

# COURTS AND LAWYERS OF MINNEAPOLIS (1908)

By

Horace B. Hudson

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# Foreword

By

**Douglas A. Hedin**

Editor, MLHP

Horace B. Hudson was a Minneapolis newspaper reporter and editorial writer from 1885 to 1900, when he founded Hudson Publishing Company. For the next two decades he published the annual *Dictionary of Minneapolis*, which contained information about the city, maps and advertisements.<sup>1</sup> He also turned to local history, a step noted in a sketch in *The Book of Minnesotans*, published in 1907:

**HUDSON, Horace Bushnell, publisher, and writer; born at Cincinnati, O., Aug. 20, 1861; son of Ceylon and Carrie (Bushnell) Hudson; educated in Cincinnati graded and high schools. Has devoted a large part of his life to newspaper writing; entered newspaper work,**

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<sup>1</sup> The Introduction to the 1918 edition states:

The traditional pudding: was proved in the eating; in other words as found appetizing, wholesome, and complete with all the ingredients which a good pudding should contain. Twenty years of publication has proved the Dictionary of Minneapolis; it has in all the essential facts about the city and its people, presented in a concise, readable and accessible form. Each year sees it better established and more generally regarded as a permanent and useful institution of the city.

The Dictionary of Minneapolis is:

The only comprehensive compendium of information about Minneapolis.

The only handbook for every day use by the people of the city.

The most complete and practical guide for the visitor.

An invaluable means of conveying information about the city to interested people living elsewhere.

In the latter capacity it has been the means of bringing many people to Minneapolis both as visitors and as permanent residents.

Each year the Dictionary is thoroughly revised.

1885, as reporter on Minneapolis Tribune and during 15 years filled almost all positions on editorial staff of Tribune and other Minneapolis papers; was with Minneapolis Journal, 1894-1900, entering business as writer and publisher on his own account in 1900, in which he still continues under title of The Hudson Publishing Co. Has been closely identified for many years with municipal affairs; in 1899 issued a brief history of Minnesota; now writing and preparing to publish a history of Minneapolis. Publisher of the Dictionary of Minneapolis, issued annually. Member National Geographic Society. Married, at College Hill, O., 1884, to Miss Anna V. Brown. Clubs: Commercial, Six O'Clock, Publicity. Office: Kastoia Bldg. Residence: 2120 Lake of the Isles Blvd., Minneapolis. <sup>2</sup>

The history of Minneapolis, which Hudson was "writing and preparing," appeared the next year as *A Half Century of Minneapolis*, subtitled, *A concise account of the principal events in the period of discovery, exploration, and settlement, and during the half century of territorial and state government*. It was published by subscription, which permitted each subscriber to have his biographical sketch or vanity portrait in the book; some were accompanied by their photographs for which presumably they paid more. Many subscribers were required to print a book the size of Hudson's semi-centennial — leather bound with 569 gilt-edged pages — which meant that the profiles dwarfed the historical text. Of the forty-six double-columned pages on "Courts and Lawyers" only the first seven covered historical matters, the remaining thirty-nine pages had portraits of sixty-six lawyers and judges, some deceased. Hudson justified this format in the *Preface*:

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<sup>2</sup> Albert N. Marquis, ed., *The Book of Minnesotans: A Biographical Dictionary of Leading Men of the State of Minnesota* 244-245 (1907).

In this method of treating the history of Minneapolis, much in the way of anecdote and reminiscence of the pioneers—which would find a place in a more extended work—has been, of necessity, omitted. Many side lights, however, are thrown upon the story of the city in the biographical sketches of men who have had a part in its building. These brief sketches will give an insight into the character of the people of Minneapolis which, possibly, could be obtained in no other way, and will give to outsiders an explanation of many things which may seem to them incredible.

A century later, however, “outsiders” who read one sketch after another will be bored; the facts of one lawyer’s life become confused with another’s or quickly forgotten. One way to avoid this tedium is to view at them as a group—similar to closely examining a painting in a museum as, for example, the ruffled white collar in a Frans Hals’ portrait and then stepping back to see that detail merged in the painting as a whole. And so, viewing these lawyers collectively, a few conclusions can be drawn:

First, contrary to Hudson’s assertions, the sketches do not “give an insight into the character of the people of Minneapolis.” These men were not representative of the Minneapolis bar or the city’s population in 1908. They were upper middle class professionals. Most were Republicans, Protestants and members of commercial clubs and exclusive social and fraternal organizations. One was African-American.

With the exception of Judges Seagrave Smith and Vanderburgh, dead a decade earlier, they were not pioneers. And, excepting William Roberts, John Day Smith, William Hale and Alexander Ankeny, who served in a non-combat role in the War Department, they were not Civil War veterans. Many are in their 40s, a few in their 30s. They are a generation removed from those lawyers and

judges who came to prominence in the post-bellum period. In 1908, any reference to “the war” was more likely to the recent one with Spain than that between the states. Only John C. Sweet served in the Spanish-American War.

By 1908, the apprentice system of legal education was vanishing. Thirty-three or one-half of those sketched were law school graduates. Most were born and received their legal educations in Eastern or Midwestern states before relocating to Minnesota. Ludwig Arctander and Henry Gjertsen came from Norway. At a time of massive immigration, not one came from Italy, Germany, Ireland or Slavic countries. The time when most Minnesota lawyers were born, raised, educated and practiced there was a decade or two in the future. Most are Protestant. William Morris and Edmund Prendergast are Catholics. No Jewish lawyers are profiled. It is not likely that Hudson had an exclusionary publishing policy; rather minority lawyers probably did not believe that a profile in his book was worth the expense because it would not attract clients – they were, after all, advertisements.<sup>3</sup> Years later, the Hennepin County Bar Association sponsored memorials for its deceased members, and the lives of many lawyers who chose not to publish sketches in local and regional histories such as Hudson’s were then recalled; but bar memorials lack the biographical detail and serve a different purpose than profiles of book subscribers.

Sixteen or one-quarter had served in the state legislature. This was a role lawyers were expected to play in their communities during the half century after statehood. The lawyer-politician was a ubiquitous character in the formative years of villages, towns and counties throughout the state, and these profiles reveal him fulfilling that role in Minneapolis as well. A century later, how-

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<sup>3</sup> Needless to say, the history of exclusionary hiring practices of Minnesota law firms in the twentieth century – because of religion, race, ethnicity and sex, among others – is yet to be written.

ever, lawyers were not expected to fill this role, though there were still many lawyer-legislators. The reasons for this change involve every aspect of a changing profession—from the rise of large firms and the development of specialties to the demands of clients and the time-consuming work of the legislature itself, among other considerations. It is a complex, fascinating story, yet to be told

In politics, most were Republicans, the dominant political party of the time. Not one supports prohibition, a burgeoning social movement, although many probably did privately. While the Populist and Peoples' parties did not exist in 1908, their direct decedent, Progressivism, was in full flower, but not one calls himself a Progressive. Fredrick Brown, George Bleeker and Charles Albert were Democrats; Seagrave Smith and William McNair, both deceased, were Northern Democrats who supported the union during the Civil War but did not serve in the military.<sup>4</sup>

Several boasted of having railroads as clients while six worked "in house" for various roads. This group includes, George Seevers, F. R. Root, Edmund A. Prendergast, John I. Dille, Alfred H. Bright and Winfield W. Bardwell.<sup>5</sup> Not one claimed to represent workers, unions, farmers or agrarian interests.

Howard Abbott, Arthur W. Selover and Charles J. Traxler wrote law books for practitioners or for use in law schools.<sup>6</sup> Rome G. Brown wrote dozens of pamphlets on political and legal issues of the era.

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<sup>4</sup> How their failure or refusal to serve affected their subsequent professional careers and whether it hindered their chances of being appointed or elected to the bench are questions for a future historian. It did not seem to have adversely affected William Mitchell's but it may have hurt Isaac Atwater's and Charles Flandrau's.

<sup>5</sup> At some future time, perhaps, the history of the law department of a major Minnesota enterprise – Cargill, 3M, the Mayo Clinic, etc. – will be posted on the MLHP.

<sup>6</sup> Another writer was William A. Kerr, who published *The Law of Insurance: Fire, Life, Accident, Guarantee* (1902), known among the bar as "Kerr on Insurance," after he left the Minneapolis Municipal Court. See "Judge William A. Kerr (1867-1919)" (MLHP, 2013).

Still, whether viewed as a group or individually, these sketches leave a nagging question: what use are they, why bother with them? There is necessarily a vague and speculative response to this question. The day may come when one or several of these profiles are used by imaginative and insightful scholars to produce important contributions to the legal history of the state, the writing of which is now barely in an embryonic stage. They may write about the rise of bar associations, significant litigation, biographies of prominent lawyers or they may study an episode or period of the state's legal history in surprising, unexpected and original ways. We cannot foresee what sources these future historians will turn to, but these vanity sketches may be one. Meanwhile, they will be mined by genealogists.

The following article appeared first as Chapter Twelve, on pages 134-180, of Hudson's *A Half Century of Minneapolis*. Photographs of thirty-eight subscribers, a few full page, most quarter page, have been omitted. It has been reformatted. The section heading "Biographical Sketches" has been added, otherwise the original text has not been changed. □

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## CHAPTER XII.

### COURTS AND LAWYERS

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IN THE earliest days of its history, Minneapolis seems to have done quite well without courts or lawyers. It appears to have been an unusually peaceful community for a frontier village, as there are no records of serious crime committed in the early pioneer days and there was an entire absence of spirit of litigation among the inhabitants. It is a matter of history that the first term of court convened within the present limits of the city found absolutely no cases to be tried.

Previous to the organization of Minnesota Territory in 1849, there were no courts available had there been litigants without number. The east side of the Mississippi river had passed successively through the jurisdiction of the French and English and of the territories of Indiana, Illinois, Michigan and Wisconsin. Under the latter government two terms of court had been held at Stillwater, but the potential Minneapolis had not participated.

On the western bank of the Mississippi there was judicial authority as early as 1835 or 1836, when Henry H. Sibley received from the governor of Iowa a commission as justice of the peace with jurisdiction extending from below Prairie du Chien to the British possessions on the north, Gen. Sibley's power was almost unlimited and his acts were never called in question by higher authorities, but, being a man of high character, there is no thought that he ever misused his power, although the exigencies of frontier conditions seemed to make it necessary that the representative of the law should not always confine himself to exact limits of authority. Among certain of the settlers it was firmly believed that

Justice Sibley had the power of life and death, which was perhaps just as well.

Minnesota became a territory of the United States on March 3, 1849. The organic act provided that the judicial power of the territory should be vested in a supreme court, district courts, probate courts and justices of the peace.<sup>7</sup> The first of these tribunals was constituted in the appointment by President Taylor of Aaron Goodrich of Tennessee as chief justice and David Cooper of Pennsylvania and B. B. Meeker of Kentucky as associate justices.

Governor Ramsey issued a proclamation dividing the territory into three judicial districts: the first lying between the Mississippi and St. Croix rivers, the second between the Mississippi and Minnesota rivers, and the third composed of the remainder of the territory, or that part south of the Minnesota river. Judge Goodrich was assigned to the first district. Judge Meeker to the second, and Judge Cooper to the third.<sup>8</sup>

Under these appointments and assignments the first term of court in the territory of Minnesota was held at Stillwater on the second Monday of August, 1849. At this time the first grand jury of Minnesota was impaneled, and ten indictments were found. But when the second district court was convened in the following week in the old government mill at the Falls of St. Anthony, it was discovered that absolutely no cases were to be tried, while the first grand jury in this district could find no work to do. Franklin Steele, the St. Anthony pioneer, was foreman of this first grand jury.

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<sup>7</sup> "Organic Act" (MLHP, 2009).

<sup>8</sup> "Gov. Ramsey's Proclamation Setting Judicial Districts" (MLHP, 2011).

## PIONEER LAWYERS.

The absence of legal business did not, however, deter lawyers from coming to Minneapolis.<sup>9</sup> The first lawyer to establish himself was Ellis G. Whitall, who opened an office on the east side in 1849; the second was John W. North who came early in 1850.

Mr. Whitall was a forceful man who took a very prominent part in the early history of the young city. The third attorney to come here was the late Judge Isaac Atwater. He arrived in October, 1850, and with Mr. North formed the first law partnership.<sup>10</sup> Judge Atwater was even then a versatile and progressive man. He had a hand in the foundation laying of the city and never lost interest in matters pertaining to the public welfare. Before he had been in the state a year he was appointed upon the board of regents of the University of Minnesota, and in 1857 was elected associate justice of the supreme court. Meanwhile he had edited newspapers, invested in real estate and taken an active part in local and territorial politics. Later he arrived in the city council and on the board of education.

Soon after Judge Atwater came D. A. Secombe, who was a leading member of the bar until his death in 1892. In 1852 William H. Welch arrived in St. Anthony. As an instance of the opportunities for rapid advancement in the pioneer days it may be cited that Judge Welch was chosen justice of the peace and while in that office was appointed to the supreme bench of the state.<sup>11</sup> During the early fifties such well-known names as William Lochren, J. W.

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<sup>9</sup> For an article on why lawyers were encouraged to move to Minnesota Territory, see Douglas A. Hedin, "Lawyers and 'Booster Literature' in the Early Territorial Period" (MLHP, 2008).

<sup>10</sup> For a brief account of their short-lived partnership, see *Id.* at 29-30. It is examined at greater length in a fine biography by Merlin Stonehouse, *John Wesley North and the Reform Frontier* 52-54, 59 (Univ. of Minn. Press, 1965).

<sup>11</sup> For the politics behind Welch's appointment to the Territorial Supreme Court, see Douglas A. Hedin, "'Rotation in Office' and the Territorial Supreme Court" 41-44, 53-54 (MLHP, 2010-2011).

Gilfillan, F. R. E. Cornell, C. K. Vanderburgh, E. S. Jones, W. D. Washburn, R. J. Baldwin, W. W. McNair, L. M. Stewart and Eugene M. Wilson were added to the roll of the local bar. From this time on the rapid growth of the city and the numerous accessions to the bar make enumeration in detail impossible.

It does not appear that after the first unproductive session of court in 1849, any judge attempted another for several years, but in the meantime the people of St. Anthony established, under the territorial law, a justice's court, electing to the office Lardner Bostwick, who had arrived at the halls in 1850. Judge Bostwick had no legal education, but he was of unquestioned honesty and practical common sense and had the confidence and love of his constituents. He meted out justice after his own fashion for many years, being re-elected from time to time. Many cases of considerable importance, and which were not properly in the jurisdiction of a justice's court, were brought before Judge Bostwick and tried and decided with no question from any one. Judge Bostwick's court was held for many years in a small frame building at the corner of Main street and Second avenue northeast. In 1856 Judge Bostwick was admitted to the bar and in after life he served the city and county in various public capacities.

In 1853 the territorial legislature passed an act directing that two terms of court be held each year in Hennepin county.<sup>12</sup> The first term held pursuant to this law convened on April 4, 1853. There was, of course, no courthouse, and the commissioners secured the use of a parlor and two bed rooms in the house of Anson Northrup, on First street, near Fourth avenue south. At this term the lawyers present were Isaac Atwater, D. A. Secombe, E. L. Hall, James H. Fridley and George W. Prescott. The county attorney was Warren

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<sup>12</sup> 1853 Laws, ch. 3, at 8-9 (effective March 5, 1853).

Bristol. The clerk of the court was Sweet W. Case, and the foreman of the grand jury impaneled was Dr. A. E. Ames. The subsequent terms of the courthouse at Eighth avenue south and Fourth street were held in a frame building on Bridge Square.

### THE FIRST COURTHOUSE.

The building of the first courthouse caused great commotion in the village, owing to the rival claims of the upper and lower town. The latter won and the court house was built at Eighth avenue south. The first term of the district court held in the new courthouse of 1857 was presided over by the late Judge Flandrau. Upon the organization of the state, next year, James Hall of Little Falls became the first judge of this, the fourth judicial district, which then included thirteen counties besides Hennepin.

With the admission of Minnesota to statehood in 1858, came many changes in the courts. The judicial office was made elective and the supreme judges ceased to serve on the district bench. During the first year of statehood eighty-nine lawyers were enrolled in the office of the clerk of the supreme court as members of the bar of the state. This number increased very rapidly. Provision was also made for the establishment of other courts at the pleasure of the legislature. This power led later to the establishment of courts of common pleas and municipal courts.

As the constitution provided for only one judge to a district, the growing needs of the fourth district were met by the gradual lopping off of outside counties. But in 1872 it became necessary to provide for larger business, and a court of common pleas was created, with Austin H. Young as judge.<sup>13</sup> After a few years this extra court was found cumbersome, and it was merged in the

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<sup>13</sup> For biographical sketches and obituary, see "Arthur H. Young (1830-1905)" (MLHP, 2008-2010).

district court. There were then two judges of the district court. Judge Charles E. Vanderburgh had been elected in 1859 and had retained the position ever since; holding it, in fact, until his elevation to the supreme bench in 1882. In 1881 the business of the district had so greatly increased that the legislature authorized an additional judge, and William Lochren was appointed to the position by Governor Pillsbury. These three judges occupied the bench for much longer terms than any others who have ever served the district.

The court house of 1857 was outgrown at a very early date. Numerous additions gave temporary relief but added to the unsightliness of the structure, and in 1887 formal steps were taken towards the erection of a suitable building. The legislature of this year intrusted a commission with the duty of purchasing a site and erecting a building to be used jointly by the city and county as a courthouse and city hall. The members of this commission were William D. Washburn, Charles M. Loring, John C. Oswald, John Swift, Oliver T. Erickson, W. S. Chowen, David A. Clough, Lars Swenson and Titus Mareck. To these were subsequently added George A. Brackett, E. F. Comstock and E. M. Johnson. Upon the resignation of Mr. Loring, John DeLaitre was appointed. After some negotiation, the block bounded by Fourth and Fifth streets and Third and Fourth avenues south was secured and the work of construction was commenced in 1889. The county side of the building was practically completed and widened for use in November, 1895. It is one of the finest courthouses in the country and cost over \$3,000,000.

#### FEDERAL COURTS.

Minnesota was constituted a judicial district of the United States immediately upon its admission, but terms of the United States courts were always held in St. Paul until 1890, when the district

was subdivided. Since then the court has been held during stated terms in the federal building in Minneapolis. The first Minneapolis lawyer to receive appointment to the U. S. district bench was Judge William Lochren, who had long served as judge of the state district court. He was appointed in 1896 and served until 1908, when he resigned, and Milton D. Purdy of Minneapolis was appointed his successor. Eugene A. Wilson and Eugene G. Hay have represented the Minneapolis bar in the list of U. S. district attorneys.

### JUDGES OF THE DISTRICT COURT.

The judges of the fourth judicial district since the organization of the state have been these: James Hall, May 24, 1858, to October 1, 1858; Edward O. Hamlin, October 1, 1858, to December 31, 1858; Chas. E. Vanderburgh, January 1, 1859, to January 1, 1882; A. H. Young, January, 1877, to January, 1891; John M. Shaw, January 13, 1882, to January 8, 1884; M. B. Koon, January 8, 1884, to May 1, 1886; John P. Rea, May 1, 1886, to March 5, 1889; William Lochren, November 19, 1881, to May, 1893; Henry G. Hicks, March 16, 1887, to January, 1895; Frederick Hooker, March 5, 1889, to September, 1893; Seagrave Smith, March 5, 1889, to May, 1898; C. M. Pond, November 18, 1890, to January, 1897; Thos. Canty, January 5, 1891, to January, 1894; Robert D. Russell, May 8, 1893, to October 20, 1897; Robert Jamison, September 19, 1893, to December 1, 1897; Charles B. Elliott, January, 1894, to October 4, 1905; Henry C. Belden, January, 1895, to May 5, 1897; David F. Simpson, January 5, 1897, to January, 1909; Edward M. Johnson, May 5, 1897, to January, 1899; John F. McGee, October 20, 1897, to November 19, 1902; Willard R. Cray, November 19, 1902, to January, 1905; William A. Lancaster, December 1, 1897, to January 2, 1899; Alexander M. Harrison, May 19, 1898, to January, 1905; Chas. M. Pond, January 2, 1899, to January, 1905; Frank C. Brooks, January 2, 1899, to January, 1911; Andrew Holt, January 2, 1905, to January, 1911; Horace D.

Dickinson, January 2, 1905, to January, 1911; John Day Smith, January 2, 1905, to January, 1911; Frederick V. Brown, October 4, 1905, to January, 1913.

During the territorial period Sweet W. Case was clerk of the district court. Under the state government the clerks have been as follows: H. A. Partridge, P. O. Hamlin, J. P. Plummer, George H. W. Chowen, D. W. Albaugh, L. Jerome, J. A. Wolverton, E. J. Davenport, C. P. Tirrell, George G. Tirrell, C. N. Dickey, A. E. Allen.

During the period from 1867 to 1872 the office of city justice was held by Judge Charles H. Woods, H. A. Partridge, D. Morgan, J. L. Himes, and Henry G. Hicks.

The names of the city attorneys for old St. Anthony, Minneapolis and the consolidated city after 1872 will be found in the chapter of city officials in the chapter on Public Affairs and Officials. Frank Healy, the present incumbent, was appointed in 1897 and is now serving his twelfth year of service — by far the longest term of any city attorney since the beginning of the city. Since 1888 the term of office has commenced on January 1 and has been for two years.

#### THE MUNICIPAL COURT.<sup>14</sup>

Soon after the consolidation of the two cities an act was passed, in 1874, establishing a municipal court in Minneapolis. This court was given much larger jurisdiction than the city justices. Grove B. Cooley was elected municipal court judge in 1874 and served until April, 1883. In 1877 the business of the court had so increased that a special judge was provided, and Reubin Reynolds was appointed and served until 1879. Francis B. Bailey was then appointed and held the office until April, 1883, when he was elected regular judge

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<sup>14</sup> The names and service dates of all judges of the Minneapolis Municipal Court are listed on the Minnesota Election Trends Project website: [electiontrendsproject.org](http://electiontrendsproject.org).

for the term expiring Jan. 1, 1889. At the same time Stephen Mahoney was elected special judge. George D. Emery was elected judge for the term commencing January 1, 1889, and Judge Mahoney was re-elected special judge at the same time. Upon the resignation of Judge Emery, in 1891, Charles B. Elliott was appointed to the office for the unexpired term, and was re-elected in 1892. He served until January 4, 1894, when he was appointed to the district bench and Andrew Holt was appointed as his successor. In 1896 William A. Kerr was elected special judge to succeed Judge Mahoney.<sup>15</sup> In 1901 H. D. Dickinson succeeded Judge Kerr and in 1905 both Judge Holt and Judge Dickinson were elevated to the district bench and Edward F. Waite and C. L. Smith were appointed to fill the vacancy. In the fall of 1906 Judge Waite was elected judge of the municipal court for the full term and Judge Smith was elected special judge at the same time and both are now serving on the bench.

The first judge of probate in Hennepin county was Joel B. Bassett, who was elected in 1852. It appears from the records that during his two years' service only one person died who was possessed of any property requiring the care of the court, and no estates were administered. Judge Bassett was succeeded by E. S. Jones, who held the office for four years. Lardner Bostwick was judge of probate in 1860 and 1861, and N. H. Hemiup from 1861 to the close of the year 1870. The succeeding judges were these: Franklin Beebe, 1870-1875; E. A. Gove, 1875; P. M. Babcock, 1876 and 1877; John P. Rea, 1877 to 1882; A. Ueland, 1882 to 1887; F. Von Schlegel, 1887 to 1890; Francis B. Bailey, 1890; J. R. Corrigan, 1891 and 1892; John H. Steele, 1893 — 1896; Frederick C. Harvey, 1897-1907; George R. Smith, 1907.

Since the organization of the state, Hennepin county has had eighteen county attorneys. The complete list follows: James R.

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<sup>15</sup> For a biographical sketch, see "Judge William A. Kerr (1867-1819)" (MLHP, 2013).

Lawrence, November 1, 1858; W. W. McNair, May 5, 1862; J. B. Gilfillan, May, 4, 1863; George R. Robinson, May, 1867; J. B. Gilfillan, May, 1869; David A. Secombe, May, 1871; J. B. Gilfillan, March, 1873; James W. Lawrence, January 1, 1875; W. E. Hale, 1879; John G. Woolley, 1883; Frank F. Davis, 1885; Robert Jamison, 1889; L. R. Thian, 1891; Frank M. Nye, 1893; James A. Peterson, 1897; Louis A. Reed, 1899; Fred H. Boardman, 1901; Al J. Smith, 1905.

### BAR ASSOCIATIONS.

In 1883 the Minneapolis Bar association was organized with the purpose of building up a substantial and permanent law library. Its first president was the late E. M. Wilson, and it had a membership of forty-six leading lawyers. It has since grown in strength, and its library — long housed in Temple Court — has now found a permanent home in the courthouse.

The Hennepin County Bar association was formed in 1896, in recognition of a demand for an organization which should include all reputable members of the profession in Hennepin county, and with the avowed objects of advancing the science of jurisprudence, promoting the administration of justice and upholding the honor of the law. The body has no regular meetings, but is called together from time to time as needs arise.

### LEGAL EDUCATION.

In 1888 the College of Law of the University of Minnesota was established and was opened on September 11, with an address by Dean W. S. Pattee, who had been called to the head of the school and who has since continuously devoted his time and abilities to its interests. At first the law department was quartered in the old main building, but an appropriation of \$25,000 was soon secured and the original law building was erected in time for the opening

of the fall session of 1889. This building has since been greatly enlarged to meet the growth of the student body. An enrollment of sixty-seven students during the first year was followed by a rapid increase until the college has become one of the leading law schools of the country.

In 1895 the course of study was lengthened from two to three years. There was some fear lest this change should prove too radical, as this was the first western school to propose such a forward movement; but other schools soon followed the example. In the same year of 1895 a graduate department was organized leading to the degree LL. M. This course of study included the subjects of general jurisprudence, political science, constitutional history and jurisprudence, and some others which vary from year to year as necessity requires. Those students only are admitted to this course who have received their degree of B. L. In 1898 a third course consisting of advanced work in comparative jurisprudence, Roman law, the philosophy of jurisprudence and political science was organized. No definite time was prescribed within which the work required for graduation should be performed, but students are permitted a reasonable time to prepare and present their final theses, the acceptance of which by the faculty entitles the candidate to the degree of D. C. L.

The faculty of the college of Law is as follows: Cyrus Northrop, president; William S. Pattee, dean; A. L. Hickman, James Paige, Henry J. Fletcher, Edwin A. Jaggard, Howard Abbott, Robert S. Kolliner, Hugh I. Willis, Hugh V. Mercer, Homer W. Stevens, Charles W. Bunn, Christopher D. O'Brien, and Jared How. The special lecturers are John Lind, Charles P. Elliott, A. B. Jackson, T. D. O'Brien. John W. Willis, William F. Lancaster, Rome G. Brown, Daniel Fish, Edmund S. Durment, John F. McGee.

## BIOGRAPHICAL SKETCHES.

**ABBOTT, Howard Strickland**, son of the Rev. Abiel H., and Mary Ellen Strickland Abbott, was born Sept. 15th, 1863 at Farmington, Minn., and spent his boyhood in Minnesota. His father became a member of the Minnesota Methodist Church Conference, which he joined in 1855, continuing to be an active clerical worker until his death in 1903. The son Howard came near being a victim of the Sioux Indian massacre in 1862, his father being then stationed at St. Peter. When fourteen years old he taught school, and after preparation at the Minneapolis Academy, he entered the state university, graduating in 1885 with the degree of B. L. He studied law in Minneapolis with James D. Springer, then general solicitor for the Minneapolis & St. Louis and the "Soo" railway companies, and was admitted to the bar, after oral examination by the Supreme Court, in April, 1887. After admission, he was appointed assistant general solicitor for the M. & St. L., and "Soo" railways and, in 1890, became assistant counsel for the Atchison, Topeka & Santa Fe R. R., at Chicago and then at St. Louis. From 1886 to 1890 he was secretary of the Wisconsin, Minnesota & Pacific Ry. Co., and in 1897 succeeded W. D. Cornish as special master in chancery of the Union Pacific Railway Company, then in the hands of receivers. He devoted himself for the next four years to the task of closing up the affairs of that corporation, which involved the solution of many difficult problems and the supervision of the proper disbursement of many millions of dollars paying claims and operating the road besides writing decisions as to disbursements and questions of policy which were in no case reversed on appeal. Mr. Abbott, upon the termination of this work, came to Minneapolis and was appointed Standing Master in Chancery, U. S. Circuit Court, District of Minnesota, and has lectured on public and private corporations and civil law in the law department of the state university. Mr. Abbott is the author of several valuable works on the law of corporations, the most recent being a three volume work

on municipal corporations, which has received the highest encomiums from judges and lawyers as a discussion of rare scholarship and analytical acuteness.<sup>16</sup> Mr. Abbott has also distinguished himself as a bond and security expert and an authority on railway questions. He is now a director of the Minneapolis Trust Co., and a member of the executive committee. The family, which is descended from George Abbott of Rowley, Mass., who came to this country in 1632, can boast of many members who have done notable work in literature, as the historian J. S. C. Abbott, Jacob Abbott, noted as an educator and writer, and Austin and Benjamin Vaughn Abbott as lawyers and the distinguished Dr. Lyman Abbott, who are near relatives of Howard S. Abbott.

Mr. Abbott is a member of the Minneapolis, the Minikahda and the Lafayette Clubs and a member of the Delta Kappa Epsilon college fraternity. He attends St. Marks Episcopal Church and is a member of the vestry of that parish and one of the trustees of the Diocese of Minnesota. He was married on June 28, 1898, to Mary Louise Johnson, of Racine, Wis. To them two children have been born, Emily Louise and Howard Johnson.

ALBERT, Charles Stanley, lawyer, is a Pennsylvanian, born at Williamsport, July 10, 1872, and the son of Mien D. and Sarah A.

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<sup>16</sup> Howard Strickland Abbott (1864-1944) was a prolific author of law books:

*A Treatise on the Law of Municipal Corporations* (1905-1906).

*A Summary of the Law of Public Corporations* (1908).

He also compiled and edited the following text books:

*Cases on Private Corporations* (1898).

*Cases on Public Corporations* (1898).

And he wrote a series of guides to course lectures:

*Analysis of a Course of Lectures on Roman Law* (1897).

*Analysis of a Course of Lectures on the Public Regulation of Commerce* (1897).

*Analysis of a Course of Lectures on the Law of Private Corporations* (1897).

*Analysis of a Course of Lectures on on the Law of Public Corporations* (1897).

Several of these books can be found in the Rare Book room of the Library of the University of Minnesota, and most are available online.

(Faber) Albert. Until he was sixteen he went to the common schools of Wilkesbarre — to which city his parents removed when he was four — and of Towanda, where he lived between ten and sixteen. His father then took a post as a government official at Washington, D. C, and his son Charles studied law in the office of Worthington & Heald and attended the law school of Columbian University, (now George Washington University). He graduated from Columbian with his LL. B. in 1892, and LL. M. in 1893, then came to Minneapolis and entered the office of Benton, Roberts & Brown, attending the University of Minnesota law school in the winters of '93-'94. He received his LL. B. from this in 1894. Between 1897 and 1900 Mr. Albert was in partnership with W. E. Dodge. After Mr. Dodge's appointment as general attorney for the Great Northern Railway, with headquarters at St. Paul, he formed a partnership with Rome G. Brown. Mr. Albert is a gold democrat. He belongs to the legal fraternity of Phi Delta Phi and to the American, State, Hennepin County and Minneapolis Bar associations, and is a member of the Minneapolis, Minikahda, and the Lafayette clubs. He is unmarried. As a member of the firm of Rome G. Brown and Charles S. Albert he is attorney for a large number of corporations in Minneapolis and in Minnesota.

ANKENY, Alexander Thompson, son of Isaac Ankeny and Eleanore Parker Ankeny, was born at Somerset, Pennsylvania, December 27, 1837. After receiving in his native town a common school education he attended the Disciples' College at Hiram, Ohio, and later an academy at Morgantown, West Virginia, and Jefferson College at Canonsburg, Pennsylvania. He then received an appointment at Washington in the office of the United States Attorney General, Hon. Jeremiah S. Black, at the same time reading law there. He was admitted to the bar at Somerset in April, 1861. During the war he held a position of more than ordinary trust in the War Department under Hon. Edwin M. Stanton. Mr. Ankeny came to Minneapolis in April, 1872, and for some years was

connected with the lumber firm of W. P. Ankeny & Bro. In 1878 he resumed law practice and has since continued therein. During his residence in the city he has been identified with its best progress and development. He has frequently been a candidate of the democrats, in 1890 coming within a few votes of election as one of the district judges. In 1896 he was the party candidate for mayor. From 1886 to 1895 he was a member of the board of education, and for the last four years of the term was its president, also being ex-officio a member of the library board. From 1899 to 1903 he was president of the state normal school board. Mr. Ankeny was one of the incorporators of the Masonic Temple Association in 1885, and for several years has been president of the board. He is identified with the Portland Avenue Church of Christ and is one of its three trustees. Mr. Ankeny was married at Wheeling, West Virginia, in 1861, to Miss Martha V. Moore. Four children now grown reside in this city, the eldest daughter, Mrs. Chester McKusick, having died at Duluth, Minnesota, in 1900. Mrs. Ankeny died here May 27, 1904.<sup>17</sup>

ARCTANDER, Ludvig, lawyer, was born at Skien, Norway, on January 3, 1863, the son of August H. and Caroline Aldsell Arctander. His father was a college professor at Skien. The Arctander family is one of the old families of Norway and one whose members have taken an active part in the intellectual and political life of the country for four hundred years. A cousin, Sophus Arctander, is a member of the present Norwegian cabinet and was one of the chief actors in the movement which resulted in the dissolution of the union between Norway and Sweden. As a boy Mr. Arctander attended the high school and college at Skien and received the degree of M. A. at the University of Christiania in 1881. In the same year he emigrated to the United States. He first went to Willmar, Minnesota and taught school in Kandiyohi and

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<sup>17</sup> For more biographical sketches and his obituary, see "Alexander T. Ankeny (1837-1917)" (MLHP, 2013).

Renville counties during 1882, '83 and '84; edited the Willmar Argus in 1885 and all this time devoted himself to the study of law. He was admitted to the bar in 1885 and in January, 1880, commenced practice in Minneapolis. His twenty years of practice have been closely devoted to his profession and he has given little time to outside pursuits. His only participation in politics has been as an independent voter and citizen — so much so that he has no party affiliations and has never taken any active part in political campaigns or filled public office. Mr. Arctander was married in 1903 to Mrs. Dolly Miller. They have no children.

AUSTIN, Charles D., lawyer, is the son of David Austin, a Maine farmer. He was born April 26, 1856, at Belgrade, Kennebec county, Maine. He was brought up on his father's farm to which he returned for his vacations while fitting for and attending college. During a portion of the lime he was attending college he spent his vacations in teaching school to defray expenses. He attended the Wesleyan College but did not complete the course there. In the year 1880, upon the advice of his brother, Horace Austin, Ex-Governor of Minnesota, then Register of the United States Land Office at Fargo, Dakota, he started for Fargo reaching therein the spring of that year. At that place he entered the government service in the Land Office where he remained for about one year while looking for a suitable place to locate permanently.

He located at Lisbon, Ransom County, Dakota Territory (now North Dakota) on July 5th, 1881, when the town was forty miles from the nearest railroad station. This section of the country was just being developed and he did a large land and loan business from the outset. Having been admitted to the bar in 1882 he engaged in the practice of law in addition to his other business.

He was a member of the territorial legislature during the session of 1884-5, the stormy session at which an attempt was made to remove

the capital from Bismarck. He held several other offices having been mayor of Lisbon, a member of the board of education, besides holding several minor offices. As a lawyer, Mr. Austin was engaged in important litigation. The Hewitt case, involving the right of the Northern Pacific Railroad Company to select indemnity lands as against an entryman, which was carried to the Supreme Court of the United States by him and where his contention was finally sustained, was a very important case and one of general interest.<sup>18</sup>

On June 1st, 1893, he moved to Minneapolis and formed a partnership with Judge Bailey, which continued until his death. After that he was in partnership with Judge Pierce for several years, but is now in business for himself. Mr. Austin is a Republican. He is a member of the Westminster Presbyterian Church of Minneapolis. By his marriage to Adelaide J. Van Vleck, January 25, 1888, he has one child — Van Vleck Austin.

BARDWELL, Winfield W., was born July 18, 1867, at Excelsior, Hennepin county, Minnesota, son of William E. and Araminta Hamblet Bardwell, his father being an engineer. After attending the common schools and academy at Excelsior, Winfield entered the office of Harlan P. Roberts in Minneapolis as stenographer and clerk, and then took a course of law at the State University, receiving from that institution the degree of LL. B., and the supplementary degree of LL. M., for the required graduate work. Since 1891 Mr. Bardwell has been engaged in the practice of his profession, first in partnership with James M. Burlingame, as Burlingame & Bardwell, and later with C. L. Weeks, as Bardwell & Weeks, and latterly he has practiced alone. Mr. Bardwell was a member of the legislature in the sessions of 1903-1905, and chairman of the Hennepin county delegation and of the committee on insurance in 1905. He introduced and put through bills for

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<sup>18</sup> *Fred Hewitt v. Emil Schultz*, 180 U. S. 139 (1901) (Harlan, J.).

general salary adjustment of Hennepin county officials and introduced a bill placing city clerk, assessor and engineers on the elective basis, but the measure did not pass the senate. Mr. Bardwell is a member of the Commercial Club, of the Masonic Order 1, and the Royal Arcanum, Secretary of the Hennepin County Bar Association, and member of the executive committee of the Minneapolis Bar Association. Mr. Bardwell is a member of the Park Avenue Congregational Church. He was married in 1892 to Edith May Champlin and three children have been born to them, Mildred I., Charles Champlin and Marion.

**BAXTER, JOHN T.**, general counsel for the Northwestern National Life Insurance Company, was born at Berlin, Wisconsin, on October 15, 1862, the son of Thomas Baxter and Susannah (Lewis) Baxter. He acquired a grammar and high school education at West Salem, Wisconsin, and then entered Ripon College at Ripon, Wisconsin, for a preparatory course. He studied there for three years, taking a prominent part in the oratorical work of his school; and at the same time held a position as express messenger with the American Express Company. In 1885 he matriculated at Williams College, and graduated with an A. B. degree in 1887, winning the Van Vechten prize, awarded to the best extempore speaker of the graduating class by the popular vote of the students and faculty. He moved to Minneapolis and the following year commenced to qualify himself for the legal profession by studying law in a Minneapolis law office and in 1889 was admitted to the bar. Mr. Baxter began his active legal practice in 1890 at Minneapolis, and in 1906 was appointed general counsel for the Northwestern National Life Insurance Company, a position he now holds. In 1891 Mr. Baxter was married to Miss Gertrude Hooker of Minneapolis, and they have three children, Beth, Helen and John, aged respectively fifteen, eleven and four years. Mr. Baxter is a member of the Commercial Club, the Six O'clock Club, the American Bar

Association and the Minneapolis Bar Association of which he was for fifteen years secretary.

**BLEECKER, George Morton**, was born at Whippany, New Jersey, on November 19, 1861, being descended from one of the earlier Knickerbocker families who settled on Manhattan island. He attended the public schools and Whippany Academy, and after coming to Minneapolis, in 1883, entered the University of Minnesota and continued special work during that and the following year. His legal education was acquired in the law department of the University of Michigan, which he entered in 1885. After graduating in June, 1887, Mr. Bleecker returned to Minneapolis and was admitted to the bar of Minnesota in December of that year, and has practiced in this city continuously since that date. With the exception of three years, from 1894 to 1897, when he was associated with Edward E. Witchie, Mr. Bleecker has practiced alone. His clients include a number of the larger corporations of the city and state and his practice extends into the state and federal courts. Mr. Bleecker has not taken an active part in political affairs, but has had a lively interest in good politics, and has twice been called upon to serve the public. He served as clerk of the Probate Court of Hennepin county during the years 1891 and 1892, and was also a representative in the State Legislature during the session of 1893, and would probably have received further honors had he not been a democrat living in a republican district. Mr. Bleecker is married (his wife was Mary Frances Martin) and the family attend the Episcopal church. He is a member of several of the social and fraternal organizations of the city, including the Masonic and Odd Fellows bodies and the Order of Elks.

**BRIGHT, Alfred H.**, general counsel for the Minneapolis, St. Paul and Sault Ste. Marie Railroad, was the son of Thomas Bright and Jane (Crittendon) Bright and was born at Adams Center, New York. Thomas Bright was of English birth, coming to New York when ten

years of age and removing, in 1850 to Wisconsin where his son attended the common schools and the state university from which he graduated in 1874 with the degree A. B. and L. B. Two years later he was admitted to the bar. He practiced law in Wyoming from '84 to '87. In '87 he went to Milwaukee, where he was solicitor of the Milwaukee and Northern Railway Co. until 1891. During his residence in Milwaukee he was a member of the law firm of Williams, Friend & Bright. In 1891 he came to Minneapolis to accept the position of general solicitor of the Minneapolis, St. Paul & Sault Ste. Marie railway or the "Soo Line" as it is more familiarly called. This office he filled until in February, 1908, he was appointed general counsel for the same line, the office which he now holds. Mr. Bright is a republican in political faith, and though not a politician, takes a lively interest in public affairs. In Wyoming he was for four years prosecuting attorney of Fremont county but he has not held office at any other time. Since coming to Minneapolis he has taken a special interest in educational matters and has been considered as a desirable candidate for the board of education. He is one of the board of directors of the Associated Charities and is a member of the Minneapolis Commercial Club. A Universalist, he is affiliated with the Church of the Redeemer. He married Emily Haskell September 15, 1887. They have four children, Elizabeth, George Noyes, Katherine, and Agnes.

BROWN, Frederick Vaness, was born on March 8, 1862, in Washtenaw county, Michigan. He lived on his father's farm until he was seven years old, when the family moved to Shakopee, Minnesota. After attending the public schools and studying for one year at Hamline University, he was employed for two years as storekeeper for the Chicago, St. Paul, Minneapolis & Omaha Railroad in St. Paul, after which he read law in the office of Hon. H. J. Peck in Shakopee and was admitted to the bar at Shakopee in June, 1885. He practiced his profession there for four years, after which he removed to Minneapolis where he engaged successfully in

general practice. On October 1, 1905, Mr. Brown was appointed by Gov. Johnson Judge of the District Court to fill the vacancy caused by the election of Judge Elliott to the supreme bench. In the following year, 1906, at the regular November election, he was reelected to the same office.<sup>19</sup> Mr. Brown is a democrat in politics; is a member of the Masonic Order and of the B. and P. Order of Elks, and a member of the Minneapolis and Commercial Clubs. On April 7, 1903, he was elected president of the State Bar Association.<sup>20</sup> He is a member of the First Unitarian Church. On November 10, 1886, he was married to Esther A. Bailey at Prescott, Wisconsin, and to them have been born two children, Jessica M. and Howard Selden.

BROWN, Rome G., former president of the Minnesota State Bar Association, and a well-known lawyer, was born at Montpelier, Vermont, June 15, 1862. He is the son of Andrew C. and Lucia A. (Green) Brown, and on his family tree appear some of the most noted names of colonial history — among them those of Chad Brown and of the Putnams and Stoddards. When Mr. Brown was born, his father was editor of the Vermont Watchman. Later he was in the insurance and telephone business but is now retired. The son was educated at the Montpelier common and high schools, and graduated with honors from Harvard University in 1884. Bringing his A. B. home with him to the law office of the Hon. Benjamin F. Fifield, after three years of study there, he was admitted to the Vermont bar, October 24, 1887. Two months later he came to Minneapolis and entered the office of Benton & Roberts, becoming a partner after three years of practice, under the firm name of Benton, Roberts & Brown. On Col. Benton's death, January 1,

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<sup>19</sup> The results of the election on November 6, 1906, were:

Frederick V. Brown.....	23,642
Alexander M. Harrison.....	17,253

1907 Blue Book, at 492. Harrison's profile is posted below, at 47-48.

<sup>20</sup> "Presidents of the Minnesota State Bar Association, 1901-1913" (MLHP, 2009).

1895, the partnership was dissolved and Mr. Brown practiced alone, building up from that time a large general practice. On May 29, 1895, he was admitted to practice in the United States Supreme Court. Since January 1, 1900, his firm has been Rome G. Brown and Charles S. Albert. A large part of his professional work has been given to questions of water power and of riparian rights on lakes and Streams. He is attorney for the Great Northern Railway, having charge of that company's legal business in five counties of Minnesota, including Minneapolis and Hennepin county. In all, Mr. Brown represents some dozen corporations, located chiefly within the state of Minnesota and dealing mostly with public utilities. He has written several monographs upon important public questions, among them "The Pollution of Lakes and Streams" and the "Question of Establishing a Three Years' Course for the Degree of Law at Harvard," the latter in connection with the work of The Associated Harvard Clubs. Both of these last have had a wide circulation, though among different circles, throughout the country.<sup>21</sup> He belongs to the leading social and business clubs of Minneapolis, is a member of the Loyal Legion, vice-president of the Minnesota Harvard Club, of the American Bar Association for Minnesota and president of the Vermont Association of Minnesota.<sup>22</sup> On May 26, 1906, he was elected president of The Associated Harvard Clubs, an organization representing all the leading Harvard clubs in the United States. Mr. Brown belongs to the First Unitarian Church. He was married on May 25th, 1888, to

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<sup>21</sup> These are two of forty publications of Rome G. Brown (1862-1926) that are available at the Minnesota Historical Society. Brown was a conservative lawyer who published many tracts and delivered many speeches on the issues of the progressive era, most notably judicial recall. For Brown's battle against judicial recall, see William G. Ross, *A Muted Fury: Populists, Progressives, and Labor Unions Confront the Courts, 1890-1937* 120-129 (Princeton Univ. Press, 1994). He warrants further study.

<sup>22</sup> Brown served as President of the Minnesota State Bar Association in 1906. See "Presidents of the Minnesota State Bar Association, 1901-1913" (MLHP, 2009).

Mary Lee Hollister, of Marshfield, Vermont, and has two children — a son and daughter.

CAIRNS, Charles Sumner, has practiced law in Minneapolis since 1883, when he came to the city from Decatur, Illinois. He is of remote Scotch-Irish descent on the paternal side. William Cairnes or Careins was a Scotch-Irish Presbyterian who came to this country in the year 1774, and settled in Maryland, at what is now the town of Jarrettsville, some distance north of Baltimore. From him Mr. Cairns is a direct descendant. Wm. Cairns, Jr., son of the head of the American branch of the family, was born and raised in Maryland. He fought in the war of 1812; was afterward married and made his home at Jarrettsville, remaining there until a few years after his son, Robert, was born. He moved to Ohio and became a farmer of Muskingum county; and his son Robert (father of Charles) followed the same occupation as well as engaging in mercantile pursuits for a time at New Concord. The ancestors of Mr. Cairns upon his mother's side were numbered among the Puritan colonists of rocky New England, Samuel Haynes having come to America in the ship Angel Gabriel which was wrecked on the Maine coast in 1635. He was a founder and selectman of Portsmouth, New Hampshire, and his descendants were prominent colonists, who were among the number that served under Washington during the War of the Revolution. Mary A. Haynes, mother of Charles S., was a remarkably talented woman, who accomplished considerable in literary and journalistic fields and published a book of poems for private circulation. Her younger brother, Judge John Haynes, was a distinguished jurist of California. Charles Sumner was born near Duncan's Falls, Muskingum county, on July 4, 1856. His education began in the district school, where he acquired his preparatory training, then entered the Muskingum College at New Concord, Ohio, and graduated with the class of 1876, taking an A. B. degree, and after post-graduate work was awarded the degree of M. A. It had, since

boyhood, been his ambition to study for a legal career, and with that end in view he entered the law offices of Roby, Outten & Vail at Decatur, Illinois, reading law with that firm about a year. He continued his legal studies in the law department of the University of Michigan, graduating and taking an LL. B. degree in 1882. Soon after leaving college he entered into a partnership with Judge William E. Nelson, but in the following year came to Minneapolis and determined to remain here and practice his profession. He formed another partnership, in this instance with David S. Frackelton. After a period of five years, this connection was severed and for the most part, Mr. Cairns has since practiced alone. Mr. Cairns is a republican in politics; an enthusiastic worker in the party affairs of the state; and in 1893 was elected to the state legislature, where he became prominent through the introduction of a bill for the direct nomination of political candidates by the people — the foundation of the primary election law adopted in 1899, which latter act he drafted for the most part. In 1896 he was an alternate delegate to the National Republican convention which met in St. Louis and nominated William McKinley for president. At the time of the twelfth United States census he was appointed supervisor for the fifth congressional district of Minnesota, filling the office most successfully. He was a member and a director of the Board of Trade and as a member of the Minneapolis Commercial Club he has always taken an active part in its public work. Mr. Cairns was married to Miss Frances V. Shellabarger, a daughter of an old Illinois family and graduate of the Wesleyan College, Cincinnati. They have two sons, Millard S. and Carl A. The family are members of the Westminster Presbyterian Church of which he is a ruling elder.

CARLETON, Frank H., was born at Newport, New Hampshire, October 8, 1849, the son of Henry G. Carleton, who was for many years a banker at that place. The family is of English descent and traces its line back to Sir Guy Carleton. As a boy Frank H. Carleton

attended the public schools of Newport, later preparing for college at Kimball Union Academy at Meridan, New Hampshire. He entered Dartmouth College in 1869 and completed the course with the class of 1872. Like many New England young men he largely worked his way through college. He taught at various places, at one time being principal of an academy in Mississippi. After leaving college Mr. Carleton was for awhile city editor of the Manchester (N. H.) Daily Union. He then came west, first finding employment in Minneapolis as a reporter on the Minneapolis News, and later as city editor of the St. Paul Daily Press. But he wished to study law and after a year with the Press he entered the office of the late Cushman K. Davis and C. D. O'Brien where he read law, at the same time serving as clerk of the municipal court. Five years later his health failed and he resigned his position and made a trip to Europe. When he returned he served a short time as private secretary to Gov. John S. Pillsbury — at the time when the famous railroad bond matter was reaching final settlement. With the expiration of Gov. Pillsbury's last term in office Mr. Carleton found a desired opportunity to enter active law practice and moved to Minneapolis, forming a law partnership with the late Capt. Judson N. Cross and Judge H. G. Hicks. This firm has continued to the present time with but one change in name — it became Cross, Hicks, Carleton & Cross when Norton M. Cross, son of Capt. Cross, was admitted to partnership. In the course of his professional career Mr. Carleton has been called upon to handle much special litigation and to act as administrator and trustee in many important cases. He has never engaged actively in politics but has been a lifelong republican and has served the public in office, first as assistant city attorney, from 1883 to 1887, and later as a member of the library board. During his service in the city attorney's office he had charge of much litigation arising from the passage of the famous patrol limits law and successfully combated all suits brought for the annulment of that ordinance. Mr. Carleton has been for many years one of the trustees of Park Avenue Congregational

church. He was married in 1881 to Ellen Jones, only daughter of the late Judge E. S. Jones. They have had seven children.

CHILDS, Clarence H., is a native of Iowa. He was born August 19, 1858, at Tipton, Cedar county, the son of Eugene Childs, a merchant, and Caroline S. Childs. His boyhood was spent at Fort Dodge, Iowa, where he attended the district and high schools, afterwards going to Michigan University from which he graduated with the degree of Ph. D. in June, 1882. Very soon after he came to Minneapolis and commenced the study of law with James D. Springer, general solicitor of the Minneapolis & St. Louis railway. Upon being admitted to the bar in 1884 he commenced general practice and has followed his profession continuously since that time and since that time has been examiner of titles under the Torrens law in Hennepin county. Mr. Childs' political affiliations are with the republican party. He is a member of the Minneapolis and Minikahda Clubs. On June 6, 1889, he was married to Miss Sarah M. Henshaw. They have one son, George H. Childs. The family attends St. Mark's Episcopal Church where Mr. Childs has been a Vestryman for some six or seven years.

CHILD, Sampson Reed, was born on September 22, 1860, at Paris, Oxford county, Maine. He was the son of Lewis Washburn Child and Emily Reed Child. His father was a farmer. Mr. Child's boyhood was spent at Rumford, Oxford county, Maine, where he attended the public schools after which he fitted for college at North Bridgton academy, Maine. Graduating from the academy in 1880 he entered Bowdoin college the same year and completed his course in 1884, with the degree of A. B. Mr. Child at once came west and commenced the study of law in Minneapolis with the Hon. Judge Seagrave Smith and the late Sampson A. Reed. He was admitted to the bar in 1886 and has since been in active practice of his profession in Minneapolis. Mr. Child has been constantly interested in the public affairs of the city and though never an

office holder or office seeker has been identified with various movements looking to the improvement of municipal and social conditions. He was appointed a member of the first Minneapolis charter commission and has since taken part in the campaigns looking to the adoption of an improved charter for the city. He has been for years a member of the Academy of Natural Sciences and from 1889 to 1894 was a member of Company I, First Regiment, M. N. G. In politics he is independent and progressive, especially in local matters. Mr. Child is a member of the First Unitarian church of which he has for many years been a trustee. He was married on July 5, 1884, to Miss Alice Webber of Rumford, Maine. They have four children, Sherman W., Emily, Marjorie and Lewis W.

CRANE, Jay W., was born in the village of Perry, New York. His father was the Rev. Stephen Crane, D. D., a Universalist minister for over forty years, now deceased. Mrs. C. Jane Crane, widow of Stephen, and mother of Jay W., now lives in Minneapolis at the home of her son. Mr. Crane passed the early years of his life in New York, where he attended the public schools and later entered the high school at Hillsdale, Michigan, from which he graduated. After completing his preparatory work Mr. Crane entered Lombard College at Galesburg, Illinois. He took up the study of law shortly after his graduation from the Galesburg institution, and was admitted in the bar at Columbus, Ohio, in 1890. For two years prior in 1890, Mr. Crane had been engaged in teaching in Illinois and in the public schools of Norwalk, Ohio, and until 1891 continued to hold his position as an instructor in that city. Since that time Mr. Crane has been continuously engaged in the work of his profession, and has carried on a general practice successfully. Though he has applied himself closely to his legal work, he has also been a strong political worker. He is a republican and is associated with several organizations interested in the advancement of the party; among them being the Fifth Ward Republican Club, of which he is president, and the Garfield Republican Club.

He was a member of the Hennepin county republican campaign committee for many years. The Minneapolis Commercial Club also includes him in its membership. Mr. Crane is a Universalist, and is a member of the First Universalist Society of Minneapolis (the Church of the Redeemer), of which he is clerk. He is not married.

CRAY, Willard Rush, for thirty years a member of the Minneapolis bar and formerly a judge of the district court, is a native of Vermont. He was born on May 5, 1853, at Highgate, Franklin county, and the son of Carlos Lawrence Cray and Sarah Spooner Cray. The family is traced back to Scotch and English ancestors, whose descendants settled in New England in early times. Carlos Cray was a farmer and his son grew up amid the surroundings of the New England farm life of that period, attended the traditional little red school house and interspersed his years of higher schooling with terms of teaching, clerking and such other occupations as would serve to defray the expenses of an education. He passed through the high school, Addison County Grammar School (Vermont), and graduated from Middlebury College, Vermont, in 1876. After leaving college he entered the law office of Noble, Davis, Smith & Stevens at St. Albans, Vermont, but during the following year, 1877, he came to Minneapolis and continued to read law in the office of Shaw & Levi. He was admitted to the bar in 1878 and has practiced continuously in Minneapolis except during the years 1902-1904 when he served upon the district bench for the Fourth Judicial District, Hennepin county, Minnesota. For many years he was a law partner of the late Judge J. M. Shaw, the firm of Shaw & Cray being one of the most prominent in the Northwest. Judge Cray has taken an active part in the affairs in the city and is a member of various organizations and clubs including the Minneapolis, Lafayette and Minikahda clubs and the Sons of Veterans and Citizens Staff of John A. Rawlins Post, G. A. R. He is a republican and though not conspicuous in politics is not one of those who neglects the primary and the voting booth. In 1896 he

was elected to the state legislature as representative from his district and served during the session of 1897. Judge Cray was one of the organizers of the Minneapolis Bar Association and its president in 1902, and is a member of the Minnesota State Bar Association and the American Bar Association. He has been for many years a prominent member of Plymouth Congregational Church. He was married on December 10, 1879, to Marguerite L. Douglas. They have two children, Jessie Kitchel and Florence Marguerite.

DEUTSCH, Henry, was born in Minneapolis, August 28, 1874, son of Jacob and Malchen A. (Valfer) Deutsch. He received his early educational training in the public schools of Minneapolis, was graduated from the Central high school in 1891; was graduated LL. B. from the law department of the University of Minnesota in 1894-'94; took Yale University's LL. M. (Magna cum Laude") in 1895, and was admitted to the bar October, 1895, when he was associated with Al J. Smith (now county attorney) as partner; in 1907 he became associated in active practice with Frank M. Nye and soon became his partner under the firm name of Nye & Deutsch. In 1908 Mr. Nye having been elected to congress, this partnership was dissolved and Mr. Deutsch with E. P. Allen and A. M. Breeding formed the law firm of Deutsch, Allen & Breeding.<sup>23</sup> Mr. Deutsch is a member of the board of directors of the Minneapolis Commercial Club, of which he was second Vice president in 1905. He is a member of the American Bar Association, of the Commercial Law League of

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<sup>23</sup> Frank Mellen Nye (1852-1935) was elected to represent the Fifth Congressional District in 1906, 1908 and 1910. The results of the election on November 1906, were:

Frank Nye (Republican).....	23,742
Frank D. Larrabee (Democrat).....	16,448
Frederick F. Lindsay (Progressive).....	1,157
Charles F. Dight. (Public Ownership).....	1,386

Bruce M. White, et al, *Minnesota Votes 92* (Minn. Hist. Soc. Press., 1977). Nye served on the Hennepin County District Court from 1920 to 1932, when he retired.

America (of which he is one of the vice presidents); of the Minnesota State Bar Association; and of the Hennepin County Bar Association. He is a member of the Six O'Clock Club and of the Garfield Club and is a prominent member of the Elks, the Maccabees and the Royal Arcanum. He is a Past Master Hennepin Lodge No. 4, A. F. & A. M., has K. C. C. H. Degree, Scottish Rite bodies Masonic; and is Wise Master St. Vincent De Paul Chapter, Rose Croix No. 2; member of Zuhrah Temple Mystic Shrine and past president Minnesota Auxiliary Fraternal Congress. Mr. Deutsch is a member of the Second Church of Christ, Scientist, of Minneapolis. He was for two years chairman of the Public Entertainment and Convention Committee of the Minneapolis Commercial Club and was a member of the executive committee of the G. A. R. Encampment, in 1906. He was married May 2, 1898, to Miss Grace A. Levi and three children have been born to them, Clarence S. Maria Hope, and Henry Noel.

DILLE, John Ichabod, was born at Andrews, Indiana, on November 18, 1857, the son of Ichabod and Rebecca Dille. His early years were spent on his father's farm and his schooling was that of the local educational institutions until he fitted for college and entered the University of Indiana. From this university he obtained his degree of LL. B. in 1877 and shortly afterwards entered upon the practice of his profession at Huntington, Indiana, and remained there until the spring of 1889. Mr. Dille's first entrance into railroad service was as attorney for the Chicago, Rock Island & Pacific Ry. for Oklahoma and Indian Territory in 1891 with offices at El Reno, Oklahoma. He continued to fill this position until 1898, when he became assistant attorney for the same road for Iowa, South Dakota and Minnesota, with headquarters at Des Moines, Iowa. On September 1, 1905, he resigned to accept the appointment of general attorney of the Minneapolis & St. Louis Railroad Company, the Iowa Central Railway Company and the Des Moines & Fort Dodge Railroad Company, with headquarters at Minneapolis. He

at once took up his residence in this city and entered actively upon his duties as attorney. Mr. Dille is associated with the Knights of Pythias, and is a Past Grand Chancellor of that order. In 1897-8 he was president of the Territorial Bar Association of Oklahoma. He has been prominent in educational work in the different states where he has resided. While attorney for the Rock Island at Des Moines he was also dean of the Highland Park College of Law in that city. In Oklahoma he was associated with the university of that state for several years as president of the Board of Regents, and after moving to Des Moines received the degree of LL. D. from that institution. Mr. Dille was married in 1876 to Miss Mary J. Mohn. They have five children.

DODGE, Fred B., senior member of the law firm of Dodge & Webber, was born at Moscow, Livingston county, New York, February 4, 1854. He received his education at Temple Hill Academy at Geneseo, New York, and Fairfield Seminary, Herkimer county, New York, and the University of Rochester. He was admitted to the bar of New York in 1879, and came to Minneapolis in 1881, where he has since been engaged in general legal practice.<sup>24</sup>

DWINNELL, William Stanley, was born at Lodi, Wisconsin, December 25, 1862, son of John Bliss and Maria C. Dwinnell. His father was a merchant and later a farmer, his family having settled at Topsfield, Massachusetts, in 1660. The original home is still in the possession of the family. His mother's family include in their direct line of descent, Jonathan Edwards and the Dwight family of Connecticut and New York. W. S. Dwinnell spent his early life in Wisconsin where he attended the public and high schools at Lodi, and then took two years of undergraduate course at the University of Wisconsin and graduated from the law department in 1886. For the next two years he was employed by the supreme court of

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<sup>24</sup> Over time, he specialized in bankruptcy and insolvency cases. For his bar memorial, see "Fred B. Dodge (1853-1935)" (MLHP, 2012).

Wisconsin preparing opinions for publication and at Madison he enjoyed the close friendship of Governor Jeremiah M. Rusk. He accompanied the Governor and his staff, on invitation, to the funeral of Gen. Grant in New York and was with Governor Rusk during the Milwaukee riots of 1886. After serving as district attorney of Jackson county, Wisconsin, in 1888-89, Mr. Dwinnell came to Minneapolis as attorney, under contract, for a large building and loan association, but resigned on account of radical differences as to policy, and engaged in the practice of law chiefly relating to corporations. Since 1900 he has, to avoid too close confinement to his office, given larger attention to outside matters and has operated in realty in Minneapolis and St. Paul and in timber lands in California and British Columbia. He is president of Fraser River Tannery in the latter province, and treasurer of the Urban Investment Company of St. Paul. Among the substantial public services of Mr. Dwinnell may be mentioned his agency in securing the consideration and passage of the Direct Primary Law by the Legislature of 1899 and the passage of the Anti-trust Law.<sup>25</sup> Mr. Dwinnell has been and is a strenuous champion of good government and does not spare himself in the work of securing the nomination of worthy candidates for municipal, state and federal offices. He was for several years a member of the public affairs committee of the Commercial Club and was vice-chairman of that committee for the year 1906. He holds membership in the Minneapolis, Minikahda, Commercial, Six-O'clock Clubs, the American and Minnesota Bar associations and the American Economic Association. Mr. Dwinnell is a member and vestryman of St. Mark's Episcopal Church. He was married on April 24, 1889, to Virginia Ingman, and they have three children — Stanley W., Katherine and James Bowen.

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<sup>25</sup> See generally, Clarence J. Hein, "The Adoption of Minnesota's Direct Primary Law," 35 *Minnesota History* 341 (December 1957).

McNAIR, William Woodbridge, one of the pioneers of Minneapolis, and for many years a distinguished member of the Hennepin county bar, was born at Groveland, Livingstone county, New York, on January 4, 1836. He was the oldest son of William W. McNair, whose family was of Scotch-Irish descent, while his mother, Sarah Pierrepont, was a descendant of Rev. James Pierrepont, one of the founders of Yale College, and of a family which traced its line back to the time of William the Conqueror. Mr. McNair's talented mind received from private tutors and the academies of Genesee and Canandaigua education and culture. When nineteen years old. He came west and entered the law office of Judge J. Dootlittle at Racine, Wisconsin, but after two years came to Minneapolis in 1857. He was admitted to the bar during the same year, and for twenty-seven years remained in active practice in this city. From 1861 to 1868, Mr. McNair was associated with the late Eugene M. Wilson under the firm name of Wilson & McNair, and after Mr. Wilson's election to Congress in 1868,<sup>26</sup> he formed a partnership with Judge William Lochren as Lochren & McNair. J. B. Gilfillan was later admitted to this firm, which for many years was the leading law firm of the city. After Judge Lochren's appointment to the district bench in 1881, the business was continued by McNair & Gilfillan until Mr. Gilfillan's election to Congress in 1884, when, on account of impaired health, Mr. McNair retired from practice.<sup>27</sup> During his long practice in Minneapolis, he

<sup>26</sup> The Republican party was divided in the election for the Second Congressional District in 1868. Christopher Andrews had the party nomination, but Ignatius Donnelly ran as a Republican without the party's endorsement. The split led to Wilson's victory. The results of the election on November 1868, were:

Christopher C. Andrews (Republican).....	8,595
Ignatius Donnelly (Republican).....	11,229
Eugene M. Wilson (Democrat).....	13,506

Bruce M. White, et al, *Minnesota Votes* 69 (Minn. Hist. Soc. Press., 1977).

<sup>27</sup> The results of the election on November 1884, were:

John B. Gilfillan (Republican).....	28,930
Orlando C. Merriman (Democrat).....	24,496
John M. Douglas (Prohibition).....	978

Id. at 77.

was connected with much important litigation and was considered one of the strongest lawyers at the bar. Although much engaged with his practice, he was deeply interested in public affairs, but though frequently importuned to accept office, on only a few occasions consented to public service. For four years prior to 1863, he was county attorney, and in 1868 was elected one of the school directors of St. Anthony. In 1869, he was elected mayor of St. Anthony and continued at the head of the city government until the consolidation of St. Anthony and Minneapolis in 1872. He affiliated with the democratic party and, against his wishes, received the nomination for Congress in 1876 and was complimented by a vote which largely reduced the usual republican majority in the district.<sup>28</sup> In 1883 he was tendered the nomination for governor, but positively declined. A business man of unusual ability, Mr. McNair's name was connected with many of the successful enterprises of his time, including the Minneapolis Gas Light Company and the Minneapolis Street Railway Company, in each of which he was one of the original incorporators. He was also an original stockholder and director in the Minneapolis & St. Louis Railroad, and was extensively interested in lumbering and contracting for timber supply for the northwestern railroads. Being strongly impressed with the future of the city, he invested very largely in real estate in and about Minneapolis. Mr. McNair possessed fine social qualities and the most genial and generous disposition. Mr. McNair was married on August 21, 1862, to Miss Louise Wilson, daughter of Edgar C. Wilson of Virginia, and sister of the late Eugene M. Wilson of Minneapolis. They had two daughters, Agnes O., now Mrs. Louis K. Hull and Louis P., now Mrs. Francis M. Henry. Mr. McNair died on September 15, 1885, leaving many devoted friends who mourn their great loss.

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<sup>28</sup> The results of the election on November 1876, were:

Jacob H. Stewart (Republican).....22,823

William W. McNair (Democrat).....20,717

Id. at 72-73.

REED, Frederick Watson, was born at Fowler, Ohio, on November 7, 1853, the son of Benjamin Franklin and Susan (Dewey) Reed. The family moved to Iowa and Mr. Reed's boyhood was spent on a farm in that state where he attended school and fitted for college, making his own way during most of his school and college life, he was graduated from Iowa College, Grinnell, Iowa, in 1879 and immediately went to Montana where he was principal of schools during the next two years. He then engaged in business in Montana but after two years came to Minneapolis and began the study of law in the office of Shaw, Levi & Cray. In 1886 he was admitted to the bar and has since been continuously in active practice in Minneapolis. He is a member of the Hennepin County, Minnesota State, and American bar associations and of the Commercial and Six O'clock clubs. In political faith Mr. Reed is a republican though independent in thought and action, especially in local matters. He takes a very active interest in municipal affairs and has been prominently identified with all movements of the past twenty years looking to the promotion of good government and better municipal conditions. Conspicuous in this work has been his participation in the campaigns for a better city charter. Mr. Reed was married at Cincinnati on December 30, 1891, to Miss Selina Brown, daughter of the late Charles E. Brown of the Cincinnati bar.

GALE, Edward Chenery, son of Samuel C. and Susan (Damon) Gale, was born in Minneapolis, August 21, 1862. The father, Samuel C. came to Minneapolis in 1857 from Massachusetts, educated as a lawyer; but he early engaged in real estate in which business as well as in the general civic life of the community he has long taken an active part. The family are of English descent, the forebear in this country being Richard Gale, who settled in Watertown, Massachusetts, in 1636. Edward C. attended the public schools of Minneapolis and graduated from the high school in the class of 1878. He attended the state university for two years and then went to Yale University where he graduated with the class of

1884. After a year abroad he studied law in the office of Shaw & Cray, Minneapolis, and subsequently took the degree of A. M. at the Law School of Harvard University. Mr. Gale has attained a most worthy and honorable position in the profession he has chosen. He is at present a member of the law firm of Snyder & Gale, his associate being Fred B. Snyder.<sup>29</sup> Mr. Gale is a director in the Minneapolis Society of Fine Arts, of which society he has also been president; treasurer of the Minneapolis Academy of Sciences; director of the Minneapolis Athenaeum secretary as well, is a member of the Municipal Art Commission of Minneapolis, and active in many other movements making for the better things in life, civic as well as individual. Mr. Gale was married to Sarah Pillsbury, daughter of Ex-Governor John S. Pillsbury, June 28, 1892. They have one child living — Richard Pillsbury.

GJERTSEN, Henry John, (Henry J. Gjertsen) though born in Norway, October 8, 1861, has lived in Hennepin county ever since 1868, and has been a zealous worker for the state which adopted him. His father was Herman J. Gjertsen, a Norwegian sea-captain who came to Minnesota in 1868 and after a generation spent in farming, retired from active labor some years ago. Mr. Gjertsen, Sr., was born in Bergen. There the family has long been prominent, as was also that of his wife, Albertina B. Gjertsen, whose family name was that of Wulf, also of old Norwegian history. On both sides the members of the two families have followed the professions, more or less. Henry J. Gjertsen grew up on a Minnesota farm when farming in Hennepin county knew nothing of agricultural colleges. He worked summers and went to the district schools in winter. These last schools, and Red Wing Seminary later, made his preliminary training for the study of law. For this latter purpose he spent two years in study in Minneapolis, was admitted at twenty-three, and has since been successful in his profession to more than the

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<sup>29</sup> The profile of Fred B. Snyder is posted below, at 79-81.

ordinary degree. Under the administration of Gov. Lind, he held the post of Brigadier General for two years; under Gov. Van Sant, he was Judge Advocate General for four years. His politics being republican, he has had a good chance to render effective public services as a member of the Minneapolis Charter Commission and as state senator from the forty-second district in 1902. In the latter position he drew up the bucket shop law, which was passed in 1905. He also took an important part in the legislation that resulted in the new code. Mr. Gjertsen is a member of the Odin Club, the Elks, K. P., and Masonic bodies. He attends the Lutheran Church. He is married to Gretchen Groebel, of Red Wing, and has one daughter, now studying music in Berlin.

HALE, William Edward, son of Isaiah Byron Burr and Mary E. Hale, was born at Wheeling, West Virginia, May 11, 1845. His father was a lawyer and was descended from Samuel Hale, who came from England and settled in Glastenbury, Connecticut, in 1637, making a record in the early Indian wars, while the family did patriotic duty in the War of the Revolution, in later years appearing with favorable conspicuity in public life — as James T. Hale, of Pennsylvania, in congress, and the great naval secretary, Gideon Wells. William, who had visited Minnesota with his father when he was a boy, returned in 1860 and resided in Plainview where, in 1861, he enlisted in the Third Minnesota Infantry and served three years during the war for the Union, receiving an honorable discharge. He then entered Hamline University, at that time located in Red Wing, and, after taking a collegiate course for three years he studied law in the office of Judge Wilder of Red Wing, and was admitted to the bar in 1869. He located in Buffalo, Wright county, where he practiced his profession and was elected county attorney and held the office two years. In 1872 he came to Minneapolis where he has since lived. He was elected county attorney for Hennepin county in 1878, and re-elected for a second term. He has made a notable record in the practice of the law. He

has been in partnership with Judge Seagrave Smith (1877-80) and subsequently with Judge C. M. Pond (Hale & Pond), and with Charles B. Peck (Hale & Peck), and latterly the head of the firm of Hale & Montgomery. Mr. Hale is and has always been an active, loyal member of the republican party, but he has never yielded to the allurements of office-holding, except in the few instances when he has held the office of county attorney.

HARRISON, Alexander M., was born in Venango county, Pennsylvania, on November 5, 1847, the son of Charles Harrison and Catherine E. (DeWitt) Harrison. The father was descended from English stock and was a successful farmer; the mother was of Dutch descent. During his boyhood he received excellent school training, first attending the district school in Perry, Venango County, and later an academy in the same place and afterwards the academy at Pleasantville, Pennsylvania. He completed his education at Fredonia academy in Chautauqua county, New York, where he graduated when he was twenty-one years of age. Before graduation he had commenced reading law and after leaving Fredonia he worked for a time in the oil fields of Pennsylvania to earn money with which to complete his law studies. Having secured sufficient funds to pay his expenses during the law course he entered the law department of the University of Michigan from which he graduated in 1870. Judge Harrison came west and first established himself at Charles City, Iowa, where for three years he practiced alone and then became associated with Samuel B. Starr and John G. Patterson under the firm name of Starr, Patterson & Harrison. After the death of Mr. Patterson in 1878, the partnership was continued as Starr & Harrison until December 1, 1886, when Judge Harrison came to Minneapolis. In 1898 Judge Harrison was nominated by the republican party of Hennepin county as one of its candidates for the district bench, and was elected by a large

majority at the election that fall.<sup>30</sup> He served upon the bench until the expiration of his term in January, 1904. (sic)<sup>31</sup> After retiring from the district bench Judge Harrison resumed active practice. On August 13, 1873, he was married to Miss Lizzie O. Chapin. They have three children, Merton E. Ruth, and Helen. Judge Harrison is a member of the Minneapolis Club and the Elks.

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<sup>30</sup> The election on November 8, 1898, was a "top four" election, in which Alexander Harrison and John McGee, Republicans, and Charles Pond and Frank Brooks, Democrats, won:

Alexander H. Harrison .....	16,782 *
Johnson.....	14,840
John F. McGee .....	16,910 *
Lancaster .....	14,262
Frank C. Brooks .....	15,498 *
Charles M. Pond .....	15,845 *
Smith .....	14,451
Geist .....	10,939
Davenport.....	2,649

1899 Blue Book, at 507-8.

<sup>31</sup> His term ended in January 1905. He was defeated in the November 8, 1904, election, which was a "top four" election:

Alexander M. Harrison.....	21,824
Andrew Holt.....	23,678 *
Horace D. Dickinson.....	22,944 *
John Day Smith.....	22,212 *
Frank C. Brooks.....	23,248 *
Charles M. Pond.....	17,879
William H. Vanderburgh.....	10,106
Elijah Barton.....	9,260

1905 Blue Book, at 512-14.

In 1906, he ran once again for the district court, but was defeated by Frederick V. Brown.

Frederick V. Brown.....	23,642
Alexander M. Harrison.....	17,253

1907 Blue Book, at 492. Brown's profile is posted above, at 29-30.

**HERTIG, Wendell, was born August 13, 1868, on a farm in Fayette county, Pennsylvania, son of Ulysses and Emily P. (Litman) Hertig. After having received a good rudimentary education he graduated in June, 1884, from the state normal school at California, Washington county, Pennsylvania, and taught a country school the same winter. Coming to Minneapolis in 1887 he became connected in an official capacity with several financial corporations and was a bank cashier from 1892 to 1895. In 1891 he entered the Law School of the University of Minnesota, and, after having taken the full night law course, graduated in 1895, since which time he has been practicing his profession, combining with the same a real estate and mortgage loan business. Mr. Hertig is a republican in politics and was elected alderman of the Fifth Ward in 1905. He is a member of the Commercial Club, the Roosevelt Club, the Minikahda Club, the B. P. O. E. No. 44 and of all the Masonic Bodies.**

**JACKSON, Anson Blake, was born in Brooklyn, New York, February 17, 1850, the son of William B. and Elizabeth Blake Jackson. The father was a manufacturer and banker and the family trace their ancestry through several generations of Connecticut farmers, who took part in the War of the Revolution. Mr. Jackson's early life was spent in Brooklyn, Foresport and Utica, New York. He graduated from Hobart College, Geneva, New York, in 1870, and from Columbia law school, New York, in 1873, having been a student in the office of Roscoe at Utica during the year 1871. Mr. Jackson practiced his profession in New York City for about five years. During most of the year 1878, he was employed in Kansas City as attorney for the Bondholders Committee of the Kansas Pacific Railway, and, on the absorption of that road by the Union Pacific in 1880, he removed to Minneapolis where he has since been engaged in private practice, from 1880 to 1883 as a member of the firm of Jackson and Pond, and from 1885 to 1893 of the firm of Jackson and Atwater.**

Mr. Jackson is a republican in politics, and was married in 1881 to Eugenia Cheney Adams. They have two children living — Anson Blake Jackson, Jr., a graduate of Yale University, class of '07, and Margaret E. Jackson, who graduated from Rosemary Hall. Greenwich, Connecticut, class of '06.

HALL, Albert H., senior member of the law firm of Hall and Kolliner, of this city, was born on July 11, 1858, at Alexandria, Licking county, Ohio. His family on both sides were early settlers in that state, his maternal grandfather her being; the first white child born within the confines of Union county. Levi Hall, his father was for many years a Methodist Episcopal clergyman. Who later entered the medical profession and moved to Minneapolis where he has for more than a quarter of a century been a practicing physician. His mother's name before her marriage was Lucinda Mitchell. Mr. Hall received his education in the public schools, first in Ohio, and later attending the high school at Austin, Minnesota, where the family moved in 1872. Three years later he came to this city and entered the University of Minnesota, supporting himself while in college by night work in telegraph and telephone service. At the end of his junior year in 1881, he left school and entered the law office of the late Judge Frederick Hooker. A position in the treasury department at Washington was offered him which he accepted, and at the same time attended the Columbia Law School, from which he graduated in 1883. Resigning his position, Mr. Hall returned to Minneapolis, and since that time has been engaged in the practice of his profession. Soon after returning here he formed a partnership with N. F. Hawley, which continued for several years, Mr. Hall severing the connection to accept an appointment as assistant city attorney of Minneapolis in 1889. During the two years which he served he conducted successfully several important cases, including the well known garbage dump cases. He resumed his general legal practice until 1893, when he was selected by the grand jury and appointed by Judge Seagrave Smith, special assistant

attorney for Hennepin county, and filled that office for eighteen months. He tried many important criminal cases for the county and made a record as an able speaker and effective trial lawyer. Among the cases with which he was connected were the notable Scheig and Floyd cases; the Harris murder case which Mr. Hall successfully prosecuted; and the famous Hayward trial in which his unceasing efforts secured the admissions and evidence which made possible the conviction of the guilty parties.<sup>32</sup> At the expiration of his term Mr. Hall again took up his practice and has since been engaged in general practice, both in this city and throughout the Northwest. He formed in 1902 a partnership with Robert S. Kolliner under the firm name of Hall & Kolliner — an association which still continues. From his earliest manhood Mr. Hall has taken an active interest in politics and has been an efficient worker for the republican party for many years. In 1904 he became a candidate for the republican nomination for congress, but was defeated in a strong campaign against Hon. Loren Fletcher, who had been the incumbent for a number of successive terms.<sup>33</sup> Mr. Hall was again a candidate in 1906 and made an even better run against a larger field for opponents. Mr. Hall was married in 1883 to Miss Nellie J.

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<sup>32</sup> *State of Minnesota v. Henry Hayward*, 62 Minn. 114, 64 N. W. 90 (1895) (stay of execution pending appeal); later proceeding, 62 Minn. 474, 65 N. W. 63 (1895), (conviction affirmed).

There are many accounts of the case: Oscar F. G. Day, *The Ging Murder and the Great Hayward Trial* (1895); Stewart H. Holbrook, *Murder Out Yonder: An Informal Study of Certain Classic Crimes in Back-County America* 69-93 (Macmillan Co., 1941); Walter N. Trenerry, *Murder in Minnesota* 135-155 (Minn. Hist. Soc. Press., 1962); and John D. Bessler in *Legal Violence: Lynch Mobs and Execution in Minnesota* 133-139 (Univ. of Minn. Press, 2003). One of Hayward's defense attorneys was John Day Smith whose profile appears below, at 77-79.

<sup>33</sup> The results of the election in November 1904, were:

Loren Fletcher (Republican).....	21,933
Christian H. Kohler (Democrat).....	15,923
Joseph H. Horton (Progressive).....	1,754
Adolph Hirshfield (Public Ownership).....	3,184

Bruce M. White, et al, *Minnesota Votes* 90 (Minn. Hist. Soc. Press., 1977). Loren Fletcher (1833-1919), served in congress from 1893 to 1903. He was defeated in 1902, but regained his seat in 1904. He did not run in 1906.

Pearson. They have one daughter, Faith. The family attends, the Hennepin Avenue Methodist Church. Mr. Hall is a member of the Commercial Club and other organizations of a social character.

JOSLYN, Colin C., is a native of the state of Illinois, the son of De Witt C. Joslyn and Philwa L. Joslyn. His father was a farmer at Cortland, Illinois, where Colin C. was born on December 9, 1857. He grew up on the farm and attended the graded school at Cortland, after completing the necessary preparatory work he entered Ripon College, in Wisconsin, where he took the academic course receiving his degree with the class of 1883. He studied law, was admitted to the bar and commenced practice in Minneapolis, in 1885, where he has since continuously practiced. Mr. Joslyn is a member of the Minneapolis Commercial Club and attends the Universalist Church. In 1899 Mr. Joslyn was married to Miss Marie Rich and they have three children.

KOON, Martin B., one of the most prominent men of the Hennepin county bar, was born on January 22, 1841, at Altay, Schuyler county, New York. His ancestry on his father's side was Scotch and through his mother he was descended from Connecticut pioneers. His father, Alanson Koon, was a farmer in Schuyler county New York, a man in moderate circumstances but of highest integrity and enjoying the respect of the community. While his son was yet quite young, Manson Koon removed with his family to Hillsdale county, Michigan. It was on a Michigan farm that Judge Koon spent his boyhood studying at the district school in winter and doing farm work in summer. His advantages were those of the average farmer's boy at that period. At the age of seventeen he had by diligent study prepared himself to enter Hillsdale College. During his college course he mainly supported himself by teaching and had, in 1863 when he graduated, so impaired his health that it was necessary to seek a change of climate. He went to California by the old Panama route and spent two years on the coast holding a position as

teacher. Having regained his health he returned to Michigan and took up the study of law, in the office of his brother, E. L. Koon. In 1867 he was admitted to the bar in Hillsdale, Michigan, and soon afterward entered into partnership with his brother, which association continued until 1878. While he did not go actively into politics he held the office of prosecuting attorney in Hillsdale county from 1870 to 1874. In 1873 he spent four months in travel in Europe. He had become persuaded, however, that Hillsdale did not offer a promising held and in 1878 he moved to Minneapolis, where he formed a partnership with E. A. Merrill, to which firm A. M. Keith was afterward admitted. This firm enjoyed an extensive practice until the fall of 1881, when, owing largely to overwork, Mr. Koon fell a victim to typhoid fever, and on his partial recovery he went to California in search of health. In 1883, after his return, Judge J. M. Shaw resigned from the district bench, and Governor Hubbard appointed Mr. Koon to fill the vacancy. This was entirely without Mr. Koon's solicitation and wholly unexpected. He accepted the office with much reluctance, doubting his qualifications for the position. He filled it with such eminent satisfaction, however, that in the following fall he was unanimously elected to the same office for the term of seven years. But he did not find the duties of the office congenial to him, and May 1, 1886, he resigned. During his occupancy of the bench he tried a number of important cases, among them the Washburn will case, the St. Anthony water power case, the King-Remington case, the Cantieny murder case, and others scarcely less notable. This work involved an enormous amount of study and research. On his retirement from the bench he resumed the practice of his profession and has been for years the senior member of the firm of Koon, Whelan & Bennett. The practice of the firm is mainly in the line of corporation law. They are attorneys for the Minneapolis Street Railway Company. Judge Koon is a member of the Minneapolis Club, the Commercial Club, the Chamber of Commerce and a trustee of the Church of the Redeemer. He was married November, 1873, to Josephine Vander-

mark and has two daughters, Kate Estelle, now Mrs. E. C. Bovey, and M. Louise, now Mrs. Charles Deere Velie.

LAYBOURN, Charles G., was born at Springfield, Clark county, Iowa, March 23, 1851, the son of Joseph Laybourn and Ann (Kirkley) Laybourn. His father was a native of Clark county, and was descended from an old New York family which counted among its members one of the early mayors of New York City. His mother was of English descent, her parents' family having settled in central Ohio when she was but a child. Mr. Laybourn's schooling was had in the district school near his father's farm, supplemented by a course at a private school in which he made such progress that, at the age of sixteen, he was able to obtain a first grade teacher's certificate. For some time he was engaged in teaching, but interrupted this work to learn the trade of carriage making which he followed until he met with a disabling accident. He then took up teaching again and desiring to secure a higher education entered the Illinois State Normal University at Normal, Illinois, in 1874, four years later graduating with honor in both the normal and classical courses. For two years following his graduation he was a teacher in Markham's Academy, Milwaukee, resigning to take up the study of law. He entered the law department of the University of Michigan, graduated in 1881, and immediately began practice at Creston, Iowa. He made rapid progress in building up a practice, but after four years, wishing a wider field, he came to Minneapolis where he has been engaged in practice since 1885. While Mr. Laybourn's practice is general it has been perhaps most extensive in commercial and insurance law. He has been frequently retained by fraternal insurance orders. Mr. Laybourn is a member of the leading organizations, social and fraternal, and takes an active interest in public affairs as well as in politics. He has been several times mentioned as a candidate for the district bench and has received very complimentary support at the primary elections for

this office. In 1883 he was married to Miss Blanche Gove of Creston, Iowa, and they have four children two boys and two girls.

LEONARD, Claude Bassett, was born at Chelsea, Massachusetts, son of Rev. Charles H. and Phoebe A. (Bassett) Leonard. His father is Dean of the Theological School of Tufts College, Medford, Massachusetts, and has reached the age of eighty-four years. Claude B. Leonard received his earlier educational training at Dean Academy, Franklin, Massachusetts, and graduated at Tufts College with the A. B. degree. Mr. Leonard studied law in the office of Starbuck & Sawyer at Watertown, New York, was admitted to the bar in October, 1878, came to Minneapolis from Summerville, Massachusetts, on November 7, 1878, and entered vigorously into the activities of the Northwestern metropolis. He was clerk of the probate court in 1879-80, and is now attorney for the Farmers' and Mechanics' Savings Bank and for the Tri-State Telephone & Telegraph Company. In a military way he has a record as a member of the National Guard, State of New York. He is a republican in politics; a member of the Commercial Club; Past Master of Cataract Lodge No. 2, A. F. and A. M.; a member of St. Anthony Falls, Chapter No. 3, R. A. M.; of Adoniram Council, No. 5; of Darius Commandery, No. 7, K. T., and Zuhrah Temple, N. M. S. Mr. Leonard attends All Souls Universalist Church. He was married to Ella J. Eddy at Watertown, New York, on April 14, 1880, and they have three children— Ruth Eddy, Emily Bassett and Elva Llewelyn.

LYON, George Asa, was born at Rockford, Floyd county, Iowa, on June 9, 1871, son of O. H. and Belle Alden Bradford Lyon. The mother was a direct descendant of William Bradford, who was chosen governor of the heroic Pilgrim Island who landed from the Mayflower on the big boulder known as Plymouth Rock, December 21, 1620, and ruled the Plymouth colony for thirty-six years as the successor of John Carver, both being apostles of self-government in this land. Mr. Lyon's father, who is a cousin of

General Nathaniel Lynn, served during the entire Civil War in an Iowa regiment, and was promoted to the captaincy of the Third Iowa Battery for heroic service. Mr. Lyon attended the public schools of Rockford, Iowa, then attended Grinnell College and later graduated at the Law School of Harvard University with the LL. B. degree. Mr. Lyon while in college was an all around athlete, and was a member of the Grinnell college base ball and foot ball teams for three years, being captain of the foot hall team during the last year, and was Inter-Collegiate champion of tennis for three years. He came to Minneapolis November 1, 1903, and has since practiced his profession here with marked success. He has been associated in the practice of law with the firm of Lancaster & McGee since 1904, His experience in the responsibilities of office holding is derived from his tenure of the mayoralty of the city of Rockford, Iowa, for a term or two. He is a member of the Commercial Club, and of the State Bar Association. He is a member of the Plymouth Congregational Church. Mr. Lyon was married on October 5, 1905, to Elizabeth McLean, of Cambridge, Massachusetts.

McCUNE, Alexander, clerk of the probate court and for a long time an attorney in general practice in Minneapolis, was born March 2, 1859, at Mecca, Parke county, Indiana. He is the son of Henry Clay McCune and May Ann (Melvin) McCune. The family is Scotch-Irish in origin and its history in America dates back over a century, to when the first McCune came to Pennsylvania from the north of Ireland. Its members have intermarried with colonial stock and the family chronicles are rich in incidents of interest. Mr. McCune was brought up on an Indiana farm. He went to the common schools of the country until he was twelve. Then the grandfather for whom he was named took him to his home at Lima, New York. The elder McCune was a man of unusual originality and force of character. His grandson received from association with him an education in the art of living which he says was as valuable as the academic

training which he got from the Genesee Wesleyan Seminary of Lima. From Lima the grandson was sent to Princeton. With him went Lyman G. Morey, a seminary classmate — afterwards well known in Minneapolis by his work on the Minneapolis Journal — but who met a tragic and early death by drowning, in a Michigan lake. Mr. McCune had also a native Minneapolitan, Wm. H. Vanderburgh, as a classmate in the classical department of Princeton. It was through his friendship for Mr. Vanderburgh, which brought him here later on a visit, that Mr. McCune decided that Minneapolis was the only city in the country for his permanent home. After graduation at Princeton and a year of law study in Indiana, he went to Ann Arbor, meeting there in the law department of Michigan University Frank Healy, who further confirmed his faith in Minneapolis. In March, 1883, Mr. McCune came to this city, entered the office of Cross, Hicks and Carlton and was admitted to practice in October of the same year. He pays high tribute to the kindness of the late Capt. Cross and to the courtesy and patience of Judge Stephen Mahoney in court practice, for many chances to better establish his own future as a young lawyer. After a few months of independent practice in 1884, he united with E. S. Slater under the firm name of Slater & McCune. Three years later he became associated with the Hon. E. M. Johnson, out of which grew the ten years' partnership of Johnson, Leonard & McCune. Upon Mr. Johnson's appointment as District Judge, Mr. McCune took up practice alone and has so continued. He has held the office of alderman of the eighth ward. His present post as clerk of the Probate Court came to him without solicitation or previous knowledge. Mr. McCune is a Presbyterian in church faith. He was married October 20, 1886, at Lima, New York, to Clara A. McNair, and as a result of this union three children, Clara, Mary and Anna, have been born to them.

MORRIS, William Richard, was born on February 22, 1859, in Fleming county, Kentucky. His father was Hezekiah Morris of

three-quarters Negro blood, was born in slavery in the south, by his industry bought his freedom and learned the trade of mattress making. His mother was Elizabeth (Hopkins) Morris of half Negro parentage. When William R. was two years of age his father died and after remaining in Kentucky through the war his mother moved to Ohio, locating at New Richmond. There her son attended the public schools and later a private school of the same place and after moving to Chicago he entered a Catholic school. Completing his studies there his ambitions urged him to acquire a college and professional training and he entered Fisk University at Nashville, Tennessee, in 1876, taking the classical course. He was at the University for eight years, and graduated with high honors with the class of 1884. During his college work he was a powerful debater and orator, as well as being strong in his studies. Following his graduation a position as instructor of mathematics, languages and sciences in the institution was tendered him which he accepted; and where he remained for four years — the only Afro-American member of the faculty. During this time he was also engaged in legal studies and in 1887 completed his law course, resigning his position at Fisk in 1889 to begin his legal practice. He was admitted to the bar by the Supreme Court of Illinois and came to Minneapolis, where he immediately commenced practice. He has found opportunity here to exercise his native talent in the successful handling of many important cases, one of the most notable being his defense of Thomas Lyons in the famous Harris murder trial. Mr. Morris has always been keenly interested in all movements for the advancement of his race and has lent his own time and energy to such purposes. In 1885 he represented the Afro-Americans of the South at the meeting of the A. M. A. at Madison, Wisconsin, delivering an address on "The Negro at Present." The following year he held institutes in Tennessee for the Afro-American teachers of the state under the auspices of the Superintendent of Education. In 1891 he was elected president of the Minnesota State League of Afro-Americans and for some time has

been the political leader of the Negroes of the state Republican party. Mr. Morris is a Mason of the Thirty-third Degree Scottish Rites and has held several important offices in that body, being a past grand master and past grand secretary. In the Odd Fellows he is a past most venerable patriarch and is a past grand chancellor of the Knights of Pythias, in which order he is at present deputy supreme chancellor and brigadier general for Minnesota. He is a member of the Plymouth Congregational Church. On July 14, 1896, Mr. Morris was married to Miss Anna M. La Force, and they have one son, Richard Edward, born April 2, 1900.<sup>34</sup>

MORRISON, Robert George, son of David H. and Margery B. (McConnell) Morrison, was born at Blair's Mills, Huntington county, Pennsylvania, on July 31, 1860. His father was a merchant of Blair's Mills and Mr. Morrison spent the first twelve years of his life at that place. The family then moved to Morning Sun, Iowa, where he finished his common school education and entered the local high school. After graduating from the latter he entered the Iowa State University and in 1882 received his A. B. degree, and delivered the valedictory address at the class-day exercises of his class. He studied one year longer at the same institution and took an LL. B. degree in the law department. He also returned a few years later and was given his A. M. degree in 1890. Mr. Morrison's energies have always been turned toward the study and practice of his profession, and, aside from the experience acquired in his father's store during his vacations, he received no business training. When he finished his college course, he commenced to practice and since moving to Minneapolis has continued to apply himself to his profession, and, during this time has been connected with several cases that have attracted more than local attention. Mr.

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<sup>34</sup> There are references to Morris throughout Paul D. Nelson, *Frederick L. McGhee: A Life on the Color Line, 1861-1912* 11, 35, 55-56, 66, 70-71, 75, 149, 170, 207-208 (Minn. Hist. Soc. Press, 2002), and J. C. Smith, Jr., *Emancipation: The Making of the Black Lawyer, 1844-1944* 332, 371, 461-463, 470, 541-544 (Temple Univ. Press, 1993).

Morrison is a republican in his political beliefs but has never consented to run for office, although he is actively interested in political measures. While in college he was a member of the Zetagathian Literary society, was prominent in the work of the club and held at one time the office of president. At the present time he is a member of the Westminster club and at different times has taken part on the annual program of that association. Mr. Morrison attends and is a member of the Westminster Presbyterian Church. He was married in 1903 to Miss Alice B. Gilmore of this city, and they have one daughter, Elizabeth.

NICHOLS, John F., was born at Rice Lake, Wisconsin, October 15, 1882, son of Amos C. and Augusta C. Nichols. He attended the public schools at Rice Lake and was employed by the Rice Lake Lumber Company for some time, meantime making such preparations for a professional life that he was able to enter the Minnesota state university upon coming to Minneapolis in 1901, graduating in law in 1904 with the degree LL. B. Since then Mr. Nichols has entered vigorously into the law and real estate business under the firm name of Nichols, Frissell & Smith, which firm has for some time made its headquarters in the Andrus Bldg., Minneapolis. They have built up a large business in organizing land syndicates, to develop hardwood timber, prairie and cut-over timber tracts, dairy and blue grass land, etc. The firm has developed several new towns in Wisconsin and throughout the northwest; they have lines of business in Canada, North Dakota, Colorado and elsewhere. Mr. Nichols is a young man to assume large business responsibilities, but he has the push and energy for the Northwest and he seems to have had his program of activities defined in his own mind when, in his youth, he was learning the lumber business and preparing for the study of law. Mr. Nichols is a republican in politics and is a member of the East Side and Commercial Club.

**PATTEE, William Sullivan**, dean of the College of Law, University of Minnesota, was born at Jackson, Maine, September 19, 1846, the son of Daniel and Mary Ann (Bixby) Pattee. He prepared for college at Kent's Hill, Maine, and entered Bowdoin College in 1867, graduating in 1871. He studied law while teaching school after graduation and coming to Minnesota was admitted to the bar on June 28, 1878, at Faribault. In 1884 and 1885 Dean Pattee served in the state legislature while living at Northfield, Minnesota, and in 1888 was elected dean of the College of Law, organized the college and has since continued at its head, building it up in twenty years to a high position among the law schools of the Country. Dean Pattee is the author of "Illustrative Cases in Contracts," "Illustrative Cases in Equity," "Illustrative Cases in Personality," "Illustrative Cases in Realty," "Elements of Contracts," and "Elements of Equity."<sup>35</sup> From 1886 he was a member and president of the Board of Normal School Directors of Minnesota for a time he is a member of the Westminster club and at different times has taken a part on the annual program of that association. Mr. Morrison attends and is a member of the Westminster Presbyterian Church. He was married in 1903 to Miss Alice B. Gilmore of this city, and they have one daughter, Elizabeth. He was married at Plymouth, Maine, on November 30, 1871, to Miss Julia E. Tuttle. In 1894 Dean Pattee received the degree of LL. D. from Iowa College. He is a speaker of ability and is frequently called upon for public addresses and lectures. He is a member of the Congregational church.

**PRENDERGAST, Edmund A.**, was born in St. Paul on October 16, 1875. His parents were Patrick Henry Prendergast and Bridget Louise Prendergast and the family was among the pioneers of the

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<sup>35</sup> For background of "the Pattee Series" of casebooks, see Douglas A. Lind, "An Economic Analysis of Early Casebook Publishing" 96 *Law Library Journal* 95, 105-106 (2004) ("Introduced in 1893, the Pattee Series marked a seminal period in the production of casebooks because it was the first time a legal publisher attempted to create a series of general products and market them to a broad group of customers."). This splendid article is available online.

state, six brothers having settled in St. Paul in the year 1856. When Edmund A. was four years old his parents moved to Minneapolis where he has since lived. The family has always been connected with the Roman Catholic Church and Mr. Prendergast was educated in the institutions of the denomination. He took a six years' classical course in the College of St. Thomas at Merriam Park, graduating in June, 1894, and completed his collegiate education with a post-graduate course at Grand House of Philosophy, Montreal, Canada, during the years 1894 and 1895. Returning to Minneapolis he entered the law department of the University of Minnesota, from which he graduated in 1899. Mr. Prendergast at once commenced practice in Minneapolis and has a general clientele, although making a specialty of corporation law. For the past three years he has been general attorney for the Northwestern Telephone Exchange Company of Minneapolis and local attorney for the Wisconsin Central Railway Company. Mr. Prendergast is a republican in political faith though not a politician. He is interested in civic and philanthropic problems and has been a member of the board of directors of the Associated Charities. He is a member of the Minneapolis Club.

ROBERTS, Harlan Page, is a native of Ohio. His parents were Rev. George Roberts and Ann J. Roberts and he was born on December 5, 1854, at Wayne, Ashtabula county, Ohio, while his father held a charge in that place. When he was nine years old he went to Iowa to live with a sister and his schooling, begun in the rural schools of Ohio, was continued in the schools of Mt. Pleasant, Iowa, and at Howe's Academy in the same state. Schooling, as is often the case with country boys, was diversified with hard work. At one time Harlan P. spent a year at Pentwater, Michigan, packing shingles. Fitting himself for college he entered Oberlin, graduating in 1875. He then attended Yale Theological seminary and graduated in the class of 1878. Next came a few years of experience as a pastor in the west. During this period Mr. Roberts determined to study law and

entered the office of Nathaniel E. Slaymaker of Silverton, Colorado. He was admitted to the bar in Colorado in 1883 and came to Minneapolis in December, 1884. Since that time he has been continuously engaged in the practice of his profession in this city. His practice has been of a general character but he has had special experience in land and title law and was for several years examiner for the state under the Torrens land title registry system in vogue in Hennepin county. An increasing general practice necessitated the relinquishment of this position. Mr. Roberts has taken a lively interest in good government, both local and state, but has not entered politics, except at the caucus and in local conventions. He is president of the Minneapolis Humane Society and has been active in other philanthropic work. On October 3, 1888, he was married to Miss Margaret Lee Conklin. They have two children living, Marjorie and Harlan C. The family attends the Park Avenue Congregational Church.

ROBERTS, William Preston, son of Job and Hannah Pickering Roberts, was born June 16, 1845, in Gwynedd, Montgomery county, Pennsylvania. The forebears of the family on the father's side were Welsh Quakers who accompanied William Penn to Pennsylvania in 1698, settling in Montgomery county, near Philadelphia, and on the mother's side they were English Quakers. William P. was brought up on his father's farm and continued there, with the exception of a few years spent in Maryland, until he began training for the teacher's profession at the normal school, Millersville, Pennsylvania, in the fall of 1862. Here his studies were interrupted by Lee's invasion of Pennsylvania in 1863. An emergency company of the students was hastily armed and sent to the front to aid in obstructing the progress of the rebel invader. Most of these improvised soldiers were soon mustered in the army as Company H, Forty-seventh Pennsylvania Volunteer Militia during the battle of Gettysburg, but were ordered to serve under Gen. Meade in the pursuit of Lee up the Cumberland Valley and to the Potomac. The

regiment served thereafter under Sigel and was mustered out in the fall, and Mr. Roberts went back to school but responded to a call for officers to command colored troops, and was commissioned Second Lieutenant by the War Department and assigned to the Forty-fifth U. S. Colored Troops which served until the close of the war, in Maryland, Virginia and West Virginia. Mr. Roberts just missed being at the surrender of Lee, as he had been sent back with a detachment to bring up provisions for the whole army. He went with his regiment under Gen. Sheridan, with the 25th Army Corps, to the Mexican border to demonstrate against Napoleon's puppet Maximilian in Mexico. and the regiment was not mustered out until December, 1865, Mr. Roberts having in the Texas service served on the brigade staff and having been in command of his company during his whole service, coming out First Lieutenant and recommended for a captain's commission. He returned to his studies in the Millersville normal school and graduated in 1867, and soon entered the law school of the University of Michigan, graduating in 1869, and, on application to the Circuit Court in Ann Arbor and examination, he was admitted to the bar of Michigan. Six weeks later he removed to Nebraska City, Nebraska, and practiced law there until 1874, when he came to Minneapolis where he has since resided. He was in partnership with Col. Reuben C. Benton and his brother, C. H. Benton, as Benton, Benton and Roberts, from 1878 to 1881, and with Col. Benton alone as Benton and Roberts, and then with Col. Benton and Rome G. Brown, as Benton, Roberts and Brown until 1895. Since the death of Col. Benton, Mr. Roberts has practiced alone. He was an original member of the Minneapolis Bar Association, of which he holds the oldest outstanding share. Mr. Roberts was an active and efficient member of the lower house of the Minnesota legislature during the sessions of 1899, 1901, 1902 and 1905, serving on the most important committees. He introduced the first bill in Minnesota for nominations by direct vote of the people, which in some respects was better than the measure which became a law at the session of

1899, notably in keeping the primaries for state, county and city nominations separate. In 1902 he prepared and passed through the lower house the so-called "wide-open" tax amendment to the constitution, which is practically identical with the amendment introduced by him at the session of 1905, and ordered for submission to ratification by the people at the ensuing general election. Mr. Roberts also, as a member of the House Judiciary Committee and joint conference committee, took an important part in the construction and enactment of the Revised Code in 1905. He was prominent in his efforts that year to secure appropriations for the new buildings of the State University, as chairman of the appropriations committee, as well as for the Women's building at the Soldiers Home.

Mr. Roberts is a strenuous republican in politics and one who believes that it is every man's duty to show his patriotism by taking an active part in national, state and local politics between campaigns as well as in the heat of campaign activities. He believes in intelligent organization in political action but not in machine politics, and his course since he came to Minneapolis indicates that he has lived up to his principles. He was an active member of the old Union League of Minneapolis and of the original Union League of Civil War times. He helped organize the Fourth Ward Republican Club and always attends its meetings when in the city. In 1872, with many other Republicans, he joined the so-called Liberal Republican movement, involving a coalition with the Democratic party, in revolt against the political shortcomings of the dominant party, under the leadership of Horace Greeley. He, with two other veterans of the Civil War, started the revolt in Nebraska and he was one of the delegates from that state to the Liberal Republican Convention in Cincinnati and represented it on the platform committee, exerting his influence against the "tariff-for-revenue-only" element, who were led by Carl Schurz, Stanley Mathews, David Wells, and others who stood for Charles Francis Adams for

nomination to the presidency. He voted for Greeley at the start and brought the Nebraska delegation and ultimately the whole convention to his support. Mr. Roberts did some of the hardest work of his life during that campaign, whose disastrous ending convinced him that the reformation of a party is only really possible by a movement from within its own ranks, and since then he has worked for party in regular ways in the regular Republican ranks.<sup>36</sup> He was president of the Minneapolis Union League when the movement to nominate McKinley to the presidency began in 1895, and used all his influence in securing a delegation from Minnesota instructed for McKinley. Mr. Roberts is a member of the G. A. R., George N. Morgan, Post No. 4, and has always been conspicuous in its councils officially and otherwise. He is an original member of the Commercial Club and a member of Hennepin Lodge No. 4, A. F. A. M., in which he has held and holds important positions. He is a member of the several bodies of the Ancient and Accepted Scottish Rite Masons in Minneapolis, and of Zuhrah Temple of the Noble Order of the Majestic Shrine, and of the Independent Order of Good Templars for the past forty years. In 1908 he was re-elected Grand Master of the Masonic Grand Lodge of Minnesota. He is a Universalist and a member of the Church of the Redeemer and president of the Universalist State Convention. He married in 1869, Anna N. Pugh, of Chester county, Pennsylvania, who died childless in 1870. In 1876 he married Agnes D. Taggart, of St. Clairsville, Ohio, who died in 1895, leaving two sons of that marriage — Horace W., born July 8, 1877, and Roy G., born January 29, 1880. Horace is in the Philippine civil service and Roy lives in Manitoba.

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<sup>36</sup> The results of the presidential election in November 1872, were:

Ulysses S. Grant (Republican).....	3,598,235
Horace Greeley (Democrat, Liberal-Republican).....	2,834,761

Grant received 286 electoral votes, and 55.6% of the popular vote, while Greeley received 66 electoral votes, and 43.8% of the popular vote.

ROCKWOOD, Chelsea Joseph, was born September 13, 1855, at Bennington, Vermont, son of Joseph R. and Rhoda (Hurd) Rockwood. His father was a farmer in his earlier life and later became a clergyman. The farm on which Chelsea J. was born had been settled by his mother's grandfather, Moses Hurd, in 1769. In 1869 the family removed to Garden City, Blue Earth County, Minnesota, arriving in December of that year. Mr. Rockwood attended the common schools and studied in the preparatory department of Carleton College, going thence to the state university, taking the four-year course and graduating in 1879, B. A. Like many other undergraduates, Mr. Rockwood, during his course at the university, had to take some reefs in his purse strings. He had only fifty dollars when he entered, and pulled through largely by what he made carrying newspapers. He was then employed as principal of the Le Sueur schools during the next two years, and, after reading law in the offices of Shaw, Levi & Cray and of Judge P. I. Babcock, he was admitted to the bar by examination of the District Court of Hennepin county in November, 1882, and has been practicing law in Minneapolis since. Mr. Rockwood was attorney for the Board of Park Commissioners from 1889 to 1892 and since 1895 to the present time. He was a member of the board in 1893-95. He is a member of the Commercial Club and of the local and national bar associations. Mr. Rockwood is a republican in politics and a member of the Baptist church. He was married on October 30, 1883, to Carrie D. Fletcher, of Mankato. They have had four children, the oldest of whom, Paul, born in 1884, died in 1890. The living are Ethel (1886), Edith (1888) and Fletcher, born in 1893.

REED, Sampson A., a practicing attorney of Minneapolis for about thirty years, was born in Boston, December 8, 1849, and died in Minneapolis, May 31, 1908. He was the only child of Elisha B. Reed of Hartford, Maine, and Abbie Brett of Canton, Maine. His father was an older brother of Captain Axel H. Reed of Glenco, Minnesota, and a pioneer of that town. When Sampson was very

young the elder Reed, because of failing health, returned from Boston with his family to his native town, where he soon after died. He was descended from pure New England stock through those ancestors that settled in Oxford county, Maine, after the Revolutionary War. He is descended on his mother's side from three Mayflower ancestors, and on his father's side, from one Governor Bradford of the Plymouth colony. Soon after the Revolution, many revolutionary soldiers with others, went to the wilds of Maine to found new homes. One Sampson Reed, whose father had died in Massachusetts, was one of those who in 1795 went with his mother to Hartford, Maine, then a wilderness. The subject of this sketch is the fourth Sampson Reed from the pioneer referred to, but with him dies the name as a family name. Sampson Reed's boyhood was spent in Canton and Buckfield, Maine, where he attended the public schools. He fitted for college at Hebron Academy, of which Mark Dunnell was at one time principal, and was graduated from Dartmouth College in 1874. While in college, Mr. Reed was an active and prominent member of various college debating societies. He supported himself while in the academy and in college, by teaching school. Mr. Reed did not linger long in the east, but in the same year, 1874, came west as principal of the high school in Glencoe, Minnesota. In the following year, 1875, he came to Minneapolis and began the study of law in the office of the late Judge Isaac Atwater. After his admission to the bar in 1877, he practiced for a time by himself and in 1883 entered into a law partnership with the late Judge Seagrave Smith, under the firm name of Smith & Reed, which continued until the appointment of Judge Smith to the district bench in March, 1889. Mr. Reed, although always in the general practice of his profession, made something of a specialty of land titles and real estate law. He also developed excellent business judgment and was the confidential adviser of many men of large real estate interests. He was in politics a republican and in religion a Universalist, being a member of the Church of the Redeemer. He was married on November 7.

1877, to Miss Abbie Eells of Belfast, Maine, and is survived by her and by one daughter. Miss Abbie M. Reed. He was a member of lodges of Elks and Odd Fellows. Mr. Reed was a man of high integrity in his profession and was popular and well beloved by all who knew him best.

ROOT, F. W., solicitor of the Chicago, Milwaukee & St. Paul Railway Company, at Minneapolis, is a native of New York. He was born at Guilford, August 7, 1855, the son of Silas and Mathilda Root, both of Revolutionary stock. During his boyhood he attended schools and afterwards went to Oxford Academy, Chenango county. New York. He had determined upon the law as his profession and after leaving the academy he entered the law office of Henry R. Mygatt at Oxford where he studied for three years. He was admitted to the bar at the general term of the supreme court of New York at Ithaca on May 4, 1880. Mr. Root came to Minneapolis in October, 1881, and for a time was associated with the law firm of Jackson & Pond. In the following year he entered the office of W. H. Norris, solicitor of the Chicago, Milwaukee & St. Paul Railway Company at Minneapolis. His position was that of law clerk and his efficient service led to his eventually being intrusted with many important cases, especially personal injury cases, in the state and federal courts. In the defense of this class of cases he has won special distinction and is acknowledged to be without an equal in the defense of personal injury cases. Later the trial of important cases involving questions connected with the transportation of freight were added to his department of the work. Mr. Root continued as attorney for the C. M. & St. P. Ry., associated with Mr. Norris, until the latter retired in 1902 when he was appointed solicitor, Mr. Root is a republican in political faith but has never sought political preferment. He takes an active part in local movements for good government and is a member of various public and social organizations. Since 1904 he has been Judge

Advocate General with title of Brigadier General on Governor Johnson's staff.

SEEVERS, George W., general counsel for the Minneapolis & St. Louis Railway, is an Ohio man, — born at Coshocton in that state on September 23, 1845. His parents were Robert and Ellen Bryant Seevers. The family moved to Iowa when George W. was ten years of age, and his schooling was largely obtained in the public schools near their new home. From high school he went to Oskaloosa (Iowa) College, and later completed his academic education with a post-graduate course at the University of Michigan at Ann Arbor. He graduated from the law department of the University of Michigan, after which he began the work of his profession, and soon had a large general practice at Oskaloosa, Iowa, which he continued until 1895, when he was appointed general counsel of the Iowa Central Railway, with headquarters at Oskaloosa. In 1904 Mr. Seevers, in addition to his position with the Iowa Central road, was made general counsel for the Minneapolis & St. Louis Railway Company, and moved to Minneapolis, where he has since maintained general offices. He afterwards became the vice-president and general counsel of the Minnesota, Dakota & Pacific Railway, and at the present time is still connected with the lines named in the same capacities. In politics Mr. Seevers is a republican. He has become closely identified with the railroad and legal life of the city, and is well known in social and club circles. He is a member of the Minneapolis Club, the Minikahda Club, the automobile Club, and is also a Sir Knight Mason.

SHAW, Frank W., of the law firm of Cohen, Atwater & Shaw, was born at Hodgdon, Maine, the son of Charles Shaw and Mary Jane Wiggin. His ancestors were prominent in the colonial wars and public affairs and in the Revolutionary War. Mr. Shaw's early life was passed at Houlton, Maine, and he received his education at Ricker Classical Institute from which he graduated in 1876 and at

Colby University, Waterville, Maine, graduating with the class of 1880. In September of that year he came to Minneapolis and during the next three years studied law in the office of Rea, Woolley & Kitchel. Upon his admission to the bar on June 30, 1883, he became a member of the law firm of Rea, Kitchel & Shaw, a partnership which continued until 1886 when the style was changed to Kitchel, Cohen & Shaw. After the death of Mr. Kitchel in 1900, J. B. Atwater was admitted to the partnership, the firm becoming, Cohen, Atwater & Shaw as at present. Mr. Shaw is a republican in political belief and is a member of the Lowry Hill Congregational Church. He belongs to the Minneapolis Club and to the Delta Kappa Epsilon fraternity. He has been twice married, in 1882 to Eliza A. Warnock and in 1899 to Julia C. Fairbairn and had two children by the first marriage and four by the second.

SELOVER, Arthur William, for a number of years a well-known member of the legal fraternity in the Twin Cities, was born at the town of Flatbush, Long Island, on July 9, 1871, the son of Peter and Jennie H. Selover. His father is a builder and contractor and was engaged until 1879 in that business in New York state, at which time the family came to Minnesota and located at Lake City. Their son attended the public schools there and took his preparatory work for college in the Lake City high school, from which he graduated in the year 1888. He matriculated at the University of Minnesota for the continuation of his studies, entering the academic department. He graduated from that department in 1893, receiving at the time his degree of B. A., returning to complete his training for the legal profession, which he had determined to follow, in the law college. He finished the law course in 1894 taking a LL. B. degree; and at the time of graduation was awarded the honors of his class for the preparation of the best and most complete legal thesis. After leaving college Mr. Selover followed his legal studies for a time and in 1897 took the additional degree of LL.M. In 1894, following his graduation from the law depart-

ment of the University of Minnesota, he had accepted a position on the editorial staff of the West Publishing Company of St. Paul, and took an important part in the editing of the law books handled by that house. He was associated with that firm as legal editor for five years, but in 1899 resigned his office to follow his original intention of entering the legal profession. He chose Minneapolis as the field for his practice and has since been engaged with legal work in this city. Much important litigation has come under his management during the course of his practice. Mr. Selover is also the author of several legal books, the most important, possibly, being a volume on negotiable instruments which is used as a standard authority throughout the country and which the Yale Law School has adopted as a text book. This was published in 1900. A year later he completed and published a work on bank collections.<sup>37</sup> Mr. Selover is a republican in politics and has been active in the work of his party, and in 1908 became the candidate for alderman from the Fifth ward. He is a member also of the Apollo Club. On December 19, 1900, Mr. Selover was married to Miss Bessie S. Warner of St. Paul, and they have two children, both sons — Arthur Lucien, aged five, and Harvey William, now three years of age. The family attends the First Presbyterian Church of Minneapolis, and Mr. Selover is the superintendent of the Sunday School.

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<sup>37</sup> Selover wrote three books on commercial law. They can be found at the Library of the University of Minnesota Law School. The volumes on negotiable instruments are available online. They are:

1) *The Negotiable Instruments Law for New York, Massachusetts, Connecticut, Rhode Island, Maryland, Tennessee, Virginia, North Carolina, Florida, Wisconsin, Colorado, Washington, Oregon, Utah, North Dakota, District of Columbia* (Keefe-Davidson Law Book Pub., 1900) (2nd ed., 1905).

2) *The Law of Bank Collections* (Keefe-Davidson Law Book Co., 1901).

3) *A Treatise on Negotiable Instruments for Colorado, Connecticut, District of Columbia, Florida, Idaho, Iowa, Kentucky, Louisiana, Massachusetts, Missouri, Montana, Nevada, New Hampshire, New Jersey, New Mexico, North Carolina, North Dakota, Oregon, Pennsylvania* (Keefe-Davidson Law Book Co., 1910).

**SHEARER, James Duncan, came to Minneapolis in 1883, when twenty-one years of age, and since the following year has been a practicing attorney of this city. He is descended on both sides from old Scotch families; his father, Robert Bruce Shearer, was a descendant of Robert Bruce of Scotland; his mother, Elizabeth Eliza Campbell McDougall, was a second cousin of the last Duke of Argyle, and grand-daughter of Dr. John Lawson of Edinburgh, physician to Sir Walter Scott. James D. Shearer was born on March 25, 1862, at Janesville, Wisconsin, then the home of his parents. When he was three years of age the family moved to central Iowa and he grew up on a farm in that state, the youngest of six children. His education began in "the little white school-house" and after the usual preparatory training he entered the Iowa State Agricultural College at Ames. His studies were carried on there for five years and he graduated in 1879, when only seventeen years old, being, in fact, up to that time the youngest student of the institution to receive a diploma. After leaving college Mr. Shearer taught in the Iowa schools for several years, but the work of a teacher did not offer scope for either his ambitions or abilities. So in 1883 he resigned his position and came to Minneapolis, and has since been a resident and a member of the legal fraternity of the city. Soon after his arrival here, Mr. Shearer began to study law in the offices of Judge Bagg, and on October 17, 1884, was admitted to the bar by the state supreme court. He commenced practice at once in Minneapolis. His work has not been confined to any one branch of the law, but has been along general lines, and at the present time his list of clients is large and his practice successful. For several years he has been a member of the law firm of Belden, Jamison & Shearer. On March 25, 1907, Mr. Shearer was appointed receiver of the Minnesota Title Insurance & Trust Company and since that time has been largely engaged in settling up the affairs of the institution. Mr. Shearer is a member of the republican party and is active in its work. In 1903 he was elected to the Minnesota house of representatives, and served during 1903 and 1904. He is a member**

of various organizations, social, political, and professional; among them being the Minneapolis Commercial Club and the Six O'Clock Club. On September 18, 1888, Mr. Shearer was married to Miss Emma Evans of Cedar Rapids, Iowa, and they have four children, three sons and a daughter.

SMITH, Edward E., a practicing attorney of Minneapolis, was born on May 5, 1861, at Spring Valley, Minnesota. He is a son of Dryden Smith and Elizabeth Ann (Hines) Smith. He attended the public schools at Spring Valley, where he passed his boyhood and youth, but studied law at Charles City, Iowa, where he was admitted to the bar in 1883. Most of Mr. Smith's professional life has been passed in Minneapolis, where he moved not long after his admission to practice. He has always taken an active interest in politics and has been repeatedly elected to the State Legislature as a republican. He first served in the house of representatives in 1895, and was re-elected for the session of 1897. He was elected to the state senate in 1898 and again in 1902 and 1906. Mr. Smith was married in 1883 to Esther E. Leonard, and they have two children, Harriet and Rollin. He is a member of the Minneapolis and Commercial clubs and is prominent in all the Masonic orders.<sup>38</sup>

SMITH, George Ross, lawyer and judge of the probate court of Hennepin county, was born in Stearns county, Minnesota, May 28, 1864, the son of David and Katharine (Crowe) Smith. He attended the district school until fifteen years of age, working on his father's farm during the summers. In 1886 he graduated from Lake View Academy and was awarded a gold medal for scholarship. He taught school until 1891, when he entered the College of Law of the University of Minnesota, from which he graduated with the degree of LL. B. in 1893. While in the university he was elected president

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<sup>38</sup> *The Philosophy of a Politician: An Epistolary Biography of Edward E. Smith* (Vallombrosa Press, 1932), a collection of his letters over three decades, was compiled, edited and published after his death on July 29, 1931, by his son Rollin L. Smith.

of his class. Since 1893 he has been actively engaged in the practice of law in Minneapolis. He was elected to the legislature from the Thirty-eighth legislative district in 1902, and was the first republican representative to be sent to the house of representatives from that district. He was elected judge of probate of Hennepin county in November, 1906. On January 9, 1895, Judge Smith was married at Minneapolis to Mrs. F. J. Horan. He is a member of the State Bar Association and several fraternal orders and local clubs. His recreations are hunting and fishing.

SMITH, Seagrave, for many years a prominent member of the Hennepin County bar and judge of the district court, was born on September 16, 1828, at Stafford, Connecticut, the son of Hiram and Mary A. (Seagrave) Smith. His father was a farmer of Welsh descent and his ancestors on both sides were early settlers of New England. His early life was that usual to the farmer's boy in New England and he finished a common school education with a course at the Connecticut Literary Institution at Suffield, where he graduated in 1848. He had already determined to be a lawyer, but this course was strongly opposed by his father, who refused him any financial aid, and he accordingly supported himself while studying for the bar by teaching school. He read law with Alvin P. Hide at Stafford, Connecticut, and was admitted to the bar on August 13, 1852. He began to practice in Colchester, Connecticut, and during his residence there served as town clerk, state senator, and clerk of the probate court. In 1857 he gratified an early desire to settle in the west and came to Hastings, Minnesota, where he formed a law partnership with J. W. De Silva. During his twenty years residence at Hastings he took a prominent part in the politics of Dakota county, serving from time to time as county attorney, county commissioner, judge of probate and as a member of the state senate.<sup>39</sup> He was attorney for the Chicago, Milwaukee & St.

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<sup>39</sup> While practicing in Hastings, he was defeated for judge of the First Judicial District in the election on November 8, 1864:

Paul railway and other railroad corporations. In 1877 Judge Smith moved to Minneapolis and formed a law partnership with W. E. Hale, which continued for three years. In 1883 he entered into a partnership with the late S. A. Reed, which continued until March, 1889, when Judge Smith was appointed to the district bench. Although a life long democrat, Judge Smith was elected in 1890 by the united support of all parties and in 1896 was again elected to the bench on the democratic ticket.<sup>40</sup> In 1887 he was elected city attorney and held the office for two terms. He was frequently nominated for various positions, as attorney general of the state and chief justice of the supreme court, but with the exceptions noted was not elected, his party being largely in the minority in Minnesota.<sup>41</sup> In every case, however, Judge Smith ran ahead of his

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Seagrave Smith .....	2,460
Charles McClure.....	4,115

Microfilm Roll SAM 66, Roll 1, Image 42 (Microfilm Room, MHS).

<sup>40</sup> The election for the Fourth Judicial District Court on November 4, 1890, was a “top four” election:

Thomas Canty.....	21,368 *
Alexander T. Ankeny.....	18,785
Charles M. Pond (inc.).....	20,101 *
Seagrave Smith (inc.).....	36,300 *
Austin H. Young.....	17,608
Frederick Hooker (inc.).....	19,075 *
Robert D. Russell.....	16,639

1891 Blue Book, at 572-73.

The election on November 3, 1896, was a “top two” election:

J. H. Steele.....	25,156
David F. Simpson (inc.).....	27,160 *
Charles M. Pond (inc.).....	24,438
Seagrave Smith Inc.).....	28,209 *

1897 Blue Book, at 492.

<sup>41</sup> In the election for attorney general on November 2, 1869, he lost to the incumbent:

Francis R. E. Cornell (inc.).....	29,300
Seagrave Smith.....	23,812
J. Ham. Davidson.....	1,348
Scattering.....	49

Journal of the House of Rep., January 5, 1870, at 12.

party ticket, as he was widely known as a man of the highest character and ability and one whose partisanship could not detract from his Bible, conscientious work as an official. Judge Smith was married three times. His first wife was Miss Almira Cady of Monson, Massachusetts. They had four children. His second wife was Mrs. Fidelia P. Hatch of Hastings, who had one son, Theron S. Smith. Judge Smith's third marriage was to Mrs. Harriet P. Norton of Otis, Massachusetts, who survives him and is still living in Minneapolis. The only surviving child of Judge Smith is Claribel Smith, principal of Hamilton school, in this city. Judge Smith died in May, 1898.

SMITH, John Day, member of the district bench of Minnesota, is the descendant of English Colonial ancestry that settled in this country a half century before the Revolutionary War and took part in the struggle for independence. His great-grandfather, James Lord, was a lieutenant and led a company at Bunker Hill. John Day, the son of a Kennebec county, Maine, farmer, was born in that region on February 25, 1845. After completing his preparatory education he entered Brown University and graduated with the

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In the election for chief justice in November 1888, he lost to the incumbent:

James Gilfillan (inc.).....	144,962
Seagrave Smith.....	105,795
F. L. Claffey.....	735
Write-in.....	71

Microfilm Roll SAM 66, Roll 1, Images 240-242 (Microfilm Room, MHS).

In the election for chief justice in November 1894, there was no incumbent, but he lost by a wide margin:

Charles M. Start (R.).....	152,508
Seagrave Smith (D.).....	72,741
Sumner Ladd (Peoples' Party).....	59,942

1895 Blue Book at 468-9.

class of 1872. Returning for further work he took an A. M. degree in 1875 and in his senior year became a member of the Phi Beta Kappa fraternity. He taught school for a short time and then entered Columbia University and studied law, receiving an LL. B. degree at that institution in 1878 and his degree of LL. M. three years later at the same place. In 1881, shortly after his graduation from Columbia he was admitted to the bar in the city of Washington. In 1885 he came to Minneapolis and has resided here since that time. He practiced his profession in this city, as senior partner of the law firm of Smith and Parsons until 1901 and then independently until his election to the district bench in 1904.<sup>42</sup> Besides his legal work Judge Smith was a lecturer at the state university on American constitutional law, from 1890 till 1905, when he was promoted to the bench, and was engaged for a time to lecture at Howard University. On June 26, 1862, he enlisted with Company F., Nineteenth Maine Volunteers and fought in most of the principal battles of the Civil war — Fredericksburg, Chancellorsville, Bristoe Station, Mine Run, the Wilderness, Spottsylvania, Bethesda Church, North Anna, Cold Harbor, Siege of Petersburg and Jerusalem Road. He was slightly wounded at Gettysburg and at Jerusalem Road was almost fatally shot in the face. Though given up by the surgeons he recovered and was discharged, as a corporal, April 25, 1865, on account of his wounds. Judge Smith has always been active politically and has held several public offices. He has usually supported the republican party though in 1896 he followed

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<sup>42</sup> The election on November 8, 1904, was a "top four" election:

Alexander M. Harrison.....	21,824
Andrew Holt.....	23,678.*
Horace D. Dickinson.....	22,944 *
John Day Smith.....	22,212 *
Frank C. Brooks.....	23,248 *
Charles M. Pond.....	17,879
William H. Vanderburgh.....	10,106
Elijah Barton.....	9,260

1905 Blue Book, at 512-14. \* elected.

the political leadership of William J. Bryan. In 1889 he served in the lower house of the Minnesota legislature and was the representative from the Thirty-fourth District in the senate from 1891 to 1895, and was an able leader of the republican sentiment and movements in that body. During his last term he was chairman of the judiciary committee of the senate.<sup>43</sup> After his second term in the senate he returned to private life and practiced his profession until 1904 when as mentioned he was elected to the district bench. Judge Smith is prominent in the affairs of military fraternal or organizations — he is a member of the G. A. R. and in 1893 was chosen as commander of the department of Minnesota. In December, 1906, he was elected president of the Minnesota Society of the Sons of the American Revolution to succeed Judge F. M. Crosby. He is also a member of Ark Chapter, Darius Commandery of the Knights Templar, and of Zuhrah Temple, and was the first master of Ark Lodge A. F. and A. M. In 1872 he was married to Miss Mary Hardy Chadbourne, of Lexington, Massachusetts, who died in 1874. He was again married in 1879 to Miss Laura Bean, of Delaware, Ohio. They have four children. The family attends the Calvary Baptist Church.

SNYDER, Fred B., son of Simon P. and Mary R. Snyder, was born in Minneapolis, on February 21, 1859, in the original Colonel Stevens house, the first dwelling erected on the site of Minneapolis. He is the second son in the family and has spent his life from his birth in this city. He attended the local public schools, graduated from the high school and then entered the University of Minnesota from which he graduated in 1881. He received his degree in that year and then read law; first in the office of Lochren,

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<sup>43</sup> Smith's successful efforts to abolish public executions in Minnesota while a member of the 26th Legislature are recounted by John D. Bessler in *Legal Violence: Lynch Mobs and Execution in Minnesota* (Univ. of Minn. Press, 2003), and *Death in the Dark: Midnight Executions in America* (Northeastern Univ. Press, 1997). See also, Michael Anderson, "Minnesota's John Day Smith Law and the Death Penalty," 58 *Minnesota History* 84-91 (2002).

McNair & Gilfillan and later with the law firm of Koon, Merrill and Keith. He was admitted to the bar in 1882. He practiced in partnership with Judge Jamison till 1889. He has handled a number of important cases, notably that of the State vs. Pillsbury, in which he upset the provisions of the City Charter relating to special assessments for local improvements;<sup>44</sup> and that of the State vs. Westfall, when he sustained the constitutionality of the Torrens Land Law, of which he himself is the author.<sup>45</sup> Mr. Snyder has always been a republican in politics and has been elected by that party to several public offices. In 1892 he was elected alderman of the second ward and served four years, being president of the council in 1894-1895. Two years later he was the representative in the legislature from the University district, in 1899 was advanced to the senate, and in 1902 declined re-election for a second term. While in the city council he proposed the gas arbitration plan, which materially reduced the price of that commodity, and created the office of City Gas Inspector. He also advocated and voted for the Harvey transfer ordinance. As a member of the legislature he was the originator and supporter of several important measures — introducing and passing the bill increasing the annual revenue of the state university. While in the senate he introduced and passed the Board of Control Bill and supported and voted for the increase of the gross earnings tax from three to four per cent. He was also the author of the Probation Law for juvenile offenders. Mr. Snyder

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<sup>44</sup> *State v. Pillsbury*, 82 Minn. 359, 85 N.W, 175 (1901) (Collins, J.).

<sup>45</sup> The constitutionality of the Torrens Law, 1901 Laws, c. 237, at 348-378, was upheld in *State ex rel. Douglas, Attorney General v. William P. Westfall*, 85 Minn. 437, 89 N. W. 175 (1902) (Start, C. J.). This case was a quo warranto proceeding challenging Westfall's right to hold the office of Examiner of Titles. The profile of Snyder's co-counsel and law partner, Edward C. Gale, is posted above, at 44-45.

While the history of the Torrens Law in Minnesota has not been written, it is discussed in William Watts Folwell, *3 A History of Minnesota* 263 (Minn. Hist. Soc. Press, 1969) (published first, 1926), citing Arnold G. Cameron, *The Torrens System: Its Simplicity, Serviceability and Success* (Houghton Mifflin Co., 1915). For a recent discussion of the Minnesota Supreme Court's interpretations of the Torrens Act, see "Konantz, Koester, McCrossan and Title to Torrens Property," *4 William Mitchell L. Rev.* 59-91 (1978).

while in college was elected to the Chi Psi and P. B. K. fraternities, and is a member of the Minneapolis and Commercial Clubs. In 1885 he was married to Miss Susan M. Pillsbury, who died in 1891. In 1896 he married Miss Lenora Dickson of Pittsburgh. There are two children, a son, John Pillsbury, and a daughter, Mary Stuart. Mr. Snyder attends the First Congregational Church. <sup>46</sup>

SWEET, John Cochrane, was born at Fort Wayne, Indiana, April 24, 1870, son of Kay Chittenden and Elizabeth (Cochrane) Sweet. His father was a locomotive engineer whose forebears in this country came from England and settled in Rhode Island in 1630. Mr. Sweet spent his boyhood in Fort Wayne, Indiana, and received his early educational training in the public schools of that city and at Waseca, Minnesota, where he went in 1882. In 1890 he went to Mankato, Minnesota, and the next year he came to Minneapolis to enter the university where he won the Paige prize for the best graduation thesis in 1893, also winning the gold medal for first place in the two hundred and twenty-yard dash on college field day, 1892. Pursuing his studies in the law department of the university, Mr. Sweet received the LL. B. degree in 1893 and LL. M. in 1896. When the Spanish war broke out Mr. Sweet entered the United States service as second lieutenant, Company A, Fifteenth Minnesota Volunteer Infantry. Mr. Sweet represented the thirty-ninth district in the lower house of the Minnesota legislature during the sessions of 1901 and 1902. He is secretary and director of the Minneapolis Oil Company and, since 1901, has been receiver for the Minneapolis Fire & Marine Mutual Insurance Company,

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<sup>46</sup> In addition to practicing law, Fred Beal Snyder (1859-1951) served 36 years on the Board of Regents of the University of Minnesota, 34 as chairman. For tributes to his service on that Board, see Charles Loring, "Pioneer Hennepin Bar Member is Honored for Long Service to University," 16 *Hennepin Lawyer* 85 (1948). And for his memorial, see Bergmann Richards, "Dean of Hennepin Bar Saw Law In County Develop From Its Infancy," 19 *Hennepin Lawyer* 99-102 (1951) (tribute to Snyder who died on February 14, 1951, at age 92).

and since 1896 has been lecturer on the Law of Mortgages in the Law Department of the state university. Mr. Sweet has interests in Minneapolis real estate and in petroleum lands in Kansas and is interested with W. S. Dwinnell in British Columbia timber lands. He is a member of the Minneapolis and Commercial clubs; is secretary and treasurer of the Psi Upsilon Association of Minnesota, and a member of the Phi Delta Phi Fraternity and, notwithstanding his professional engagements, maintains a lively interest in athletics and automobiling. Mr. Sweet is a member of the First Congregational Church of Minneapolis. He was married on May 19, 1897, to Mary, daughter of Chas. H. Lougee, and two daughters have been born to them — Catherine Elizabeth (born February 8, 1901), and Margaret Cochrane (born June 17, 1903). Mr. Sweet resides at 526 Eleventh avenue southeast.

THOMPSON, Charles T., of the law firm of Keith, Evans, Thompson & Fairchild is a native of Ohio. He was born at Glendale, near Cincinnati, on June 6, 1853, the son of Samuel J. and Eveline K. Thompson. His father was one of the distinguished Cincinnati lawyers of the last generation. He began his education at Glendale where he fitted for entrance to Denison University at Granville, Ohio, from which institution he graduated in 1873 with the degree of A.B. He then went abroad studying at the University of Edinburgh, Scotland, where, in the fall of 1874, he took honors in logic, metaphysics and in Roman law, having completed a two years course in one year. Returning to America he entered the Cincinnati Law School (now law department of the University of Cincinnati) from which he graduated in June, 1876. He at once began practice with the firm of King, Thompson & Longworth, but on account of his health moved to Minneapolis in 1878. For a few years he practiced alone and then in August, 1883, formed the partnership with Mr. Arthur M. Keith, which has continued until the present time. The firm was at first Keith & Thompson and in 1887 the present partnership was formed. It has always been one of

the prominent law firms of the city and has conducted much important legal business. During his thirty years residence in Minneapolis Mr. Thompson has taken an active part in all matters looking toward the betterment of social and political conditions, though he has never held or sought public office. His political affiliations are with the republican party and his church relations with the Presbyterian denomination, in which he has held many important positions. He has served as elder and clerk of Westminster Presbyterian Church for many years. He is a member of the Sons of the American Revolution, the Citizens' staff of the Rawlins post, G.A.R., the Beta Theta Pi fraternity, the Minneapolis Club, the Commercial Club, the Lafayette Club, the Westminster Club, the Six O'Clock Club, and the American and Minnesota State bar associations. Mr. Thompson was married on September 28, 1881, to Kate L. Harris of Minneapolis. They have three sons, Arthur H., Telford K., and Charles Stanley.

TRAXLER, Charles Jerome, son of John and Rebecca Yount Traxler, was born in Henry county, Iowa, near Mount Pleasant, on December 16, 1858. The father was a farmer and brick-maker and the son spent his early years on the farm near Mount Pleasant where, after attending the public schools, he took the academic course Mr. Howe's Academy, after a course in Iowa Wesleyan University at Mount Pleasant, Mr. Traxler completed his collegiate education at the State University of Iowa at Iowa City from which he graduated, LL. B., in 1882, meantime having read law with prominent lawyers. He began the practice of his profession in partnership with Hon. Clay B. Whitford (now of Denver, Col.) and after that gentleman's departure for Denver, the partnership being dissolved, Mr. Traxler became a member of the editorial staff of the Daily Tribune-News, of Evansville, Ind., holding the position of associate editor in chief. In 1886 he resumed the practice of law in western Kansas, where he was twice elected county attorney of Seward County. He came to Minnesota in 1889 locating in

Minneapolis where he has since been practicing in his specialty as corporation counsel. Mr. Traxler is an Independent in politics, in later years generally voting for republican candidates. As counsel for several freight receivers' associations, Mr. Traxler has given intelligent attention to the rate question and a plan for the regulation of rates was considered by the government last year which Mr. Traxler originated and which was regarded with considerable favor by the Federal authorities and men of affairs who considered it. It left the rate-making power with the railroads and devolved upon them the burden of proof, while avoiding any ground for basing a charge that the commission is combining judicial and legislative functions or that a special tribunal has been created for a special industry. Mr. Traxler is the author of several books which have received the commendation of recognized legal authorities. His "Annotated Lien Laws of Minnesota," published in 1890, has been indorsed by the justices of the state supreme court and leading members of the bar and by the dean of the law department of the state university, where it is used as a text book.<sup>47</sup> His treatise on the "Law of Mechanics' Liens of Iowa," also has the unanimous indorsement of the members of the Iowa supreme court. In 1907 Mr. Traxler was appointed by the Minnesota supreme court as one of the six members of the state board of law examiners and assumed the duties of his office on May 1 of that year. Mr. Traxler was married in 1886 to Mary Comstock, daughter of Col. A. W. Comstock, of Mount Pleasant, Iowa. To them have been born three children — Marian Avery, Hazel Alice and John Austin.

**TRYON, Charles John**, a Minneapolis attorney in active practice in the firm of Tryon and Booth, was born September 8, 1859, at

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<sup>47</sup> Charles Jerome Traxler, *Traxler's Annotated Lien Laws of the State of Minnesota. Showing the various statutes on laborers, mechanics and material-mens liens, in force January 1st, A.D. 1900. Embracing full annotations from the decisions of the Supreme Court of Minnesota under each section, on all matters relating thereto* (Co-operative Pub. Co., 1900).

A copy is in the Rare Book Room of the Library of the University of Minnesota Law School.

Batavia, New York. He is the son of A. D. and Amanda H. Tryon. and both parents were of English colonial ancestry, the New York branch of the family having migrated from Connecticut — the original home of the first settlers — and established themselves in New York early, in that state's history The father was a druggist and book seller in prosperous circumstances and the son after an early education in the common schools of Batavia, went to Columbian University, Washington, D. C., for his law course. Soon after graduation, he came to Minneapolis, where he has since lived, and practiced as a lawyer. Mr. Tryon is a republican in politics, and a Congregationalist in church affiliations. He was married June 10, 1901, to Miss Isabel Gale, the daughter of Harlow A. Gale, one of the early pioneers of Minneapolis. He has seven children — three sons and four daughters.

VAN VALKENBURG, Jesse, was born in Sharon, New York, on December 31, 1868, and is of a family whose ancestors took part in the Revolution. His father, Joseph Van Valkenburg, was at the time of his son's birth a New York farmer, but later engaged in business, and is now retired; his mother was Harriet Seeley Van Valkenburg. The family moved West and Jesse grew up at Farmington, Minnesota, attending the local schools and afterwards taking a course at the Mankato state normal school. After graduating at Mankato, he completed his education with the academic and law courses at the University of Minnesota, graduating from the former in 1894 and the latter in 1895. During the later years of his university work he was on the staff of the Minneapolis Tribune as a reporter and continued for a short time after graduating, or until he commenced practice in his chosen profession. During his ten years' membership in the bar of the city and state he has made a large acquaintance and established a satisfactory practice. A republican in politics, he has not taken a politician's part in party affairs, but has been interested in civic betterments and good government. He is a member of the Masonic order and of the

society of the Sons of the American Revolution. Mr. Van Valkenburg is married and has three children. The family attend the Congregational church.

VANDEBURGH, Charles Edwin, better known as Judge Vanderburgh, an early settler of St. Anthony and the first judge of the district bench from this district, was born on December 2, 1829, at Clifton Park, Saratoga county, New York. His ancestors came to this country from Holland before the Revolution, his grandfather fought under the flag of the United Colonies and shortly after the close of the war settled in Saratoga county, where the father of Charles Edwin, Stephen Vanderburgh, was born. Charles Edwin received his grammar education in the district school, later taking a preparatory course in Cortland Academy at Homer, New York, and entering Yale College in 1849 with the class of 1852. He graduated in the latter year and soon after commenced his legal studies with Henry R. Mygatt, an eminent lawyer of his day, at the same time holding the office of principal at Oxford Academy, Oxford, New York. Admitted to the bar in 1855, he came to Minneapolis the following spring, where he soon formed a partnership with F. R. E. Cornell and commenced the practice of law, the firm becoming one of the most successful in the state. At the age of twenty-nine elected judge of the Fourth Judicial District in 1859, and successively re-elected. Judge Vanderburgh dispensed justice in the territory embracing everything north and west of Minneapolis for twenty years, driving over a large part of the circuit. In a day when the jurisprudence of Minnesota was but slightly developed, his excellent training and sound judgment blazed out the way of interpretation which other courts followed. In 1881, he was elected to the supreme bench, the death of Judge Cornell having left a vacancy, and served until the expiration of his last term in 1894.<sup>48</sup>

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<sup>48</sup> The election in November 1881 for associate justice was a "top three" election:

William Mitchell (inc.).....102,373 \*

Probably his most famous decision was that rendered while on the district bench in 1860, in the case of Eliza Winston, a slave woman brought by her owner, Colonel Christmas, from Mississippi to this state and taken before Judge Vanderburgh on a writ of habeas corpus. He decided that slavery was a local institution, and that a slave brought into a free state by its owner became free. This made the woman free to leave her former owner and with the aid of a party of abolitionists she evaded a forcible attempt at recapture and escaped into Canada.<sup>49</sup> His supreme court decisions were distinguished by strong common sense, thorough investigation and

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

Microfilm Reel SAM 66, Roll 1, Images 127-132 (Microfilm Room, MHS).

The election in November 1888 for associate justice was a “top three” election:

William Mitchell (inc.).....	195,540 *
Daniel A. Dickinson (inc.).....	193,945 *
Charles E. Vanderburgh (inc.).....	185,938 *
C. E. Shannon.....	8,927
J. McKnight.....	8,873
J. W. Cochran.....	8,863
Write-in.....	58

Microfilm Reel SAM 66, Roll 1, Images 202-213 (Microfilm Room, MHS).

The election for associate justice in November 1892, for a term beginning January 1894, was a “top three” election in which Vanderburgh came in fifth:

William Mitchell (R., D. & Pro.)(inc.).....	165,541 *
Daniel Buck (D. & Peoples').....	113,194 *
Thomas Canty (D. & Peoples').....	109,166 *
Daniel A. Dickinson (R. & Pro.)(inc.).....	101,148
Charles E. Vanderburgh (R. & Pro.)(inc.)....	100,064
William N. Davidson (Peoples').....	42,084

Microfilm Reel SAM 66, Roll 2, Image 432, and 1893 *Blue Book* at 466-7.

<sup>49</sup> The most thoroughly researched account of this case is Professor William D. Green’s “Eliza Winston and the Politics of Freedom in Minnesota, 1854-60,” 57 *Minnesota History* 106-122 (2000). A shorter account appears in Green’s *A Peculiar Imbalance: The Fall and Rise of Racial Equality in Early Minnesota* 83-101 (Minn. Hist. Soc. Press, 2007).

conciseness. A former associate said of him, "The fidelity and painstaking care with which he discharged judicial duties, may be likened to that which a sculptor bestows in chiseling the form and face of a statue, anxious always, that no fault or flaw should be revealed in the finished work." When it is remembered that Minnesota had only 150,000 people when he went on the bench and had grown to a million and a half when he left it, it will be seen that he was an influential factor in the determination of most of the important litigation that has occurred in the state. On his retirement from the bench, he entered into the general practice of law, took an active part in the political campaign of 1896 and presided at the first meeting held by W. J. Bryan, in Minneapolis. With his family he attended the First Presbyterian Church of this city and for many years was an elder and the superintendent of the Sabbath school. He was married to Miss Julia M. Mygatt of Oxford, New York, on September 2, 1857, and they had two children, W. H. Vanderburgh, now a practicing attorney in Minneapolis, and Julia M. Vanderburgh, who was drowned in 1871. After the death of his first wife in 1863 Judge Vanderburgh was again married to Miss Anna Culbert of Fulton county, New York. One daughter, Isabella, was born, who died in 1893. Judge Vanderburgh died in March, 1898, at the age of sixty-eight years.<sup>50</sup>

WILSON, George Potter, son of Samuel and Elizabeth Wilson, was born at Lewisburgh, Pennsylvania, January 19, 1840. His father was a farmer of Scotch-Irish descent; his mother of German descent. The father served in the war of 1812. The subject of this sketch was a boy when his parents died. He remained at Lewisburgh until he was eighteen years old and attended the Lewisburgh (now Bucknell University) during the last two years of his residence there. He then attended the Wesleyan University at Delaware, Ohio, for two years and in 1860 he removed to Winona, Minnesota,

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<sup>50</sup> For his memorial, see "Charles E. Vanderburgh," in *Testimony: Remembering Minnesota's Supreme Court Justices* 124-131 (Minn. Sup. Ct. Hist. Soc., 2008).

where he studied law in the office of Lewis & Simpson and was admitted to the bar in the fall of 1862. He practiced his profession at Winona as a member of the firm of Simpson & Wilson until October, 1878. Meantime he was elected, and served for six years, or three terms, as county attorney of Winona County. He was elected to the lower house of the legislature in November, 1872, and was elected Attorney General of the state of Minnesota in November, 1873, and was twice reelected, his last term ending on January 1, 1880.<sup>51</sup> Mr. Wilson then removed to Fargo, North Dakota, and practiced law under the firm name of Wilson & Ball until July, 1887, coming then to Minneapolis, where he has since remained in the practice of his profession. He was elected to the state senate from the Forty-first District in 1898, and re-elected in 1902. Among the distinctions which have marked the career of Mr. Wilson, he was appointed by President Grant, in 1871, one of the government commissioners on the Southern Pacific Railroad, the construction

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<sup>51</sup> The results of the election for attorney general on November 4, 1873, were:

George P. Wilson.....	40,751
William P. Clough.....	35,757
Write-in.....	302

Journal of the House of Rep., January 8, 1874, at 19.

The results of the election on November 2, 1875, were:

George P. Wilson (inc.).....	45,091
Richard A. Jones.....	34,683
C. M. McCarthy.....	2,749

Source: Journal of the House of Rep., January 6, 1876, at 17.

The results of the election on November 6, 1877, were:

George P. Wilson (inc).....	56,328
John R. Jones.....	37,042
James E. Childs.....	1,162
S. L. Pierce.....	208
N. C. Martin.....	856

Journal of the House of Rep., January 10, 1878, at 18.

of which had just commenced from San Francisco south and east. The commissioners inspected the work from San Francisco to Gilroy, eighty miles. Mr. Wilson was one of the counsel for the state of Minnesota in that celebrated case, *The State of Minnesota against The Northern Securities Company*, on each side of which the strongest legal talent was engaged.<sup>52</sup> Mr. Wilson is a member of the Methodist Episcopal church. He was married in September, 1866, to Ada H. Harrington of Winona, and they have had three children, Jessie M., married to W. R. Sweatt; Walter H., and Wirt, all of whom reside in Minneapolis.

WILLIAMSON, James Franklin, was born in the town of Osborn, near Dayton, Ohio, on January 9, 1853. His grandfather, James W. Williamson, was one of the pioneer settlers of Ohio. James Franklin is the son of George C. and Sarah A. Williamson, being of Scotch-Irish descent upon his father's side and German descent on his mother's side. He was educated at the public schools and Princeton University, graduating from the latter in 1877 with the degree of A. B. and receiving therefrom the degree of Ph. D. in 1879, on examination for his post graduate work. He studied law in the office of ex-Governor George Hoadly, at Cincinnati, Ohio. In 1881 he came to Minneapolis, here continuing his studies with the law firm of Lochren, McNair & Gilfillan, and in November of the same year was admitted to the bar. He accepted an appointment, in the fall of 1881, as an examiner in the United States Patent Office, remaining about two years. He resigned from government service in 1885, and opened a law office in this city, making a specialty of patent and trade-mark law and soliciting. He has since been

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<sup>52</sup> *State of Minnesota v. Northern Securities Co. et al*, 194 U. S. 48 (1901) (Harlan, J). Attorney General Wallace B. Douglas, M. D. Munn and Wilson represented the State, while George B. Young, John G. Johnson, M. D. Grover, C. W. Bunn and William P. Clough represented the defendants. This case should be read with *Northern Securities Co. v. United States*, 193 U.S. 197 (1904) (Harlan).

continuously engaged with that branch of legal work, and has a well-established practice in the United States courts and before the Patent Office. After practicing alone in this city for fifteen years, Mr. Williamson, in 1900, took into partnership Mr. Frank D. Merchant, under the firm name of Williamson & Merchant. This association still exists, and the firm has built up a most successful business, numbering among its clients not only prominent corporations in the Northwest, but some of national repute in other sections. On June 9, 1896, Mr. Williamson was married to Miss Emma F. Elmore, and they have two children, both sons. Mr. Williamson is a member of the leading business and social organizations of the city, including the Minneapolis Club and Commercial Club of this city, and is also a member of the University Club of New York City.

WRIGHT, Fred B., was born January 17, 1856, in Coos county, New Hampshire. His father, Beriah Wright, was a farmer of moderate means directly descended from Beriah Wright who had a part in the war of 1812 as a captain in the army of the United States. The family have had distinguished representation in the legal and medical professions in both the East and the West, and have been eminently successful in agricultural and commercial life. Fred B., after a good district school education, entered the St. Johnsbury Academy at St. Johnsbury, Vermont, from which he graduated in 1878 and, after teaching school for a time, he began to read law in the office of George A. Bingham at Littleton, New Hampshire; and later completed his studies at the Boston Law School. In 1883 Mr. Wright came to Minneapolis and began, here, the practice of his profession. He has continuously practiced here since that time and been eminently successful in his professional career. In politics he is a republican and is active in the work of the State League of Republican Clubs, of which he was president for two years. He was elected to the state legislature in 1906 from the Fortieth District which is identical with the Fourth Ward of Minneapolis and during

the session of 1907 was a member of many important committees and chairman of the committee of drainage. In response to the pressing demand for a revision and extension of the drainage laws, Mr. Wright revised and rewrote the old drainage laws with the view to making them meet the present demand of the state. This work was done so thoroughly that the result brought him warmest commendation and it is conceded that Minnesota now has the best system of drainage laws of any state in the Union. Mr. Wright is a high degree Mason and is a member of the Minneapolis No. 19 Blue Lodge, St. John's Chapter No. 9, Zion Commandery No. 2, Knights Templars, and Zuhrah Temple. On August 27, 1884, he was married to Helen M. Conant, of Greensboro, Vermont, and they have four children — Ralph C. Fred B., Jr., Barbara Helen, and Donald Orr.

WAITE, Edward Foote, judge of the municipal court of Minneapolis, was born on January 15, 1860, in Norwich, New York, the son of John Waite and Betsey N. Foote. His father was a lawyer and his ancestors on both sides of the family were among the early settlers of New England. Judge Waite's early life was spent at Norwich and in that vicinity, where he obtained his earlier schooling and prepared for college. He entered Colgate University at Hamilton, New York, and graduated with the degree of A. B. in the class of 1880. His professional education was obtained at the Columbian (now George Washington) University Law School at Washington, D. C., from which he was graduated in 1883 with the degree of LL. B. and from which he received his LL.M. in 1884. Judge Waite did not engage in practice at once. He had been, during his law studies, a clerk in the United States Pension Department at Washington, and continued in the service of the pension department, serving as special examiner at various points, the last being Minneapolis, where he was stationed from 1888 to 1887. In the latter year Judge Waite withdrew from the public service and commenced the practice of law. He was for some time

associated with the late Judge A. H. Young, who had served upon the district bench in Minneapolis for many years. In 1901 Mr. Waite was made assistant city attorney of Minneapolis and in August, 1902, was appointed Superintendent of Police by Mayor David P. Jones, who had come into office upon the retirement of Mayor A. A. Ames.<sup>53</sup> The appointment of Judge Waite as superintendent of police was for the avowed purpose of complete reorganization and rehabilitation of the police force of the city and for the absolute suppression of various forms of vice and crime which had been given free rein. This work was accomplished in a few months and when Supt. Waite retired from the position on January 1, 1903, the police force was thoroughly reorganized on a basis of independence, complete protection to the public and no protection to law breakers. This reorganization was a remarkable demonstration of the possibilities of the police department when handled solely for the maintenance of law and order. In December, 1904, Judge Waite was appointed to the municipal bench by Governor Van Sant to fill an unexpired term and in November, 1906, he was regularly elected for the six years' term. Judge Waite is a republican in party affiliations though quite independent in local affairs. He takes an active part in all questions of good government and improvement of municipal conditions in all ways and in philanthropic and charitable movements. Since he has been on the municipal bench this court has inaugurated a system of parole under suspended sentences for minor offences, which has been practically successful in effecting reformation in many cases. Judge Waite is a member of Plymouth Congregational Church. He was married May 5, 1892, to Miss Alice M. Eaton, at Brooklyn, New York. They have had one son, Bradford, who died in infancy.

YALE, Washington, Jr., was born January 7, 1875, at Norwalk, Huron county, Ohio. His father, Charles W. Yale, a descendant of

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<sup>53</sup> For an account of the Ames era, see Lincoln Steffens, "The Shame of Minneapolis" (MLHP, 2011) (published first, 1903).

Thomas Yale, (a brother of Elihu Yale, from whom Yale University derived its name) is a capitalist. Washington Yale lived in Ohio until he was thirteen years old, then came to Minneapolis and lived with his great-uncle, Washington Yale, for whom he was named. He attended the Central high school, later the Engineering school of the state university, and finally the Law school, from which he graduated with the class of 1898 and was then admitted to the bar. Mr. Yale's practice has had to do chiefly with commercial and real estate law, including the care of property for both residents and non-residents. During the last three years and at the present time, he has given considerable attention to the erection of modern homes for rental purposes. During his senior year in college, he was Major of the University Cadet Corps. A republican, Mr. Yale has been a member of the Roosevelt Club during the last two campaigns. He is also a member of the Minneapolis Commercial Club, an honorary member of "Scabbard and Blade," the University military society, and a very active member of Plymouth Congregational Church, being secretary of the society and recently a member and chairman of the board of directors of Drummond Hall, one of its missions. He was also a charter member and first secretary and treasurer of Plymouth Club. He married May Wilman Emery, of Waltham, Massachusetts, October 25, 1899. □

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## RELATED ARTICLES

George E. Warner & Charles M. Foote, "The Territorial Bar of Hennepin County" (MLHP, 2013) (published first, 1881).

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