

**“ Bench and Bar of Brown County ” \***

IN

**HISTORY**

OF

**BROWN COUNTY  
MINNESOTA**

ITS PEOPLE, INDUSTRIES AND INSTITUTIONS

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Editor

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

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**VOLUME I**

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**\* MLHP editor: this chapter appeared on pages 441-450 of this history of Brown County. Though reformatted, the chapter is complete. Page breaks have been added. The author’s spelling and punctuation are unchanged.**

## **CHAPTER XVI.**

### **BENCH AND BAR.**

The law ranks among the highest of vocations because a man well qualified as a lawyer has the training and capacity for great service in the world, and he is truly greatest who serves the most.

As it was in the past so it is today, the legal profession is calling for the best there is in the land. It is calling for the very best equipment possible and the very highest education is none too good for the man who assumes the responsibility of the future.

The time has passed when a young man can secure a broad, liberal education in the law office of a practitioner. Practicing lawyers are now specializing to such an extent, and their business is so exacting, that there is no opportunities or time for the instruction of the student in the law office. So the young man of today, expecting to practice law, must look to some good law school or the law department of some university if he hopes to achieve success.

If he is true to his profession, he loves justice and his courage and resourcefulness grow as he fights for it. He develops sympathy, for he sees humanity with its faults and virtues. All sides of his nature are brought out in daily practice of his profession and he grows, month by month, and year by year, till he finally comes to be a well rounded character. [442]

### **EARLY LAWYERS.**

Here in Brown county the lawyer has had his place from almost the commencement of the settlement. The first attorney to practice at New Ulm was Hon. Francis Baasen, who became not only an able lawyer but was also a soldier and state official on numerous occasions. One of the publications of this state gives the following concerning Mr. Baasen:

Hon. Francis Baasen, a native of Germany, born in 1830, emigrated to America at the age of nineteen years; resided in Milwaukee until 1855; in January, 1856, he came to New Ulm, Minnesota. While in Milwaukee he studied law and was there admitted to the practice of law. Arriving in New

Ulm he made a claim to some land near the then little village and at once opened a law office; he was the first to open a law business in Brown county. In August, 1861, he enlisted as a Civil War soldier, a member of the First Minnesota Regiment, and served until May, 1864. He commanded the New Ulm volunteers who went against Ink-pa-dut-ah, the Indian chief, in 1857 during the memorable Spirit Lake massacre. He was promoted to first lieutenant and later to quartermaster of the regiment. On his return from the war he resumed his law practice at New Ulm. He was a member of the constitutional convention and was a member of the delegation; in 1857 he was a member of the Territorial Legislature of Minnesota, as well as of the state Legislature in 1873. He was the first secretary of state for the newly admitted state into the union, and held the office of county attorney in Brown county for a number of years. From 1870 to 1876 he resided in Nicollet county, [443] and while there held the office of county commissioner. He was a well-trained attorney and lived a long and highly useful life, dying on January 10, 1901, leaving a widow and children to mourn his death, as well as the entire community with whom he had mingled so many eventful years of his professional and official life.

Hon. Jonas Newhart, born in Monroe county, Pennsylvania, in 1846, remained in his native state until 1857; in company with his parents, came to Minnesota, remaining in Goodhue county several years. He then returned East, remained in New Jersey and Pennsylvania until 1862. Though not quite sixteen years of age he enlisted as a drummer-boy in the One Hundred and Seventh Pennsylvania Regiment. At the end of two years he re-enlisted and was appointed chief musician of his regiment, being mustered out in 1865. The following year he again came to Minnesota, soon after entering the law office of S. L. Pierce, later of St. Paul, and studied with him until 1868; then formed a law partnership with Mr. Pierce, which existed two years. In 1871 he located at New Ulm and opened a law office; he made a specialty of real estate collections. He was judge of the probate court of Brown county in 1873-74, and was court commissioner in 1873-75. Subsequently he removed to the Twin Cities, where he committed suicide.

Frank D. Randall, son of Benjamin H. Randall, was born at Ft. Ridgely, Minnesota, September, 1856. His father was quartermaster at the fort many years. The family subsequently removed to St. Peter, and in 1873 young Randall left the high school to teach in LeSueur county; in the autumn of 1874 he became a student in the [444] collegiate course of St. John's College at Prairie du Chien, Wisconsin; remained one year. He then entered

the law office of G. S. Ives, of St. Peter, in 1876, continuing to study law there until 1880. In the spring of the year last mentioned he was admitted to the bar and soon removed to Tracy, Minnesota, remaining there until May, 1881; then located at New Ulm, and became a member of the law firm of Lind & Randall. Subsequently, he moved to St. Cloud and was chairman of the board of management for the state reformatory of that city. At present he is holding a like position at Cambridge, Massachusetts, for the reformatory of that state.

Joseph A. Eckstein, born in Austria, in 1857; came with his parents to America in 1864; located in Cottonwood township, Brown county; in 1866 he moved to Sigel township; at the age of thirteen years he started in life for himself. In the fall of 1874 he entered the State Normal School at Mankato; during the summer of 1875 he taught school, but returned to school and graduated in May, 1876. He then taught in the public schools of New Ulm four years, and in the meantime began the study of law with Judge B. F. Webber, was admitted to the bar in May, 1880. The same year he entered the United States Signal service at Washington, D. C., and was ordered to Ft. Meyer, Virginia, for instructions; he was at the head of his class when he finished his course, in December, 1880, and was ordered to Texas and stationed at different points; October, 1881, he was discharged on his own application. Returning to his home, he opened a law office at New Ulm. In November, 1881, he was appointed county attorney. For many years he was a leading member of this bar and died very sud-[445]-denly of apoplexy, April 8, 1915. He had practiced law in New Ulm thirty-four years. He had served as city attorney for New Ulm seventeen years and was an authority on municipal government in this state. He had been president of the Brown County Bar Association for several years; was a skillful criminal lawyer, a man of strong personality and possessed many qualities needed to make a successful lawyer. He was prominent in Masonic circles, a member of the commandery at New Ulm many years; was associated with the Ancient Order of United Workmen and was at one time holding the highest office in that beneficiary order—grand master workman. He was an excellent lawyer and a useful citizen. To understand how he was respected it only needs be added that at his funeral services in New Ulm there were more than two thousand people present.

Hon. John Lind was born in Sweden in 1854. At the age of thirteen years he came to America with his parents, locating in Goodhue county, Minnesota. He attended the Redwing public schools, and taught several terms. In 1873

he came to New Ulm to cast his fortunes with this people. He taught the public school here in 1873 and also taught in Nicollet county one year, then entered the office of Jonas Newhart for the study of law. In 1875 he entered the State University of Minnesota, at Minneapolis, which institution he attended until the fall of 1876, when he was admitted to the bar in New Ulm. In 1877 he opened a law office, and the same year was elected county superintendent of public schools. On May 1, 1881, he accepted the appointment of receiver of the land office at Tracy, but still retained his law business in New Ulm for some time, being of the firm of [446] Lind & Randall. He was elected governor of Minnesota in 1898 and made an excellent state official. He is now practicing law in the Twin Cities.

Carl Albert Hagberg, born in 1856, at Rockford, Illinois, died on February 22, 1908, aged something more than fifty-one years. He was admitted to the bar of Brown county November 24, 1882, and continued to practice law until his death. His merits as a lawyer and his honorable conduct as a member of the profession he followed will be remembered and long cherished by his living associates and stands out as an example worthy of emulation upon the part of those who may succeed him.

Hon. Daniel G. Schillock was an attorney here in the early sixties, practicing at New Ulm. He was here at the date of the Indian massacre of August, 1862. He was an educated German jurist; served as a member of the Minnesota Senate in the latter part of the sixties and had the distinction of being the ablest man in that body. After retiring from the Legislature he made his home at Minneapolis.

#### **OTHER MEMBERS OF THE BAR.**

Other lawyers who were members of the Brown county bar at one time or another included M. C. Robertson, who was county attorney, and a resident of Springfield; practiced here a number of years and finally removed to other parts.

In the seventies another lawyer of the county was George Kuhlman.

In about 1870 came C. T. Clothier, who practiced law here successfully a number of years and removed to the [447] West and resumed his practice. He was a soldier in the Civil War from Wisconsin.

George W. Somerville, an attorney of considerable note, residing many years at Sleepy Eye, and was a partner of present District Judge I. M. Olsen, at one time, removed a few years ago to California, where he engaged in the practice of law. He was unfortunate in being made the victim of what almost cost him his life. For some real or fancied grievance a man with whom he had business relations, entered his office and fired three shots at him, all taking effect, but fortunately not fatally.

Another attorney here was George T. Olsen, now of St. Peter.

A very early lawyer in New Ulm was Mr. Bassford, who came in from one of the Eastern states, with a young bride in the early seventies, remained a few years and left the county.

One Dorman, an attorney from St. Peter, practiced here and was a resident of the county in Civil War days and a little later. He removed to Beaver Falls, Minnesota.

#### **BROWN COUNTY BAR IN 1916.**

In May, 1916, the members of the Brown county bar were as follows: Albert Steinhauser, George D. Erickson, Henry Somsen, W. H. Dempsey, Alfred W. Miller, Albert Pfaender, Albert B. Flor—all residing in New Ulm.

At Sleepy Eye—L. G. Davis, Alvin Berg, Albert Hauser.

At Springfield—Adolph Frederickson, Ed. J. Fernholz, August Erickson.  
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#### **OFFICERS OF THE COURT.**

The 1916 officers of the district court of Brown county were: Hon. I. M. Olsen; presiding judge; W. T. Eckstein, reporter; Carl P. Menderfeld, clerk of the court; A. Frederickson, county attorney, William J. Julius, sheriff.

## DISTRICT JUDGES.

The following have served as judges in the districts that have included Brown county: A. G. Chatfield, Traverse des Sioux; Horace Austin, St. Peter; M. G. Hanscome, St. Peter; E. St. Julien Cox, St. Peter; H. D. Baldwin, Redwood Falls; B. F. Webber, New Ulm; Hon. I. M. Olsen, present judge. Not being able to secure data for biographies for all of these judges, such as are at hand are as follow:

Hon. E. St. Julien Cox, who resided both at St. Peter and New him, was a noted politician, soldier, lawyer and district judge for the district including Brown county. He was born at Geneva, Switzerland, in 1835, while his parents were making a tour of Europe, they both being citizens of the United States. He finished his study of the law was admitted to the bar in Wisconsin in 1854, locating at Pine City. In 1857 he moved to St. Paul, Minnesota, from there to St. Peter, which city was his home many years. In 1873 he was elected a member of the House of Representatives in Minnesota from his county, and the following year was elected state senator. He was elected judge of the Ninth judicial district. He was a man of more than ordinary intelligence, and was for some years a leader in [449] the Democratic party of this part of the state. He aspired the office of congressman, but failed to receive the office. He was a good trial lawyer, a fine public speaker and had any admirers.

Hon. Benjamin F. Webber, another judge of the Ninth judicial district, was born at Shapleigh, Maine, October 6, 1833, and died at New Ulm, December 4, 1906. He was admitted to the bar at Madelia, Minnesota, March 21, 1872, and became a resident of New Ulm in January of that year. In 1875 he became county attorney of Brown county, and held the office for eight years. He was elected judge of the district, which at that date included the counties of Brown, Nicollet, Redwood, Lyon and Lincoln. He assumed the duties of his office on January 1, 1883, and was an honored member of the bench of Minnesota until his death, or until a short time previous to his decease, he having resigned on account of ill health. He was greatly beloved by a wide circle of friends and highly respected by the bench and bar of Minnesota. Coming up from the humble walks life, having left the role of a mechanic to be a useful and just judge of the district court, after having made his way successfully through the changes and labors as a member the bar.

Hon. I. M. Olsen, present district judge of the Ninth judicial district, was born on January 4, 1861, in Norway, and accompanied his parents to America, settling in Nicollet county, Minnesota, in May, 1865. Young Olsen was reared to hard farm labor and attended the common schools until eighteen years of age; studied one year in the public schools of St. Paul; entered the Minnesota University and [450] graduated from the academic course in 1887. He then studied law in the office of Lind & Hagberg, at New Ulm, and was admitted to the practice of law in 1893. In January, 1894, he opened a law office at Redwood Falls, but removed to Sleepy Eye in June, of that year, and practiced law at Sleepy Eye from then until he was appointed district judge by Governor Johnson, November 15, 1906, and was elected judge at the following election and again in 1912. For two years he was mayor of Sleepy Eye and president of the school board for many years before being elevated to the bench. He is married and now resides at New Ulm.



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