

# THE HENNEPIN LAWYER

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## BOOK REVIEW

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### *A LAKE SUPERIOR LAWYER*

#### A BIOGRAPHY OF CHESTER ADGATE CONGDON

The law, an old saying goes, is the best profession to go from. From it, a lawyer can go into journalism, teaching, politics business, and much else. While Chester Congdon never entirely left the practice of law, he was at one time or another teacher, land developer, rancher, mining executive, and politician.

Born before the Civil War, dead on the eve of the First World War, his life spanned the Industrial Revolution and centered on a particular natural resource that made much of that great change possible—iron ore.

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*A Lake Superior Lawyer: A Biography of Chester Adgate Congdon* by Roy O. Hoover (Duluth: Superior Partners, 1997). This book review by Douglas A. Hedin appeared first on pages 14-15 of the March 2002 issue of *The Hennepin Lawyer*. Though reformatted, it is complete. It is posted on the MLHP with the permission of the Hennepin County Bar Association.

Congdon graduated from Syracuse University in 1875, “read for the bar” for two years, and was admitted to practice in New York. He then taught school, first in New York, later in Chippewa Falls, Wis. After touring several cities in the Midwest, Congdon decided to start a law practice in St. Paul. He arrived in 1879 with \$31. After a few years of “monotony” in a small firm, he became an assistant U. S. attorney in an office headed by William W. Billson. With this appointment, he gained the financial security necessary to wed his college sweetheart, Clara. He found government service grueling and left after two years to open his own shop. He soon had a thriving practice that required occasional travel around the state. Sometimes he went to Duluth, then almost a boomtown, where Billson had relocated. On one visit, Billson invited Congdon to join him in a partnership. Congdon agreed and he moved to Duluth with his family in early 1892.

A few weeks after Congdon’s arrival, a new client came to the office looking for Billson. Billson was out. Congdon was in. It was one of those fortuitous encounters that forever change a lawyer’s life, one that many readers may have experienced themselves. The client happened to be Henry W. Oliver, a steel producer who wanted to lease vast deposits of ore from the Merritt brothers, early explorers of the Mesabi Range. He and Congdon hit it off immediately. The rest, as they say, is—well, enough to fill this biography. Written by Roy O. Hoover professor emeritus of history at the University of Minnesota, Duluth, the book is a 1999 recipient of a Minnesota Book Award for biography from the Minnesota Humanities Commission

With Congdon’s assistance, Oliver sold his interests to Andrew Carnegie. All three warily eyed John D. Rockefeller who also was buying large tracts of the range. While serving his principal client, Congdon managed a real estate development in Grays Harbor on the Olympic Peninsula and apple orchards near Yakima Wash. Later he led a consortium of investors in a copper mine near Bisbee, Ariz.

Like many historians, Professor Hoover follows paper trails—telegrams and letters—and when they are missing, the story lags or disappears altogether. We do not come to know much about Congdon's interior life, although he evidently had wide ranging intellectual interests. He and his family had a huge library in Glensheen, their home on the great lake, and subscribed to around 25 magazines and newspapers, many on horticulture. We also do not learn much about his law practice, nor exactly how he earned his fortune, though clearly he benefited from his association with Oliver. From his correspondence, it is obvious that he had that certainty of judgment that comes with great material success.

Congdon developed a love for Duluth and its environs. These feelings were on public display when he was elected to the state Legislature in 1908 on a one issue platform—to defeat a proposed state tax on iron ore favored by southern Minnesotans who wanted to share in the wealth of the north. A poorly placed amendment to the state Constitution permitting the tax passed in 1906 but was being challenged before the state Supreme Court. Simultaneously, a second, nearly identical amendment was placed on the ballot for the 1908 election. Though heavily supported, it was defeated because it did not receive the requisite majority of all ballots cast in the election. Following both election returns, the Supreme Court, in an extraordinary ruling, upheld the 1906 amendment (*In Re McConaughy*, 119 N.W 408 (1909)). Curiously, the author does not mention that Billson was one of the lawyers representing the challengers to the constitutionality of the tax. In the tumultuous legislative session that followed, a tax bill passed over the vehement opposition of Congdon and his northeastern allies, but was unexpectedly vetoed by Gov. John Albert Johnson. In jubilation, 15,000 school children on the range sent the governor a bouquet of flowers.

In his later years Congdon become active in Republican national politics. He supported President William Howard Taft

against T.R.'s Bull Moose challenge in 1912, despised Woodrow Wilson, and campaigned for Charles Evans Hughes in 1916. One of the photos in the book is of Congdon standing on the back platform of Hughes' campaign train in Red Wing. Congdon died in his apartment in the St. Paul Hotel a few days after Wilson's reelection. He was 63 years old.

For those of us who have friends and relatives living in Duluth and wonder about the powerful magnetic attraction that city has for them, this biography tells us that this is not a new phenomenon. In fact Professor Hoover's title has Chester Adgate Congdon's loyalties exactly right: Lake Superior first, the law second. ■



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