concluded:**

**In conclusion may I add that all published criticisms of the stone and its inscription, as far as I know, have been refuted by Mr. Holand [the author of “The Kensington Stone”], and he is ready to answer any that may be made in the future.**

**The stone is here! It speaks for itself. Let those who claim that it is a fraud name the man who chiseled the inscription and present as strong a case for him as Hjalmar R. Holand has done for the runologist of 1362.**

**Larson’s pamphlet is not cited in Theodore C. Blegen’s *The Kensington Rune Stone: New Light on an Old Riddle* (Minnesota Historical Society Press, 1968).**

**“ BENCH AND BAR OF DOUGLAS COUNTY ”**

IN

**HISTORY**

OF

**Douglas and Grant Counties  
Minnesota**

THEIR PEOPLE INDUSTRIES AND INSTITUTIONS

**CONSTANT LARSON**

Editor-in-Chief

---

**With Biographical Sketches of Representative Citizens and  
Genealogical Records of Many of the Old Families**

---

**VOLUME I**

---

**ILLUSTRATED**

---

1916

**B. F. BOWEN & COMPANY, Inc.  
Indianapolis, Indiana**

## **CHAPTER XIV.**

### **THE BENCH AND BAR.**

**The first attorneys to locate in Douglas county for the practice of their profession were John Randolph and John S. Mower, who came to Alexandria in 1867, when this city was only a straggling village. Reuben Reynolds also came that same year. Mr. Reynolds was county attorney from 1871 to 1873. Mr. Mower was the first county superintendent of schools, serving from 1869 to 1873, and was also editor of a newspaper. F. B. Van Hoesen, one of the very early settlers at Alexandria, was a lawyer and served as county attorney from 1869 to 1871, but spent most of his years here as a banker.**

**In 1871, Knute Nelson, a young lawyer from Wisconsin, who had been admitted to the bar in Dane county in 1869 and practiced there two years, came to Alexandria and formed a partnership with Reuben Reynolds for the practice of law. Mr. Nelson was county attorney from 1873 to 1875; was elected to the state Senate in 1875; was elected to Congress in 1883 and served there until 1892; was elected governor of Minnesota in 1892 and served two terms; in January, 1895, he was elected United States senator and has since represented this state in the Senate**

**Nelson Fulmer studied law in the office of Mr. Nelson and was admitted to the bar at Alexandria. Mr. Fulmer practiced law here for several years; was county attorney from 1875 to 1879, and later moved to St Cloud, where he was collector of the McCormick Harvester Company and finally had charge of collections for that company in a large part of the state**

**William F. Ball came to Alexandria from Canada in 1875 and opened an office for the practice of law. After residing here about ten years Mr. Ball moved to Fargo, North Dakota, where he died recently.**

**George H Reynolds, a son of Reuben Reynolds came to Alexandria in 1877. He was county attorney from 1879 to 1883. He afterward moved to St. Cloud and engaged in the practice of law there until his death in 1904.**

**Col. Horatio Jenkins, a native of Massachusetts, who had gone south after the Civil War came to Alexandria from Florida in 1880 and engaged [273] in the practice here until his death. He was county attorney from 1883 to 1889.**

**George L. Treat, a native of Wisconsin, and a graduate of Ann Arbor [Michigan] law school, began the practice of his profession at Alexandria in 1883, and has been here ever since, engaged in the law, loan and insurance business.**

**C. J. Gunderson was educated at Minnesota State University and the Ann Arbor law school and began practice in Alexandria in 1886, and has ever since been one of the resident attorneys. Mr. Gunderson was county attorney from 1889 to 1903, and served eight years in the state Senate.**

**Constant Larson is a native of Douglas county and after graduating from the law school of the State University began the practice of his profession at Alexandria in 1894. Mr. Larson was county attorney from 1903 to 1913, and is the present city attorney.**

**Hugh E. Leach came to Alexandria in 1906 and formed a partnership with C. J. Gunderson for the practice of law. Mr. Leach was elected county attorney in 1913 and is now serving in that office.**

**Ralph S. Thornton was educated at Drake University, Iowa, where he was graduated from the law department in 1913. He came to Alexandria in October, 1914, and has since been engaged here at his profession.**

**F. E. Ullman located in Alexandria in 1906 and after practicing law here for a short time moved to another field.**

**Nick Langhausen had a fine law office at Alexandria in 1912, but his library was burned in 1914 and he quit the practice.**

**A. A. Andrews practiced law for about six months at Alexandria in 1914.**

#### **OTHER ATTORNEYS OF DOUGLAS COUNTY.**

**O. A. Felt, who was a graduate of the University of Minnesota, located at Evansville in 1896. He engaged in the practice of law there until his death in 1908.**

**A. G. Osterberg practiced law at Brandon until his removal to Mille Lacs county, several years ago, where, he is now register of deeds for that county.**

**Frank H. Borchert located at Osakis in 1896 and opened a law office there. Mr. Borchert is also interested in the banking business and is the present postmaster of Osakis.**

**E. R. Ruggles was formerly engaged in the practice of law in Douglas county, but is now manager of a summer hotel, called "Idlewild," at Osakis. [274]**

#### **DOUGLAS COUNTY JUDICIARY.**

**Ever since its organization Douglas county has been a part of the seventh judicial district, which is comprised of the counties of Clay, Becker, Otter Tail, Wadena, Douglas, Todd, Morrison, Mille Lacs, Benton and Stearns.**

**The judges who have presided in this district are as follow: James M. McKelvey of St. Cloud, Stearns county, who assumed office on**

**August 1, 1866; L. M. Collins, of St. Cloud, April 19, 1883; L. L. Baxter, of Fergus Falls, Otter Tail county, March 18, 1885; D. B. Searle, of St. Cloud, November 14, 1887; Myron D. Taylor, of St. Cloud, December 1, 1906; Carroll A. Nye, of Moorhead, Clay county, January 1, 1911; William L. Parsons, of Fergus Falls, April 18, 1913, and John. A. Roeser, of St. Cloud, April I, 1913.**

**The three last named are the present judges of this district, having concurrent jurisdiction, and assignments are made by the senior member, Judge Nye.**

□ ■ □

## ***Appendix***

**From Albert N. Marquis, ed., *The Book of Minnesotans* 298 (1907):**

**LARSON, Constant**, lawyer; born in Douglas Co., Minn., 1870; son of Gustaf and Carolina Larson; graduate Alexandria (Minn.) High School, 1889; University of Minnesota, degree of A.B., 1893; Law Department, University of Minnesota, degree of LL.B., 1894. Has been engaged in practice of law since 1894. Republican. County attorney Douglas County since 1902; president Business Men's Association Douglas Co. Congregationalist. Married at Minneapolis, Minn., 1895, to Miss Maud Merrifield. Address: Alexandria, Minn.

**From *Little Sketches of Big Folks, Minnesota* (1907):**

LARSON Constant, Alexandria. Lawyer. Born Feb 8, 1870 in Alexandria Minn, son of Gustav and Carolina S Larson. Married July 15, 1895 to Maud E Merrifield. Educated in common schools Douglas county Minn. Graduated from Alexandria (Minn) High School 1889; U of M, A B 1893 and LL B 1894. Practiced law Alexandria Minn 1894 to date. Village atty Alexandria 1902 and 1904-1905. County atty Douglas county 1903 to date. Pres Business Mens' Assn of Douglas county 1904-1906 and member of School Board since 1903.

∞∞∞∞

Posted MLHP: May 30, 2019.