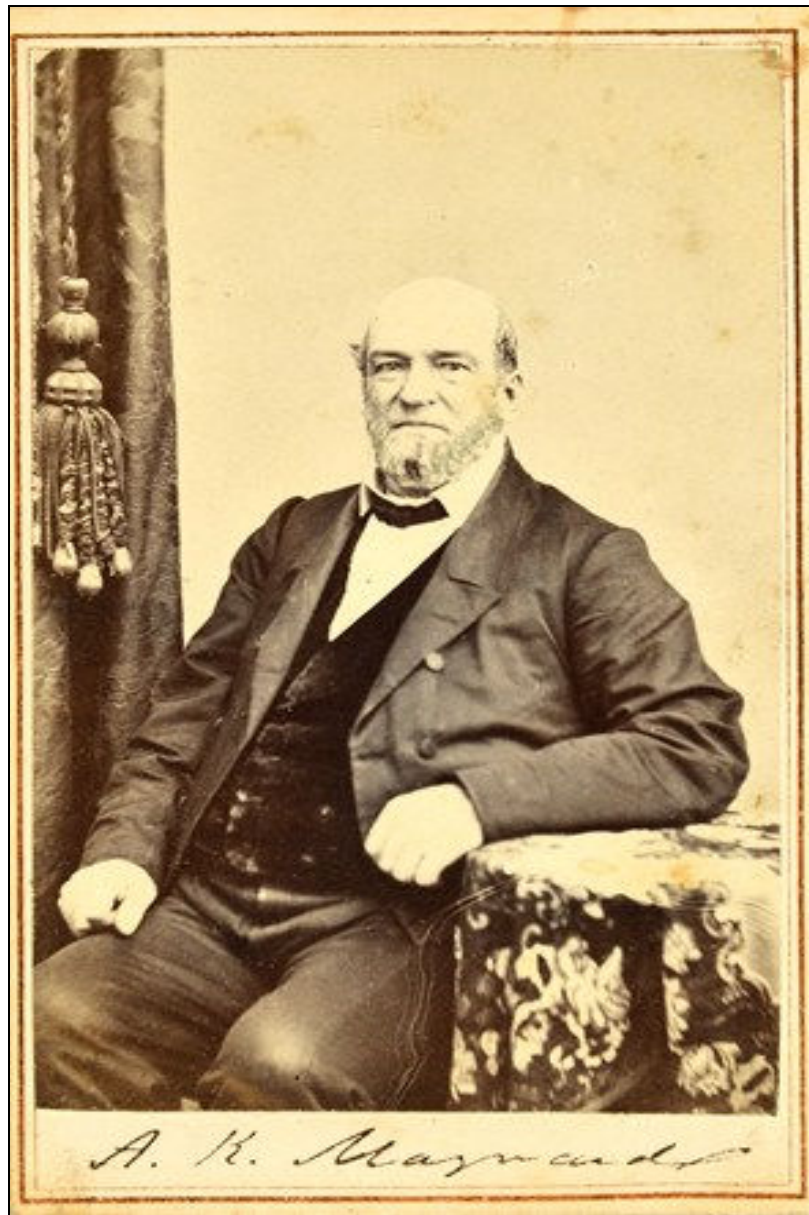


Judge Arba K. Maynard

(April 25, 1803 ÷ December 19, 1894)



(ca. 1860s-1870s)

Alba K. Maynard moved from New York to Minnesota in 1864, accompanied by his son and an oversized reputation for accomplishments in the law. He was sixty-one years old, and had practiced law in New York since 1832. There he served on several courts, which permitted him to be known as "Judge Maynard."

He settled in Le Sueur County, and bought claims to valuable tracts of land. He did not practice much law but did serve as justice of

The Le Sueur Courier.
LE SUEUR, WEDNESDAY, JULY 17, 1867.
Democratic State Ticket.
— 0 —
For Governor,
HON. CHARLES E. FLANDRAU,
Of Hennepin County.
For Lieut.-Governor,
HON. ARBA K. MAYNARD,
Of Le Sueur County.
For Secretary of State,
HON. AMOS COGSWELL,
Of Steele County.
For Attorney General,
HON. ANDREW G. CHATFIELD,
Of Scott County.
For State Treasurer,
JOHN FREDERICKS, Esq.,
Of Goodhue County.

the peace in Atwater, Minnesota.¹ In 1865, he was elected to the state House of Representatives from District 17, which covered Le Sueur and Blue Earth Counties. He served in the 8th and 9th Legislatures, 1866-1867. His work during these terms must have impressed the leaders of the Democratic Party because in 1867 he was nominated as its candidate for Lieutenant Governor. The ticket was headed by gubernatorial candidate, Charles E. Flandrau from Hennepin County. Candidates for the other state-wide offices

¹ Oddly he was not admitted to the bar by the Supreme Court until June 8, 1875, when he was seventy-two years old and a resident of St. Paul. Roll of Attorneys, Supreme Court, State of Minnesota, 1858-1970, at 13 (Minnesota Digital Library). He likely was admitted earlier by order of the local district court.

represented diverse geographic sections, a necessary feature of party slates at this time.

Though the Civil War ended two years earlier, it was still important for Democrats to proclaim their loyalty to the Union. Thus the *Le Sueur Courier's* endorsement of the Democratic slate had an assurance of their patriotism:

The men are all pre-eminent for their excellent ability, and their true, unswerving loyalty, their acknowledged popularity in and around their homes, and their well known friendship and solicitude for the interests of the people.²

It went on to praise Maynard:

FOR LIEUTENANT GOVERNOR

Le Sueur will rejoice to learn of the nomination of Hon. ARBA K. MAYNARD, as the candidate for Lieut. Governor. Judge Maynard possesses a record as legislator in our own State, which will tend to secure for him votes from many members of the opposite party. He is one of those gentlemen who are ever on the alert to advance the State and people's interests. The Judge is chock full of just that description of ability which will be of incalculable benefit to the State in the person of the presiding officer of the Senate. During the past few months Judge Maynard's name has been urged by leading and influential Germans in connection with the office of Governor, and were Mr. Flandrau's acceptance doubtful Judge Maynard's nomination for that office would have been certain. For a period of years Judge

² *Le Sueur Courier*, July 17, 1867, at 1. The *Courier* was a Democratic organ. The "Democratic State Ticket" also published on page 1, is enlarged here.

Maynard occupied the responsible position of Master of Chancery in the court of New York. He also at one period edited a newspaper in that State. [Perhaps to the latter fact the craft in Minnesota may attribute his warm hearted support of measures in the last Legislature for their benefit, for which we all owe the Judge sincere thanks and *our* support.] The next Lieut. Governor of Minnesota will be Hon. A. K. Maynard of Le Sueur county."³

Both parties waged campaigns by dispatching speakers around the state. Their itineraries were published in friendly newspapers. Here are the Democratic schedules from the *St. Paul Pioneer*:⁴

POLITICAL MEETINGS.			
Hon. C. E. Flandrau and Gen. W. A. Gorman			
Minneapolis, Monday afternoon and evening, November 4.			
Hon. Charles E. Flandrau, (Democratic Candidate for Governor.)			
will address the people at St. Paul, on Saturday evening, November 2.			
Hon. A. G. Chatfield and Gen. W. A. Gorman			
St. Paul, Thursday, October 31.			
Hon. A. G. Chatfield, Hon. Isaac Atwater and Capt. Eugene M. Wilson.			
Minneapolis, Friday evening, November 1.			
Hon. W. W. Phelps,			
Wabashaw,	Wednesday evening,	Oct. 30.	
Lake City,	Thursday,	do	Oct. 31.
Pine Island,	Saturday,	do	Nov. 2.
Red Wing,	Monday	do	Nov. 4.
Hon. W. M. McCarty,			
Anoka,	Wednesday evening,	Oct. 30.	
Saint Cloud,	Thursday,	do	Oct. 31.
Minneapolis,	Friday	do	Nov. 1.
Stillwater,	Saturday	do	Nov. 2.
Hon. A. K. Maynard,			
New Munich,	Wednesday evening,	Oct. 30.	
Sauk Centre,	Thursday evening,	Oct. 31.	
Hon. Seagrave Smith			
will address the citizens of Dakota County as follows:			
Wednesday, Oct. 30, at Castle Rock.			
Friday, Nov. 1, in the Town of Hampton.			
Saturday, Nov. 2, in the Town of Inver Grove.			
Monday, Nov. 4, at the City of Hastings.			
T. B. Huddleston, Esq.,			
will address the citizens of Dakota County as follows:			
Wednesday, Oct. 30, in the Town of Eagan.			
Thursday, Oct. 31, in the Town of Lebanon.			
Friday, Nov. 1, at Ackley's Hall, Lakeville.			
Saturday, Nov. 2, South part of Greenvale.			
Monday, Nov. 4, at Hastings.			
Dillon O'Brien, Esq., and James J. Eagan, Esq.,			
do	Sun Rise City,	Wednesday, Oct. 30.	
do	Rush Creek,	Tuesday, Oct. 31.	
Capt. E. St. Julien Cox,			
Ottawa,	Wednesday evening,	Oct. 30.	
Mankato,	Thursday evening,	Oct. 31.	
Saint Peter,	Monday evening,	Nov. 1.	
The Local Committees are requested to make the necessary arrangements for the hour and place, at which the above meetings will be held.			
C. W. NASH,			
Chairman State Central Committee.			

³ Id.

⁴ *Saint Paul Pioneer*, October 30, 1867, at 2. Here, the list of speaking schedules has been split to fit the screen; it was one long, vertical column in the original.

Needless to say, 1867 was not a Democratic year. Governor William R. Marshall was re-elected to a second term. The results of the election on November 5, 1867, were:

William R. Marshall (inc. & Rep.).....34,874
Charles E. Flandrau (Dem.).....29,502 ⁵

He continued living in Minnesota, moving to Willmar for a while, to St. Paul where he was a county commissioner, then back to Atwater. A history of the Red River Valley, published in 1889, had this profile of him. We may assume that he wrote it:

JUDGE ARBA K. MAYNARD, Attorney at law and justice of the peace of Atwater, is one of the leading and representative men of Kandiyohi county, Minnesota. He is a native of New York State, born in Madison county, New York, on the 25th day of April, 1903, and is the son of Moses and Annie (Lincoln) Maynard. Our subject's parents were of English descent, and the following narrative will be interesting in the history of his ancestry. Macaulay, in his history of England, relates that when William III, invaded England and re-established the laws which James II, had subverted, he marched in triumph into London and was met by the different classes of citizens with addresses of welcome. The members of the legal fraternity of London marched in front to welcome the kind, Sergeant Maynard at their head, then ninety-three years old and the acknowledged leader of the London bar. After he had presented the address of welcome, in the name of his brethren, King William, said to him: "Sergeant, you must have out-lived all the lawyers of your time." "Yes, sire," replied the sergeant, "and but for your majesty would have

⁵ 1871 Blue Book, at 134-135.

outlived the laws." A coat-of-arms is another thing upon which the ancestry of our subject base their claims to aristocracy: the device being a hand with three hearts in the palm.

The parents of our subject both died in New York State. They were the parents of four children, named follows – Dr. Edward, of Washington City, District of Columbia; Butler, of New York city; our subject, and one sister, who is now living with her grandchildren in Michigan.

Mr. Maynard, of whom this article treats, remained at home, working on the farm, also working in a hotel at night. He received a good education, attending the district schools and when sixteen years of age became a school teacher. When he was twenty-one he began the study of law and classics under Judge Rogers. In 1832 he was admitted to the bar as an attorney, in New York City, and during the following year was admitted as a solicitor in chancery Albany, New York. In 1835 he was admitted as counsellor, and in 1837 was admitted to practice in the United States Supreme court, at Washington, District of Columbia. Immediately after his first admission to the bar he opened an office in Norwich, Chenango county, New York, where he took a high place at the bar and remained for a number of years. He next went to New York City, where he opened office and remained there in active practice many years. In 1855 or 1856 he was elected judge of the marine court, an exclusively civil court, and held this important position for nearly ten years.

In 1864, with intention of making a farmer of his son, he came to Minnesota and settled in Le Sueur county. He

became largely interested in land and bought out a number of valuable claims, including prairie and timber lands, bordering upon the beautiful lakes of that vicinity. The son did not take to farming and soon opened a country store in Le Sueur county. Later his son came to Atwater opened a store, while our subject sold his interests in Le Sueur county, and removed to St. Paul. In 1881 the Judge bought considerable tax title land in the vicinity of Atwater, and has since made this his home.

Judge Maynard is a democrat in political matters, and is one of the leading members of that party in the central part of the State. He represented Le Sueur county in the Minnesota legislature during the sessions of 1866-67, and in the fall of 1867 was the nominee of his party for the office of lieutenant-governor, on the same ticket with Judge Flandreau, the latter being the nominee for governor. He has always taken a prominent part in public affairs and has held a great many local offices, having been justice of the peace nearly all the time since he came to Minnesota. A man of excellent legal and literary attainments, he is held in high esteem, both professionally and as an exemplary citizen. He is a member of the Masonic and Odd-Fellows fraternities, and is an active participant in all matters affecting the public welfare.

Judge Maynard was married in 1833 to Miss Minerva Gates, a sister-in-law of Judge Purdy. They became the parents of the following children—Minerva and Graydon.⁶

⁶ *Illustrated Album of Biography of the Famous Valley of the Red River of the North and the Park regions* 529-30 (1889). Different dates are given in different publications for Judge

The Judge died on December 19, 1894, aged ninety-one. The *Atwater Press* carried his obituary, with more than the usual errors:⁷

DEATH OF A. K. MAYNARD

Last Wednesday evening at 9:30, Judge A. K. Maynard passed into the unknown realm, from which none return. He was 92 years of age and a pioneer in Minnesota. The funeral was held yesterday afternoon and was conducted by the Masonic order of which he had been a member 71 years. The Chaplin, E. A. D. Salter, delivered an eulogy on the life of the Judge, and from it we make the following quotations:

“Brother A. K. Maynard was born in New York state , in 1802. Became a member of Metropolitan Lodge, No. 273, A. F. & A. M., when he was 21 years of age. Studied law; was admitted to the bar; and was for many years, a municipal Judge in New York city. Came to Minnesota in the early fifties. Represented Le Sueur county in the legislature in 1866-67, and a good many of our democratic laws bear the imprint of his judgment.

“His choicest possession was a gold-headed cane, presented by his colleagues, Hon. Edmund Rice, Hon. D. B. Johnson, Judge L. L. Baxter, Judge Berry, Col. C. W. Griggs, Hon. H. C. Lienau and Hon. J. B. Wakefield.

Maynard’s removal to Minnesota. Because he either wrote or approved this profile, we may assume that the correct date of his arrival in Minnesota is 1864.

⁷ *Atwater Press*, Friday, December 21, 1894, at 4.

The photograph of Maynard on the first page of this article is from Find A Grave website, and was contributed by Cathy Porter-Maynard.

“In 1878 he became a resident of Willmar and a member of Sharon Lodge No. 104. After a residence in Willmar, of six years, he moved to Atwater. Being too old for active lodge work, he was made a member of Orion Lodge No. 138. He buried his wife many years ago, and his only son, in Atwater, in 1879, and leaves no kin to moarn (sic) his death, except a brother, who is thought to be in the government employ, at Washington.

“Judge Maynard presented a rough exterior in his old age, but no man had a more generous disposition, or kindlier heart.”

=M=

Afterword

As always when the sketch of a man is based solely on public documents, we are left with unanswered questions about motivation: why did Arba Maynard move with his son from New York, where he was professionally established and well known, to Minnesota, at the age of sixty-one? And why did he not practice much law when he got there? To the first: 1864 was a pivotal year in the War, an opportune time for some Democrats to depart New York for the frontier. And he may have been enticed by booster literature touting Minnesota’s future and felt that it was the right place for them to restart their lives. As to the second, he likely knew that his courtroom skills had rusted during his years on the bench, he could no longer sustain the arduousness of trial work and it would be hard to build a thriving law practice. And so he became a farmer and land speculator who enjoyed attending functions of his fraternities.



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