

Courts and Lawyers of Houston County, Minnesota

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Foreword

By

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Houston County was formed on February 23, 1854. The first county history was published in 1882, the second, *The History of Houston County, Minnesota* was published H. C. Cooper, Jr. & Co., of Winona, in 1919. It is one of the last of many histories of Minnesota counties edited by Franklyn Curtis-Wedge. It is scarce. A copy at the Minnesota Historical Society is “not available.” But it is accessible on the internet. The following chapter is Chapter XVI, pages 794-800, and is from an online copy of the book. The author of the chapter is not known.

Other excerpts are posted in the Appendix. They include lists of court personnel and profiles of six practicing lawyers: Dwight A. Buell, Olaus K. Dahle, Probate Judge Charles A. Dorival, Francis A. Duxbury, the “dean” of the local bar, his son, Lloyd Duxbury, and William E. Flynn, the county attorney. ◇

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COURTS AND LAWYERS

Alexander Ramsey, first territorial governor of Minnesota, arrived in St. Paul, May 27, 1849. June 1, of the same year, by proclamation, he declared the territory fully organized. June 11, he issued a second proclamation, dividing the territory into three temporary judicial districts.

The first Supreme Court of the territory, appointed by the president, consisted of Aaron Goodrich, chief justice, and David Cooper and Bradley M. Meeker, associate justices. Each of these Supreme Court judges was to sit as a district judge in one of the three judicial districts into which the territory had been divided.

Judge Cooper held the first court for the third district at Mendota, Aug. 27, 1849. Henry H. Sibley, afterward governor, was foreman of the grand jury. Judge Cooper, a gentleman of the old school, then but twenty eight years of age, delivered a most scholarly and finished charge, which for many years was quoted as an authority on the duties of jurors. He also delivered an address of a more personal nature to the lawyers assembled. No business was transacted by this court. It is said that of the members of the jury, only three could write their names, and that eleven could not even understand the English language. The court was held in a large stone warehouse belonging to the fur company.

Before further terms of the court were held, the first territorial legislature convened. On Oct. 27, 1849, the territory was divided into nine counties. Accordingly the judicial districts were arranged to conform to the new county divisions. Under the new arrangement the first district was made up of the counties of Washington, Wabasha and Itasca, these counties then embracing the eastern border of the territory. Judge Cooper was assigned to this district, and therefore continued as judge of the area now embracing Houston county.

Under this division, Judge Cooper held his second court at Stillwater, in February, 1850. At this court the first murder trial in the territory was held, a thirteen year old boy being sentenced to ninety days in the guardhouse at Ft. Snelling for shooting a companion, the charge being manslaughter.

March 5, 1853, Fillmore county was organized, including, generally speaking, practically the present counties of Winona, Olmsted, Fillmore and Houston. The newly created Fillmore county was assigned to Judge Cooper's district, but his term expired within a month of the time the county was created.

In the meantime, Aaron Goodrich had been succeeded as chief justice by Jerome Fuller, who served from November, 13, 1851, to December 16, 1852. Henry Z. Hayner, who served as chief justice from Dec. 16, 1852, to April 7, 1853, never presided at a term of the supreme court.

April 7, 1853, William H. Welch was appointed chief justice and Moses G. Sherburne and Andrew G. Chatfield, associate justice. Andrew G. Chatfield was assigned to the district south of the Minnesota and west of the Mississippi.

The judicial history of what is now Houston county has its beginning with May 28, 1853, when a list of grand and petit jurors for the June term of the District Court of Fillmore county (then including Houston county), was drawn at Winona in the presence of John Iams, sheriff, and George M. Gere, a justice of the peace. These twenty four names were ordered entered for the grand jury: H. B. Stoll, James Toms, Myron Thorns, Nathan Brown, Willard B. Bunnell, H. Carroll, Henry C. Gere, George M. Gere, William T. Luard, George H. Sanborn, Harvey Hubbard, Isaac Hamilton, O. S. Holbrook, William B. Gere, S. A. Houck, S. A. Putnam, H. B. Waterman, E. B. Drew, O. M. Lord, T. K. Allen, Egbert Chapman, A. A. Gilbert, Robert Taylor and A. P. Hall.

Forty nine names, one more than required, were entered for the

petit jury: Edwin B. Gere, John Evans, Erastus H. Murray, Edwin Hamilton, William H. Stevens, John C. Laird, Alex B. Smith, John Emerson, Erwin Johnson, John Burns, Frank Curtiss, George W. Clark, J. Scott Clark, Allen Gilmore, H. K. Thompson, Isaac W. Simonds, Jeremiah Tibbetts, Asa Pierce, Squire J. Bennett, H. J. Harrington, William F. Hewett, Henry Herrick, Warren Rowell, James Kincaid, Esquire Isaac Day, A. T. Pentler, James Campbell, Edward Thompson, Peter Gorr, O. H. Houck, J. S. Denman, Charles Bannon, S. E. Cotton, Henry Stradling, William H. Cordell, Hiram Hull, John W. Bentley, D. Q. Burley, J. Nicklin, J. Wright, J. D. Follett, R. Thorp, Louis Krutzly, Henry W. Driver, C. R. Coryell, Alex. McClintock and the Messrs. Fortune, Fletcher and Webster , first names not given.

Both venires were issued to Sheriff Iams, June 11, 1853, and were returnable June 27, 1853.

The first session of the district court of Fillmore county (then including Houston county), assembled at the old Winona House, on Front street, in Winona, June 27, 1853, but as the judge was not present, an adjournment was taken until the next day, when a large party of men and women from St. Paul, including Judge Chatfield, and Attorneys L. A. Babcock and H. L. Moss, arrived by boat. June 28, the first court in Fillmore county (then including Houston county), was organized at Winona, with Andrew G. Chatfield on the bench. Andrew Cole was appointed district attorney. W. B. Gere was clerk. Little business was transacted.

Feb. 7, 1854, Fillmore county, of which Houston county was still a part, together with Goodhue, Washington, and Chicago, was constituted the first judicial district, and assigned to Chief Justice William H. Welch. Feb. 23, 1854, Houston county was created with its present boundaries. It remained in the first district until the organization of the state.

William H. Welch was born in Connecticut about 1812. He was graduated from Yale College, and later from the Yale Law School.

In 1850, he settled in Minnesota, making his residence in St. Anthony. He was judge of probate in Ramsey county. He was chief justice of Minnesota from 1852 to 1858, and was thus judge of the district embracing Houston county until the state organization. Later he removed to Red Wing, where he died, Jan. 22, 1863. He held his first court in Houston county, Aug. 20, 1855, and his last, Sept. 18, 1857.

The first court in Houston county was held in Caledonia, Aug. 20, 1855. On the bench was William H. Welch, territorial chief justice, sitting as judge of the First Judicial District. The following grand jurors answered to the call: Thomas Conniff, Harvey Gillette, John Campbell, John Montgomery, Eliakim Laflin, Embreck Knudson, Edwin Stewart, Henry Burnett, Levi West, William F. Dunbar, Edwin Butterfield, James Merts, Burton Andrews, Ralph L. Young, Eli Baker and John J. Dunbar. This not being sufficient, there were called in addition, Samuel McPhail, Samuel Surface, Samuel Armstrong, Hugh Brown, Eugene Marshall and Henry Parmalee. Samuel McPhail was chosen foreman.

The petit jurors were: William James, Daniel Herring, Knud Knudson, Lawrence Lynch, Enoch C. Young, James Hiner, John S. Looney, John Trip, Anthony Huyck, Ole Amerson, Knud Johnson, Aaron S. Taylor, Gilbert Nelson, Thomas Dunbar, Peter Johnson, Jacob Webster; Charles W. Metcalf, David Lynn, John Brown, James J. Belden, S. R. Ball, Augustus Parmalee, M. B. Metcalf, William Oxford, Russell H. Thurber, William D. Gibbs, Charles Gsrnes, Nelson Olson, George Larson, and Hagan Narveson. Of these, Knud Knudson, Ole Amerson, Gilbert Nelson, George Larson, William James, John S. Looney, Knud Johnson, Nelson Oleson, Peter Johnson and Franklin Willard were excused. Bench warrants were issued in two cases of perjury for false statements made in entering lands, and in one case of selling liquor to Indians.

June 23, 1856, Michael Burke and Martin Rohan, both previously

Irish subjects of the United Kingdom, were admitted to citizenship.

The session opening Sept. 14, 1857, with Judge Welch on the bench, was one of considerable importance. There was quite a large docket, a number of attorneys were present, and many aliens were admitted to citizenship. The attorneys present were: Morton S. Wilkinson, of St. Paul, William Dennison, of La Crosse, and Edwin Flint, also of La Crosse. On Sept. 15, John H. Smith, John J. Moreland and Wyman Trask were admitted as lawyers on motion of Morton S. Wilkinson; and Sept. 17, Samuel McPhail and W. H. Lapham were admitted as lawyers on motion of Morton S. Wilkinson and Orville T. Gilman.

Citizenship was granted to the following: Sept. 14, 1857, Patrick Jennings and Robert McCormick of the United Kingdom; Theodore and Nicholas Fish of Holland, and Lewis Mohler of Hanover. Sept. 15, Philip Deemer, William Schwinden, and Mathias Schwinden of Prussia, and Michael Scanlon, Michael Ryan and Edward D. Kelly of the United Kingdom. Sept. 16, John Schwinden of Prussia, Peter Klels and John Waggoner of Holland, and Cornelius McLaughlin, Matthew McGinness, Michael Guinness and Patrick Guinness of the United Kingdom. Sept. 17, Ole Olson and Amund Asjbornsen of Norway and Sweden, and John Crotty, Jeremiah Cunningham, Simon Carroll, Daniel Sullivan, George Powlesland and William Powlesland of the United Kingdom. Sept. 18, James Kenney, Edward Caffrey and Daniel Hayes of the United Kingdom.

After the organization of the state, May 11, 1858, when Houston county was placed in the Third District, Thomas Wilson became judge of the district, taking office May 24, 1858, and serving until July 1, 1864. He held his first term of court in Houston county, Nov. 1, 1858, and his last May 17, 1864.

Thomas Wilson was born in Tyrone county, Ireland, May 16, 1827, and died at St. Paul, April 3, 1910. He came to the United States

when twelve years old, and was graduated at Alleghany College in 1852. He was admitted to the bar at Meadville, Penn., in 1855. In the same year he came to Minnesota, settling in Winona. He was a member of the Constitutional Convention in 1857, and, as previously mentioned, was judge of the Third Judicial District from 1858 to 1864. He was associate justice of the Minnesota Supreme Court in 1864, and its chief justice from 1865 to 1869. In 1881, he was a representative in the legislature, a state senator from 1883 to 1885, and a representative in congress from 1887 to 1889. He removed to St. Paul in 1892, and until his death was general council of the C., St. P., M. & Omaha Railway Company.

He was succeeded as judge of the Third District by Lloyd Barber, who took office Sept. 12, 1864. Judge Barber held his first term of court in Houston county, Nov. 8, 1864, and his last Oct. 17, 1871.

Lloyd Barber was born at Bath, Steuben county, N. Y., Jan. 11, 1826. In 1846, he came west to Illinois, but soon returned to New York. In 1852, he visited St. Paul, Minn., but again returned to the East, where for six years he taught school and studied law. In 1857, he was admitted to the bar and practiced in Bath, N. Y. Coming west again in 1858, he located in Rochester, Minn. In 1862, he was appointed county attorney of Olmstead county, and on Sept. 12, 1864, he was appointed judge of the Third Judicial District, being elected to the same position in the fall. The district then consisted of Wabasha, Winona, Houston, Fillmore and Olmstead counties. Judge Barber retired from the bench Dec. 31, 1871. In 1874, he opened a law office in Winona, where he practiced for nearly 35 years. His death occurred May 8, 1915.

The next judge of the Third District was Chauncey N. Waterman, who took office Jan. 1, 1872, and served until Feb. 18, 1873. Chauncey N. Waterman was born in Rome, N. Y., in 1823. He was graduated at Hamilton College, N. Y., in 1847. After taking a law course at Harvard University, he practiced with C. H. Berry at Corning, N. Y., and with him came to Winona, Minn., in 1855. The partnership continued until 1872, when. Mr. Waterman was

elected judge of the Third Judicial District. Thirteen months later he died of pneumonia. Judge Waterman held his first term in Houston county, May 7, 1872, and his last Dec. 27, 1872.

On Jan. 1, 1873, Houston county was placed in the Tenth Judicial District. Sherman Page, who had been elected judge of the district at the fall election of 1872, held his first term in Caledonia, May 6, 1873.

Sherman Page, who was judge of the Tenth Judicial District from 1873 to 1880, was a native of Vermont. After coming west he lived for awhile in Lancaster, Wisconsin, but came to Mower county, Minnesota, from Decorah, Iowa, and took up his residence in Austin. He was a man of imposing presence, a shrewd, forcible and pleasant speaker, and a sarcastic and vigorous writer. He was also possessed of a remarkably well trained mind, but unfortunately was of an arrogant and self sufficient disposition, which could not fail to arouse antagonism, and create bitterness and turmoil. His career in Mower county from 1867 to 1881 is still referred to as "The Page Era," and was a period in which the county was divided into two hostile camps, that of his friends and that of his enemies, the latter forming the larger faction. His character as a private citizen was reflected in his conduct on the bench His enemies complained that he decided cases to suit his prejudice rather than on the principles of law and justice. In the fall of 1878, the lower house of the legislature prepared articles of impeachment against him, and he was put upon his trial in May, 1878, before the senate sitting as a court of impeachment. The charges consisted largely of "wrongful, malicious and oppressive conduct while judge." The prosecution lacked the requisite number of votes to convict him, and he was acquitted. After his impeachment he was again a candidate for election, but was defeated by Hon. John Q. Farmer. But the fight was not ended. Sometime thereafter he was shot at while reading in his home. Again the courts were occupied with Page matters. But the alleged assailant was acquitted and the Page influence waned. In 1882, Judge Page removed to California.

After Judge Page's impeachment, J. S. Pillsbury, on March 14, 1878, appointed temporarily to the bench of the Tenth District, Hascal R. Brill, of St. Paul, a judge of the Second District. Judge Brill was born in the Province of Quebec, Canada, Aug. 10, 1846, and came to Minnesota in 1859. He studied at Hamline University and at the University of Michigan. He settled at St. Paul and was admitted to the bar in 1869. In 1875, he was appointed judge of the court of Common Pleas. He was a judge of the Second District from 1876 to 1901. He held his first term in Houston county, May 7, 1878.

Judge Page, after his acquittal, resumed his seat on the bench and held court in Houston county, Oct. 15, 1878. He held his last term in October, 1879. His successors on the bench of the Tenth District were: John Q. Farmer, Jan. 10, 1880, to January, 1893; John Whytock, January, 1893, to Nov. 26, 1898; Nathan Kingsley, Nov. 26, 1898, to June 2, 1916; and Samuel D. Catherwood, June 12, 1916, to the present time.

John Quincy Farmer, who held his first term in Houston county, May 4, 1880, was born in Burke, Vt., Aug. 5, 1823. He was admitted to the bar in Ohio in 1851. In 1864, he came to Minnesota, settling in Spring valley. In 1866-68, he was representative in the legislature, being speaker of the house during the last two years. He was state senator in 1871-72, and judge of the Tenth Judicial District from 1880 to 1893. He died on a railway train in August, 1904. Judge Farmer was an admirable man, loved and admired by everybody. It has been said that he was not a student. He was. He was a student of human nature; he possessed good common sense; he had a good grasp of the law; he was well equipped by experience, precept and example to perform the work imposed upon him, and his decisions were generally sustained by the appellate courts.

John Whytock was born in New York in 1835. He studied law in his native state and was admitted to the bar in 1860. In the same year he moved to La Crosse, Wis. In 1861, he enlisted in the army,

and served three years and eight months, until the surrender of Lee, when he resigned with the rank of major. He thereafter moved to Little Rock, Ark., where he resided for ten years, during which time he held successively the offices of state attorney, United States attorney, and circuit judge. In 1876, he settled at Albert Lea, Minn., where he engaged in the practice of law. He held the office of county attorney of Freeborn county for two terms. In 1892, he was elected judge of the Tenth District. In November, 1898, while holding court at Preston, Fillmore county, he was taken ill and a few weeks later died at his home in Albert Lea. Judge Whytock was in every sense a fair minded judge, and well equipped for the position in a legal and intellectual sense, but owing to his imperfect hearing he always seemed to work at a disadvantage.

Nathan Kingsley was born at Sharon, Conn., Sept. 10, 1850. In 1858, his father moved west, settling on a farm in La Salle county, Illinois. In March, 1869, Mr. Kingsley came to Minnesota and worked on a farm until the following year, when he learned the miller's trade. He was admitted to the bar at Preston, Fillmore county, in November, 1876, and in February, 1877, began the practice of law at Rushford, that county. In December, 1878, he moved to Chatfield, Fillmore county, and opened an office there. At the November election, in 1880, he was elected county attorney of Fillmore county, and held the office four years. In April, 1887, he moved to Austin, in the same county. He was appointed judge of the Tenth District by Governor Clough to fill the vacancy caused by the death of Whytock, and assumed the duties of the office, Nov. 26, 1898. In 1900, he was elected district judge, and served until his resignation in 1916. He died soon afterward. Judge Kingsley was possessed of a keen and discriminating mind, a judicial temperament, and that degree of impartiality essential to the position and the making of an ideal judge. He served to the entire satisfaction of the bar and the people of the district, and was commended for his dilligence and prompt disposition of all cases and matters presented to him or coming before him for judicial action.

Samuel D. Catherwood was born in Freeborn county, Minn., Nov. 12, 1859. He was admitted to the bar in 1888, and immediately began the practice of law at Austin. He was county attorney of Mower county for three terms. He is an active member of the State and American Bar associations. On June 12, 1916, Judge Catherwood was appointed to succeed Judge Nathan Kingsley, who had resigned. He was elected judge of the Tenth District at the November election of 1916.

The attorneys practicing before the district court of Houston county from the organization of the court up to the close of the Civil War, were: Morton S. Wilkinson, Hokah; William Dennison, La Crosse; John J. Moreland, Brownsville; Edwin Flint, La Crosse; Wyman flask, Caledonia; John H. Smith, Brownsville; Orville T. Gilman, La Crescent; W. H. Lapham, La Crescent; Samuel McPhail, Caledonia; W. H. Tucker, La Crosse; Samuel Cole, Chatfield; John O. McNulty, Brownsville; M. G. Thompson, Brownsville; S. S. Burton, La Crosse; E. Fox Cook, La Crosse; John J. Cole, La Crosse; Daniel S. Norton, Winona; George W. Padelford, Hokah; Frederick L. Seely, Brownsville; Hugh Cameron, La Crosse; Albert W. Bishop, La Crosse; Joseph W. Losey, La Crosse; G. W. Hill, Caledonia; A. S. Lindsey, Caledonia; Capt. E. H. Kennedy, Houston; George F. Potter, La Crescent; David L. Buell, Caledonia; Thomas H. Conniff, Caledonia; B. F. Montgomery, La Crosse; James S. Lyndes, La Crosse; W. S. Burroughs, La Crosse.

From the close of the Civil War until Centennial Year, the new names which appear among the lawyers practicing before the Houston county district court are those of: William H. Stogdill, La Crosse; M. Wheeler Sargeant, Winona; Gilbert I. Wetenhall, Brownsville; Richard A. Murray, Hokah and Rushford; Capt. W. H. Harries, Hokah and Caledonia; J. E. Atwater, Rushford; C. D. Ramsdell, Houston; George R. Willett, Decorah; William H. Yale, Winona; James O'Brien, Caledonia; George Gale, Jr., Galesville; William Mitchell, Winona; Angus Cameron, La Crosse; Richard Lester, Caledonia; P. J. Smalley, Caledonia; M. P. Wing, La Crosse;

John R. Jones, Chatfield; Richard A. Jones, Rochester; Angus Cameron, La Crosse; William Gale, Winona; Thomas Wilson, Winona; T. J. Widvey, La Crosse; Guilbrand J. Lomen, Caledonia; E. N. Donaldson, Oliver Wheaton, Caledonia; C. S. Trask, Caledonia,

In the succeeding years, the lawyers living in the county have been fewer in number, and have for the most part been located in Caledonia. Lawyers from neighboring counties have continued to practice here. Among the local lawyers of the past thirty years may be mentioned: W. R. Duxbury, Caledonia; W. G. Drowley, Caledonia; George E. Dyer, Caledonia; Aaron Brayton, La Crosse; Bert Van Luven, Caledonia; Capt. S. B. McIntire, Houston.

The present bar of Houston county consists of F. A. Duxbury, L. L. Duxbury, O. K. Dahle, W. A. Deters, William E. Flynn, Charles A. Dorival and C. S. Trask, of Caledonia; J. C. Raymond, of La Crescent; and Dwight A. Buell, of Caledonia. ◇

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APPENDIX

The following excerpts from the History of Houston County are lists of county attorneys, probate judges and clerks of the district court, and profiles of six lawyers, who subscribed for the publication of the book:

County Attorney --- In the early days there was much shifting about in the office of county attorney, and at times the county board employed lawyers to act in that capacity, regardless of who had been elected. Jan. 3, 1855, O. W. Streeter was appointed to the office. In 1856, Hugh Brown nominally filled the position. Upon his death, July 7, 1856, W. B. Beebe was appointed. Following him, in 1857, Thomas H. Conniff served. March 13, 1859, the county board voted to employ Wyman Trask, but on July 21, 1859,

recognized Mr. Conniff as still officially holding the position. March 31, 1861, he resigned and John Montgomery was appointed in his place. Orville T. Gilman was appointed a few months later. Up to this time, however, the services of the county attorney were confined for the most part to giving advice to county officials, and the criminal prosecutions in the district court appear to have been in the hands of Morton S. Wilkinson of St. Paul and Samuel Cole of Chatfield. Mr. Gilman removed in 1860, and James R. Lawrence, after serving for a time in his place, was regularly appointed to the office Sept. 16, 1861. Next came Thomas H. Conniff, D. L. Buell; Wyman Trask, R. A. Murray and J. H. Smith. In 1871, W. H. Harries took office, followed in 1873 by John H. Smith. Mr. Smith resigned to go to the legislature and James O'Brien was appointed. Mr. Harris took office again in 1879, and Mr. O'Brien came in again in 1881. Since then the county attorneys have been as follows: 1883, C. S. Trask; 1885, Dwight A. Buell; 1887, James O'Brien; 1889, E. H. Smalley; 1891, C. S. Trask; 1901, O. K. Dahle; 1913, W. A. Deters; 1915, O. K. Dahle; 1919, W. E. Flynn.

Judge of Probate -- The first judge of probate, elected in the spring of 1854, was Dr. G. James Sheldon. His successors have been: 1855, E. A. Goodell; 1858, Edward Bogan; 1860, John H. Smith; 1862, Edward Bogan; 1864, John H. Smith; 1868, Edmund Null; 1870, W. H. Birdsell; 1872, J. W. Cook; 1880, A. J. Flynn; 1889, Thomas Ryan; 1899, Lars Budahl (died Aug. 13, 1909); 1909, Charles A. Dorival. Judge Dorival is still serving.

Clerk of the District Court -- James A. McCan sat as clerk of the first court held in Houston county, Oct. 20, 1855. He also sat at the term of June 23, 1856. James J. Belden sat the first time Oct. 20, 1856, and the last time Oct. 21, 1865. During a part of his term, John J. Dunbar, the deputy, acted as clerk. John Dorsh sat the first time May 15, 1866, and the last time Oct. 19, 1869. Joseph Vossen sat for the first time May 3, 1870. G. J. Lomen sat for the first time at the May term in 1878. He resigned his office, and E. K. Roverud, who was appointed, sat for the first time at the May term of 1886. That fall Moses Emery was elected and took office

in January, 1887. Frank Bartholomew served from 1895 to 1899, D. P. Stewart from 1899 to 1911, and Charles L. Metcalf from 1911 to the present time.



Dwight A. Buell was born at Caledonia, Minnesota, March 16, 1859, a son of David L. and Hattie M. (Bushnell) Buell. His father was born in New London County, Connecticut, in 1831, and died in 1906; and his mother, in Middletown, Connecticut, in 1830, and died in 1904. The Buells and Bushnells are of English origin. Two children now survive their parents, the daughter being Miss Hattie L. Buell, now at La Crosse, Wis. She is a graduate of the Chicago Art Institute. Dwight A. Buell spent his boyhood in Caledonia, attended school there and at the University of Minnesota. He studied law at Ann Arbor and was admitted to the bar at Caledonia in October, 1882. He was elected county attorney in 1884, and held the office one term. Since 1888 he assisted his father in the farm machinery and other business at Houston, Minnesota, and has found but little time to devote to the practice of law, and at present is looking after his farming and other interests.

Olaus K. Dahle, a member of the bar of Houston County, and a man of sterling reputation in public and private life, was born in Wilmington Township, this county, Jan. 9, 1865, son of Knud Anderson and Margit (Roble) Dahle. His early education was obtained in the district and Lutheran parochial schools, and was supplemented by school attendance in Caledonia and a course in the Winona Normal School. He resided on his parents' farm until he was 19 years old, and then became clerk in a store in Caledonia, being thus occupied for three years. In the year, 1888, though he had never attended a political caucus, and had voted but once, but was brought before the public as a candidate on the Republican ticket for the office of register of deeds, being nominated by acclamation, and he was also endorsed by the Democrats and his name printed on the Democratic ticket. His election followed as a matter of course, and he served in that office for four years.

Ambitious of further success in life, he decided to study law, and accordingly entered the State University, being graduated from the law department in 1894. On his admission to the bar he was taken into partnership by Judge James O'Brien, the firm having offices in Caledonia. A year later, however, Mr. Dahle moved to Spring Grove and engaged in the newspaper business, becoming editor and proprietor of the Spring Grove Herald, the destinies of which paper he guided for four years and a half.

In the meanwhile his ability and party services were recognized by his appointment in 1897, as second assistant to the chief clerk of the House of Representatives, and in 1899 he was made first assistant. In the year 1900 he was nominated on the Republican ticket for the office of county attorney and was elected without soliciting a vote. He continued in the office through successive re-elections, for a period of sixteen years, retiring in January, 1919. His public career, beginning at the early age of 23 years, has been a highly creditable one. In addition to the various activities above mentioned, Mr. Dahle is president of the Onsgaard State Bank of Spring Grove, and has served as a member of the local school board and president of the Commercial Club. He is a Scottish Rite Mason, belonging also to the Woodmen and Workmen lodges, while his religious affiliations are with the Norwegian Lutheran Church.

Mr. Dahle married Oline Onsgaard, daughter of N. O. Onsgaard, who was the founder of Onsgaard State Bank at Spring Grove. He and his wife are the parents of seven children, Kenneth, Norris, Mervin, Obert, Oscar, Margit and Norman, all living except Mervin, born March 25, 1902 and died Jan. 21, 1919, while a student at the State Agricultural College. Mr. and Mrs. Dahle have purchased a beautiful homestead in Wilmington which they retired in March, 1919.

Charles A. Dorival, judge of probate of Houston Township for the past ten years, is one of the leading citizens of the county, and comes of a family that has taken a prominent part in its affairs. He is a man of broad sympathies and understanding, with a wide experience in human nature both as a barrister and jurist, and his activities along various lines have had their share in

shaping the county's destinies. He was born in Caledonia, Feb. 18, 1880, the son of N. E. and Ellen (Eaton) Dorival. He was reared in Caledonia, and after passing through the common schools, was graduated from the Caledonia High School in 1898. Then he studied law with Capt. W. H. Harries, and was admitted to the bar in 1903. In this profession he met with marked success. In 1909, Gov. John A. Johnson appointed him judge of probate, and to that office he has since been successively elected. In this capacity he has proved his merit and won the regard of his fellow citizens, as proof of which, in the old days of partisan politics in county affairs, he was elected as a Democrat, although the county is strongly, Republican. For several years he served as secretary and treasurer of the County Democratic Central Committee. One of his most notable achievements is his work during the Great War. In August, 1917, he was appointed secretary of the local exemption board, and served faithfully and efficiently in this capacity throughout the conflict. His standing in his profession is shown by his membership in the American and Minnesota State Bar Associations. He is also a prominent Mason, being past master and present secretary of Caledonia Lodge No. 20, A. F. & A. M., and high priest of the Caledonia Chapter, Royal Arch Masons. His other fraternal relations are with the Odd Fellows and the Modern Woodmen.

Francis A. Duxbury, the dean of the Houston County Bar, was born in Fillmore county, Minnesota, April 11, 1862, son of Richard and Miranda M. (Barnes) Duxbury. His father was a farmer and he worked at home on the farm until he was man grown. His schooling was limited to the common schools. As a young man he taught in the common and village schools of Fillmore county for a period of ten years and gained the reputation of a good teacher. While thus engaged he devoted his spare time to the study of law and general reading and in 1895 passed the examination of the State Board of Law Examiners and was admitted to the Bar. He has been in active practice of the law at Caledonia for twenty-four years and has made continued progress and notable success. He is the senior member of the

firm of Duxbury & Duxbury, lawyers, in association with his son, Lloyd L. Duxbury.

Mr. Duxbury was for many years a member of the Caledonia High School Board and during the recent war with Germany was Chairman of the Liberty Loan Committee for Houston county. In 1915 he was a delegate to the National Republican Convention from the First Congressional District. He represented his district in the State Senate for two terms beginning in 1910. As a Free Mason he is Past Master of Caledonia Lodge No. 20, Past High Priest" of Hokah Chapter No. 16, and is affiliated with the Scottish Rite and the Mystic Shrine. He is a member of the Modern Woodman of America and the Ancient Order of United Workmen, and for several years has served as a member of the Law Committee of the Grand Lodge of Minnesota A. O. U. W. He is president of the Caledonia State Bank.

On October 18, 1884, Mr. Duxbury was united in marriage to Susan A. Addison, whose father, John Howcraft Addison, was one of the pioneer farmers of Fillmore county, having settled there in 1855. Mr. and Mrs. Duxbury have two sons, Lloyd L., born April 19, 1886, and the Leland S., born November 14, 1888. Lloyd L. is a graduate of the University of Minnesota and of Harvard Law School, and is now in active practice with his father. Leland S. is also a graduate of the Minnesota university and the Harvard Law School and is now Chief Examiner for the State Securities Commission at St. Paul.

Lloyd L. Duxbury, lawyer, residing in Caledonia, was born in Fillmore county, Minn., April 19, 1886, son of Francis Adelbert and Susan A. (Addison) Duxbury. He is unusually well equipped for his profession having graduated from the Caledonia high school, and from the academic department of the University of Minnesota in the class of 1908. In 1911 he was graduated from the law school of Harvard university, and in April of the following year was admitted to practice. Since that time he has been associated with his father as a member of the law firm of Duxbury & Duxbury, with offices in Caledonia. He has been very successful in his professional work and has a high standing in the county and state as a lawyer. He is a thirty-second degree

Mason, belonging to Caledonia Lodge No. 20 A. F. &A. M., also to Camp No. 2936 M. W. A., of the same village. He is a member of the Acacia Fraternity of Harvard university and was President of the Chapter while attending the law school. Mr. Duxbury was married September 11, 1915 to Valerie S. Coon, of Brookline, Mass. They have one son, Myles Addison, born June 14, 1916.

William Edward Flynn, county attorney of Houston county, who is engaged in the practice of law in the village of Caledonia; was born in this village March 6, 1889, son of Arthur J. and Mary (Murphy) Flynn. His elementary education was obtained in the graded and high schools, and he was graduated from the law department of the Minnesota State university in the class of 1911. Locating in Minneapolis, he became connected with the law firm of F. H. Ayers, working for one year as an assistant, after which he was taken into partnership. Mr. Ayers dying in March, 1913, Mr. Flynn subsequently practiced alone in Minneapolis until October, 1916, when he came to Caledonia and opened an office here, where he has since successfully practiced his profession. He was elected to his present position as county attorney in the fall of 1918, and for some time he has served as village attorney. He is the present Grand Knight of the Caledonia Lodge of the Knights of Columbus, and is a member of Minneapolis Lodge, No. 44, B. P. O. E. His civic affiliation is with the Caledonia Commercial Club. The family faith is that of the Roman Catholic church. ♦

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